



STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY

Via email (kirstin.breiner@cga.ct.gov) and mail

January 4, 2016

In reply, please refer to:

Docket No. 14-02-11

The Honorable Clark J. Chapin, Co-Chairperson
The Honorable Brian Becker, Co-Chairperson
Honorable Members of the Legislative Regulations Review Committee
Capitol Building, Room 11
Hartford, CT 06106

Re: Docket No. 14-02-11– Promulgation of Regulation to Provide a Procedural Framework for Uncontested Proceedings at the Public Utilities Regulatory Authority

Dear Senator Chapin, Representative Becker, and Members of the Committee:

Pursuant to Connecticut General Statutes §4-170(e), the Public Utilities Regulatory Authority (PURA or Authority) hereby resubmits the above-referenced proposed regulation for your review and approval. These proposed regulations were rejected without prejudice by the Committee on September 22, 2015 and November 24, 2015.

The following items are enclosed for your review:

1. The revised proposed regulations as approved by the Office of the Attorney General and adopted by the Authority on January 4, 2016;
2. Summary of Revisions;
3. PURA's responses to comments (Statement of the Principal Reasons in Support of PURA's Intended Action and Statement of Principal Considerations in Opposition to PURA's Intended Action and the Reasons for Rejecting Such Considerations);
4. The Fiscal Note prepared by the Authority concerning the regulation;
and
5. The Regulatory Flexibility Analysis.

We look forward to the Committee's approval of these revised proposed regulations. If you have any questions, please contact Cat Nguyen at 860-827-2643. Thank you for your consideration.

Respectfully Submitted,

PUBLIC UTILITIES REGULATORY AUTHORITY



Jeffrey R. Gaudiosi, Esq.
Executive Secretary

Enclosures



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SUMMARY OF REVISIONS TO THE PROPOSED REGULATIONS

In response to the Legislative Commissioners' Office memorandum dated November 12, 2015, the Public Utilities Regulatory Authority revised the proposed regulations concerning rules for uncontested proceedings as follows:

Substantive Corrections:

1. On pages 1 through 24, sections 1 through 58, "department," "commission" and "DPUC" were changed to "Authority" and "Department of Public Utility Control" was changed to "Public Utilities Regulatory Authority" in sections 16-1-5, 16-1-6, 16-1-7, 16-1-8, 16-1-10, 16-1-11, 16-1-12, 16-1-13, 16-1-14, 16-1-15, 16-1-20, 16-1-22, 16-1-23, 16-1-24, 16-1-25, 16-1-26, 16-1-28, 16-1-29, 16-1-30, 16-1-31, 16-1-32, 16-1-34, 16-1-35, 16-1-38, 16-1-44, 16-1-45, 16-1-46, 16-1-47, 16-1-48, 16-1-49, 16-1-50, 16-1-53a, 16-1-59, 16-1-59B, 16-1-82, 16-1-83, 16-1-102, 16-1-103, 16-1-104, 16-1-105, 16-1-106, 16-1-107, 16-1-108, 16-1-109, 16-1-111, 16-1-112, 16-1-114, 16-1-115, 16-1-116, 16-1-118, 16-1-119, 16-1-128, 16-1-129, 16-1-130, 16-1-131, 16-1-132, and 16-1-133. In section 16-1-2, the definitions have been changed to apply to sections 16-1-2 to 16-1-59B, inclusive, 16-1-71 to 16-1-87, inclusive, and sections 16-1-102 to 16-1-133, inclusive. The exclusion of sections 16-1-66 to 16-1-70, inclusive, and sections 16-1-88 to 16-1-101, inclusive, was necessary because those sections are no longer under the Public Utilities Regulatory Authority's jurisdiction.
2. On pages 24 and 25, the new sections concerning procedures for uncontested proceedings were changed from proposed sections 16-1-44a to 16-1-44d, inclusive, to new sections 16-1-134 to 16-1-137, inclusive. Proposal was also made for the new sections 16-1-134 to 16-1-137, inclusive, to be located in a new Article 5 – UNCONTESTED PROCEEDINGS, and a new Part 1 – Participants, Hearings, General Provisions.
3. The provision that requires documents filed in an uncontested proceeding to be "verified with an accompanying affidavit or supporting documentation" in the previously proposed section 16-1-44c was deleted as unnecessary.

Technical Corrections:

1. Throughout the regulation, "participant" was uncapitalized, for proper form.
2. On page 2, in section 16-1-2(15), "as defined in section 4-166 of the Connecticut General Statutes" was deleted as unnecessary since "contested case" is already defined within said section of the regulation.
3. On page 22, in section 53, the entire section 16-1-128 was included and the name conforming changes were made.
4. On page 4, in section 16-1-14, "**Sec. 16-1-14. Formal requirements as to documents filed in proceedings**" was inserted before "(a) Definitions", to accurately reflect the text of the existing regulation.
5. On page 5, in section 16-1-14(c)(1), "(a)" and "(b)" were revised to "(A)" and "(B)", respectively, for proper form.
6. On page 25, in section 16-1-134, "of the Regulations of Connecticut State Agencies" was inserted after "section 16-1-136" for proper form.
7. On page 25, in section 16-1-135(b) (previously proposed "16-1-44b(b)"), "person's" was revised to "participant's" and "agency" was revised to "Authority", for consistency.
8. Section 16-1-53a has been moved from section 3 of the previously proposed regulation to section 33 of the current regulation.
9. Section 16-1-24 has been moved from section 6 of the previously proposed regulation to section 15 of the current regulation.