AN ACT CONCERNING MEMBERS OF THE CONNECTICUT GREEN BANK BOARD OF DIRECTORS AND THE PUBLIC UTILITIES REGULATORY AUTHORITY’S REVIEW OF CLAIMS ARISING FROM CONTRACTS PREVIOUSLY APPROVED BY THE AUTHORITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivision (1) of subsection (e) of section 16-245n of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(e) (1) The powers of the Connecticut Green Bank shall be vested in and exercised by a board of directors, which shall consist of eleven voting and [two] one nonvoting [members] member each with knowledge and expertise in matters related to the purpose and activities of said bank appointed as follows: The Treasurer or the Treasurer's designee, the Commissioner of Energy and Environmental Protection or the commissioner's designee and the Commissioner of Economic and Community Development or the commissioner's designee, each serving ex officio, one member who shall represent a residential or low-income group appointed by the speaker of the
House of Representatives for a term of four years, one member who shall have experience in investment fund management appointed by the minority leader of the House of Representatives for a term of three years, one member who shall represent an environmental organization appointed by the president pro tempore of the Senate for a term of four years, and one member who shall have experience in the finance or deployment of renewable energy appointed by the minority leader of the Senate for a term of four years. Thereafter, such members of the General Assembly shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. The Governor shall appoint four members to the board as follows: Two for two years who shall have experience in the finance of renewable energy; one for four years who shall be a representative of a labor organization; and one who shall have experience in research and development or manufacturing of clean energy. Thereafter, the Governor shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. The president of the Connecticut Green Bank shall be elected by the members of the board. The president of the Connecticut Green Bank shall serve on the board in an ex-officio, nonvoting capacity. The Governor shall appoint the chairperson of the board. The board shall elect from its members a vice chairperson and such other officers as it deems necessary and shall adopt such bylaws and procedures it deems necessary to carry out its functions. The board may establish committees and subcommittees as necessary to conduct its business.

Sec. 2. Section 16-35 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage and applicable to contracts approved on or after said date):

(a) Any person, including but not limited to a company, town, city, borough or corporation aggrieved by any order, authorization or
decision of the Public Utilities Regulatory Authority, except an order, authorization or decision of the authority approving the taking of land, in any matter to which such person was or ought to have been made a party or intervenor, may appeal therefrom in accordance with the provisions of section 4-183, provided any person who is party to a contract described in subsection (d) of this section shall first bring their claim to the authority pursuant to said subsection. Such person so appealing shall give bond to the state, with sufficient surety, for the benefit of the adverse party, in such sum as the authority fixes, to pay all costs in case such person fails to sustain such appeal. No municipality or political subdivision shall be determined not to be aggrieved solely because there are other persons who are similarly affected by the order, authorization or decision of the authority.

(b) Any person who may appeal an order, authorization or decision of the authority under subsection (a) of this section who was an intervenor or, after timely application, was denied intervenor status to the authority proceeding, shall be limited to raise on appeal only those issues that (1) such person addressed during the proceeding or were addressed in the final decision, or (2) such person raised in his request for intervenor status if he was denied intervenor status.

(c) Notwithstanding any provision of this title and title 16a, proceedings in which the Public Utilities Regulatory Authority conducts a request for proposals or any other procurement process for the purpose of acquiring electricity products or services for the benefit of ratepayers shall be uncontested.

(d) (1) The first dispute arising from a contract that is approved by the Public Utilities Regulatory Authority where (A) a public service company is a party to the contract, (B) the contract price is funded by ratepayers, and (C) the purpose of the contract is for the public service company to purchase products and services for the benefit of ratepayers, shall be brought by a party to said contract to the authority. A party may petition the authority for a declaratory ruling or make an
application for review pursuant to this subsection or the section of the
general statutes that governs said contract. Notwithstanding
subsection (a) of section 4-176, the authority may not on its own
motion initiate a proceeding to review a contract described in this
subsection.

(2) The authority shall review such contract claims brought
pursuant to subdivision (1) of this subsection. The authority shall
decide such contract claims by issuing a declaratory ruling or a final
decision in a contested case proceeding, including ordering legal and
equitable contract remedies. Any party to such contract shall have the
right to appeal to the Superior Court from any such declaratory ruling
or final decision adjudicating such contract claims pursuant to
subsection (a) of this section.

This act shall take effect as follows and shall amend the following
sections:

<table>
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<tr>
<th>Section 1</th>
<th>October 1, 2019</th>
<th>16-245n(e)(1)</th>
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<tbody>
<tr>
<td>Sec. 2</td>
<td>from passage and applicable to contracts approved on or after said date</td>
<td>16-35</td>
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Statement of Purpose:
To accurately reflect the number of nonvoting members that serve on
the board of the Green Bank and to require the Public Utilities
Regulatory Authority to review claims arising from contracts the
authority previously approved.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]