



STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY

July 19, 2016

Via email: kirstin.breiner@cga.ct.gov

Kirstin L. Breiner
Committee Administrator
Legislative Regulation Review Committee
State Capitol Building, Room 011
Hartford, CT 06106

Re: LRRC Docket #2016-002 - Amendments to the Protection of Whistle-Blowers

Dear Ms. Breiner:

In accordance with the rules of the Legislative Regulations Review Committee (LRRC), the Public Utilities Regulatory Authority submits the attached substitute page for the proposed regulation referenced above, which is scheduled for consideration at the July 26, 2016 meeting of the LRRC. The substitute pages make the following revisions to the proposed regulation:

1. Page 1: 16-8a-1(l) - The definition of "back pay" is further limited to payment of lost wages, benefits and other forms of compensation no earlier than the date the adverse employment action occurred.

If you have any questions, please contact Miriam Theroux at 860-827-2606 or Chen Lu at 860-827-2695. Thank you for your consideration.

Sincerely,

PUBLIC UTILITIES REGULATORY AUTHORITY

A handwritten signature in black ink, appearing to read "Jeffrey Gaudiosi".

Jeffrey Gaudiosi
Executive Secretary

State of Connecticut
Regulation of
Public Utilities Regulatory Authority
Concerning
Amendments to the Protection of Whistle-Blowers

Section 1. Section 16-8a-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-8a-1. Definitions

For the purposes of [Section] section 16-8a-1 [through] to 16-8a-6, inclusive, of the [regulations] Regulations of Connecticut State Agencies:

(a) “Company” means a public service company as defined in [Section] section 16-1 of the Connecticut General Statutes [of Connecticut];

(b) “Holding Company” means any holding company as defined in [Section] section 16-47 of the Connecticut General Statutes [of Connecticut];

(c) “Licensee” means any federal Nuclear Regulatory Commission licensee operating a nuclear power generating facility in the State of Connecticut;

(d) “Person” means one or more [idividuals] individuals, firms, corporations, joint ventures, partnerships, associations, cooperative associations, business trusts, legal representatives, or any organized groups of persons; and shall include any trustees, receivers, assignees or personal representatives thereof;

(e) “Employer” means any company, holding company, or licensee, or any contractor or subcontractor directly or indirectly providing goods or services to a company, holding company, or licensee;

(f) “Employee” means any person engaged in service to an employer;

(g) [“Department” means the Department of Public Utility Control] “Authority” means the Public Utilities Regulatory Authority;

(h) “Facility” means a nuclear power generating facility in the State of Connecticut;

(i) “Complaint” means the transmission of facts and information to the [Department] Authority by an employee having knowledge of any matter involving substantial misfeasance, malfeasance or nonfeasance, or of the discharge, discipline or other penalizing of, or threat of retaliatory action against a person reporting the misfeasance, malfeasance or nonfeasance, in the management of a company or facility;

(j) “Complainant” means an employee who transmits a complaint to the [Department] Authority; [and]

(k) “Equivalent position” means a position that provides the same level of pay and benefits, and the same or similar potential for career advancement for the employee as the employee’s former position. Whenever possible and practical the equivalent position shall be in the same department, unit and location as the former position[.]; and

(l) “Back pay” means payment of lost wages, benefits and other forms of compensation from any date, as determined by the Authority based on the relevant facts in each case, but no earlier than the date the adverse employment action occurred, until reinstatement or other remedy is made.