



STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

TO: Legislative Regulation Review Committee
Capitol Building, Hartford, Connecticut

DATE: September 26, 2014

SUBJECT: Proposed Regulations Concerning Motor Fuel Price Posting

SUMMARY OF TESTIMONY

The Department held a properly noticed public hearing on May 28, 2014. The administrative record was held open for one week, through Wednesday, June 4, 2014 to allow additional written testimony to be submitted for consideration.

IN SUPPORT OF ADOPTION:

1. Frank Greene, the Director of the Department of Consumer Protection's Food and Standards Division, provided oral comments in support of the regulations.

OPPOSED TO ADOPTION:

No verbal or written comments opposed the adoption of the proposed regulations.

SUGGESTING MODIFICATIONS TO THE TEXT:

1. Written comments were received during the public comment period from Cumberland Farms, Inc., proposing additional language to three sections (Sec. 16a-15-8(b); Sec. 16a-15-9(a)(1); and Sec. 16a-15-9(a)(6)) because of a belief that some existing language within the regulation was not broad enough to allow the placement of one electronic sign displaying multiple grades of fuel.

The suggested changes were incorporated into the final version of the regulations.

A copy of the official transcript of the public hearing is also being provided with this summary, together with copies of any written testimony. If the members of the Committee should have any questions, they may contact Attorney Jerry P. Padula at 860-713-6087 or via e-mail at Jerry.Padula@CT.gov.

CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION
REGULATION HEARING – MOTOR FUEL PRICE POSTING
May 28, 2014

Jerry Padula: Okay. Good afternoon. My name is Jerry Padula, and I'm an attorney with the Department of Consumer Protection. I've been designated by Commissioner William M. Rubenstein to be the Hearing Officer for today's Public Hearing on regulations concerning Motor Fuel Price Posting. Today is Wednesday, May 28, 2014. The time is now 2:20 in the afternoon. We are in Room 119 of the State Office Building, which is located at 165 Capitol Avenue here in the Capital City of Hartford, Connecticut. On April 25, 2014, the Department of Consumer Protection published a Notice of Intent to Amend Regulations with the Secretary of State. These regulations are being proposed in accordance with the authority granted in the Connecticut General Statutes, Sections 16a-15 and Section 4-168. The full text of the regulation, which has been made available to the public, will be entered as Exhibit A. For the record, a copy of the hearing notice will be entered as Exhibit B.

The Fiscal Note prepared by the agency, which reflects that the proposed regulation, whether it will cause any fiscal impact on the agency, is gonna be made part of the record as Exhibit C. The Department also performed a Small Business Impact Statement Analysis and notified the Department of Small Business Affairs at the Department of Economic Development of our intent to amend these regulations. Pursuant to the Connecticut General Statute section 4-168a, when drafting these proposed regulations, the Department considered methods that would accomplish the objectives of the applicable statutes while minimizing the adverse impact on small businesses. This agency has specifically considered the 5 methods listed in subsection (b) of Connecticut General Statutes 4-168a. The Small Business Impact Statement will be marked as Exhibit D.

The designation letter of Commissioner Rubenstein allowing me to serve as the hearing officer today will be marked as Exhibit E. And we have not received any other written submissions, but any time a document is entered into the record, I will be entering it in as a separate exhibit. At this point, we do have a speaker sign-up sheet. The first speaker is Frank Greene, the Director of the Department of Consumer Protection's Division of Food and Standards.

Frank Green: Yeah. Thank you, Attorney Padula. My name is Frank Greene. As indicated, I am Division Director for the Division of Food and Standards in the Department of Consumer Protection. The intent of these regulations is to provide alternate display, price-posting displays for service stations so they can take advantage of newer technologies out there. They still have to

display the price in accordance with accepted standards. There is no adverse, as far as we can tell, impact on the consumer, and there is benefit to the retailers in that they have, they can employ technology to improve their [class 3:22] and to improve their displays. Thank you very much for allowing me to comment.

Jerry Padula:

Thank you, Director Greene. There is no one else here today to testify in favor or oppose to the regulations; but what we will do is leave the record open for 1 week until the close of business on Wednesday, June 4, to allow any interested parties an opportunity to provide further written comments to the Department about these new proposed regulations, and those comments can be directed to Commissioner William Rubenstein. The agency will be reviewing all the testimony and documents received and will consider whether any revisions should be made to the regulations as published through the Secretary of State. Pursuant to the Uniform Administrative Procedures Act, we will then forward the proposed regulations to the Attorney General's office to be reviewed for legal sufficiency. If approved, the regulations will then be forwarded to the Regulation Review Committee of the General Assembly for their consideration and approval. They will become effective upon filing with the Secretary of State.

Okay, if there is no other comments today from those present, I thank everyone for attending the hearing and for providing your comments to the department on the proposed regulations. I note the time is now 2:25 in the afternoon; and this hearing is now adjourned. Thank you.

/sm



'Copy' of original sent June 9, 2014.

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