



**Written Testimony of the Connecticut Siting Council
Submitted to the Energy and Technology Committee**

**In Reference to Proposed Bill No. 676
An Act Concerning the Connecticut Siting Council Hiring a Special Inspector for the Construction
of Any Merchant Electrical Generating Facility
February 19, 2019**

Good morning Representative Arconti, Senator Needleman, Senator Fonfara, Representative Allie-Brennan, ranking and distinguished members of the Energy and Technology Committee. Thank you for the opportunity to testify in connection with Proposed Bill No. 676.

This bill ignores the existence of Section 16-50ii of the General Statutes that requires an applicant for an electric generating facility to retain, for the duration of facility construction, at least one special inspector to assist the local fire marshal in reviewing construction plans and inspecting the facility during construction to ensure compliance with recommended standards.

Public Act 11-101, An Act Adopting Certain Safety Recommendations of the Thomas Commission, focused on the 2010 natural gas explosion that occurred at the Kleen Energy facility in Middletown. It codified Executive Order No. 45, which prohibits the use of flammable gas to clean the natural gas piping of an electric generating facility and prohibits the Connecticut Siting Council (CSC) from issuing a certificate to build an electric generating facility unless the applicant retains a special inspector and pays a code training fund fee.

The intent of this bill appears to shift the existing responsibility to “hire” a special inspector from the applicant for an electric generating facility to the CSC. This poses substantial fiscal challenges, including, but not limited to, going out for bid for a special inspector each time an electric generating facility application is received, making direct payments to the special inspector from the CSC budget that are required to be reimbursed by the applicant and the possibility that the applicant for the electric generating facility becomes insolvent prior to completion of construction leaving the CSC with substantial amounts of uncollectible funds.

CSC opposes this bill for the following reasons:

1. **There is no existing state contract or vendor for special inspector services.** CSC would have to put out a bid for a special inspector. Once selected, the special inspector would be on state contract for a specified duration. Once that duration expires, CSC would have to put out another bid for a special inspector.
2. **CSC would be required to pay the special inspector out of its budget and seek reimbursement from the applicant for the electric generating facility.** The cost for services of a special inspector are substantial. CSC would have to pay the special inspector out of its budget and then the applicant for the electric generating facility would have to later reimburse CSC.
3. **If the applicant for the electric generating facility became insolvent, CSC would be unable to collect the reimbursement for the special inspector.** If the applicant for the electric generating facility becomes insolvent, CSC would be unable to collect the reimbursement for the

special inspector from the applicant, which would result in substantial fiscal challenges and budgetary issues, including, but not limited to, substantial uncollectible funds.

In summary, the CSC opposes the passage of Proposed Bill No. 676 on the basis that the bill is duplicative of existing statutory requirements and would create substantial fiscal challenges and budgetary constraints by shifting the responsibility of hiring a special inspector from the applicants to the CSC.

Thank you again for the opportunity to provide testimony on this proposal. Should you have any questions or seek additional information, please feel free to contact Melanie Bachman at 860-827-2951 or Melanie.Bachman@ct.gov.

James J. Murphy, Jr.
Acting Chairman
Connecticut Siting Council