

## **Small Business Impact Statement**

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: **PUBLIC UTILITIES REGULATORY AUTHORITY (PURA)**

Subject matter of Regulation: **PURA – Promulgation of Regulations by the PURA to Amend Certain PURA Regulations Relating to the Call Before You Dig Program**

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

- The regulatory action will not have an effect on small businesses.
- The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses.
- The regulatory action may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
  - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
  - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
  - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
  - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Has the State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations? NO

## **Small Business Impact Analysis**

### **Promulgation of Regulations by the PURA to Amend Certain PURA Regulations Relating to the Call Before You Dig Program**

*Public Act No. 09-19, An Act Requiring Economic Impact Analysis for Proposed Regulations, requires regulating agencies to prepare an economic impact analysis that identifies the impact the regulatory action may have on small businesses.*

*This legislation describes a simple analysis that includes an estimate of the number of small businesses subject to the proposed regulation and the projected costs required for compliance with the proposed regulation.*

### **PURA – Promulgation of Regulations by the PURA to Amend Certain PURA Regulations Relating to the Call Before You Dig Program**

**Statement of Purpose:** The proposed amendments address proper techniques and protocol for the excavation of underground utility facilities. These regulatory changes are necessary to reflect the statutory amendments made in Connecticut General Statutes §§16-345 through 16-359. In addition, the proposed amendments incorporate drafting changes adopted by the Legislative Regulation Review Committee of the General Assembly.

#### **Step 1. Identify industry (NAICS) code for “Excavation”, “Landscaping”,**

- a. Go to <http://www.census.gov/epcd/www/naics.html>.
- b. Enter “Excavation”, “Landscaping” in search box.
- c. Resulting NAICS code is **238910, 561730**.

#### **Step 2. Look up number of Excavators and employees in Connecticut.**

- a. Go to <http://www.census.gov/econ/www/index.html>.
- b. Select the “County Business Patterns -- States” link <http://censtats.census.gov/cbpnaic/cbpnaic.shtml>
- c. Select “Connecticut” from drop down box. Click on **“Submit.”**

Go to entry under “Industry Code” xx

- d. Add up total establishments, total employees and average number of employees.

Industry Code	Industry Code Description	Employees	Total Firms	Avg Employees
237110	Water and Sewer Line and Related Structures Construction	1305	111	12
237120	Oil and Gas Pipeline and Related Structures Construction	124	7	18
237130	Power and Communications Line and Related Systems Construction	2500-5000	45	57-111
237990	Other Heavy and Civil Engineering Construction	270	37	7
238910	Site Preparation Contractors	3500	502	7
561730	Landscaping Services	7965	1936	4
Total		17,263 – 19,763	2758	6-7

**Step 3. Determine the cost of complying with the proposed regulation.**

- a. Specify the actions required of the affected businesses by the proposed regulation and their costs.

**There are no new costs for the affected businesses.** The changes in the regulations are clarifications and updates to reflect current practices. As a result, the proposed regulations will not impose any new requirements that are not already in practice for affected businesses. These changes do not require any additional time to complete or any additional filing or reporting. There are provisions which will ease some of the requirements placed on excavators. Thus, there will be no new costs for any businesses.

- b. Multiply the approximate cost by the average number of employees: 17,263 – 19,763 employees x \$0 cost = \$0 additional cost.

**Step 4. Complete small business economic impact estimate.**

- a. Estimated number of small businesses to be affected:

2758

- b. The projected costs, including reporting, recordkeeping and administration, and other costs required for compliance with the proposed regulation:

\$0