

**Testimony of Stephen G. Rosentel before the General Law Committee on
March 3, 2016**

**H.B. No. 5435 (RAISED) AN ACT CONCERNING CONSUMER OPTIONS
TO PURCHASE ABOVE GROUND PROPANE TANKS.**

Hello my name is Steve Rosentel. I am the President of Leahy's Fuels, a marketer of fuel oil and propane gas located in Danbury for over 98 years. We service and sell heating and hot water systems that run on oil, propane and natural gas and deliver heating fuels to over 13,000 residential and commercial customers. I have served on the boards of PGANE (Propane Gas Association of New England) and CEMA (CT Energy Marketers Association) for many years. Today I am here to speak on behalf of our industry in **support of H.B. 5435** An Act Concerning Consumer Options to Purchase Above Ground Propane Tanks.

This bill will amend the changes made to the statute, without any opportunity for public comment, during the recent special session, in December 2015. These changes eliminate the inherent public safety risk associated with this new government mandate while still guaranteeing the consumer the right to purchase an above-ground propane tank from any marketer doing business in CT.

The now current law requires that we grant a firm purchase option for a propane tank installed at a customer's home for a five year period. If a tank has been in the field for years, we have no crystal ball to ensure the tank will still be suitable for service no more than a mechanic can guarantee that a 7 year old car will be safe to drive when it is 12 years old. If the tank was manufactured to DOT specifications it cannot legally be filled without requalification beyond that 12 year date creating a potential for a long interruption of service unless the customer buys another tank. There are many reasons why most propane customers choose not to own their above-ground tanks.

I understand that while there are over 65 companies selling propane in CT that some consumers, according to DCP, have had difficulty in getting a price quoted on buying an above-ground tank. This legislation will continue to require all propane marketers to quote the price to purchase the tank. The consumer can easily threaten to change companies or change companies at any time, or if they signed a supply contract, when the contract ends. The contract terms are already limited by CT law to no longer than 36 months which gives the consumer leverage. By mandating the purchase option of a new aboveground tank, this bill will eliminate the possibility of a consumer purchasing a tank with a significantly limited remaining useful life. A new tank will come with the manufacturer's warranty and provide the consumer with years of useful service.

Please protect our consumers and their families by eliminating the requirement that we offer for sale tanks that may very well be near the end of their useful life.

I will be happy to take any questions.