OLR Bill Analysis
SB 469

AN ACT REQUIRING THE PUBLIC UTILITIES REGULATORY AUTHORITY TO ESTABLISH PERFORMANCE STANDARDS AND MINIMUM STAFFING AND EQUIPMENT LEVELS FOR ELECTRIC DISTRIBUTION COMPANIES.

SUMMARY

This bill requires the Public Utilities Regulatory Authority (PURA) to open a proceeding to establish (1) industry specific standards for acceptable performance by an electric distribution company (EDC, i.e., Eversource and United Illuminating) in an emergency and (2) minimum staffing and equipment levels for each EDC in an emergency in which more than 10% of the EDC’s customers lose service for over 48 consecutive hours. Existing law, unchanged by the bill, required PURA to establish largely similar standards and minimum levels in 2012 (see BACKGROUND).

The bill requires the minimum staffing level that PURA establishes for full-time, in-state, staff directly employed by an EDC to be at least 95% of the EDC’s historic maximum level of such workers, as identified by PURA.

PURA must open the proceeding by July 1, 2019, and issue a final decision on it by January 1, 2020. The decision must include a summary and findings from its review of items specified by the bill. PURA must submit the decision to the Energy and Technology Committee.

The bill also specifies that (1) each EDC must provide PURA with any information that it requests to conduct the proceeding, as long as the request or disclosure of information does not violate any state or federal laws and (2) PURA may, from time to time, on its own motion, open a proceeding to revise the minimum staffing and equipment levels it establishes in accordance with the bill’s provisions.
EFFECTIVE DATE: Upon passage

EMERGENCY PERFORMANCE STANDARDS

The bill requires PURA, by July 1, 2019, to initiate a docket (i.e., proceeding) to establish industry specific standards for acceptable performance by an EDC in an emergency. The standards must be designed to protect public health and safety, ensure the reliability of the EDC’s services, prevent and reduce the frequency and duration of service outages and disruptions, and facilitate service restoration.

In establishing the standards, the bill requires PURA to review, for each EDC, the following items:

1. current practices for service restoration after an emergency, including, (a) potential damage and outage estimates made before an emergency; (b) damage and outage assessments made after an emergency; (c) restoration management after an emergency, including access to other restoration resources provided by regional and reciprocal aid contracts; (d) plans for at-risk and vulnerable customers; (e) communication policies with state and local officials and customers, including individual restoration estimates and the timeliness and usefulness of the estimates; and (f) the need for mutual assistance during an emergency;

2. the adequacy of the EDC’s infrastructure, facilities, and equipment, including an analysis of whether the company (a) is following standard industry practice for operating them and (b) has access to adequate replacement equipment for them during an emergency;

3. current policies and procedures for coordinating efforts, including before an emergency, between the EDC and any telecommunications company or non-broadcast TV provider (community antenna television companies, cable franchise certificate holders, and certified competitive video service providers); and
4. any other policy, practice, or information that PURA deems relevant to its review to ensure the reliability of each EDC’s services in an emergency and prevent, minimize, and restore any services outages or disruptions caused by the emergency that lasts over 48 consecutive hours.

The bill also requires PURA to review each EDC’s historic staffing and equipment levels related to service restoration from January 1, 1990, to the present. It also allows PURA to review these levels for additional years. The review must include the number of line crew workers and must distinguish between (1) line crew workers directly employed by the EDC and working full time in the state, (2) line crew workers directly employed by the EDC and primarily working in another state, and (3) line crew workers hired as contractors or subcontractors.

**MINIMUM STAFFING AND EQUIPMENT LEVELS**

The bill requires PURA’s proceeding to establish minimum staffing and equipment levels for each EDC, based on the number of the EDC’s customers and the nature of the infrastructure deployed to serve its customers in an emergency in which more than 10% of its customers lose service for over 48 consecutive hours.

The staffing levels must include separate minimums for staff who are (1) directly employed by the EDC and working full time in the state, (2) directly employed by the EDC and primarily working in another state, and (3) employed as contractors or subcontractors. The bill requires the minimum staffing level for staff directly employed by the EDC and working full time in the state to be at least 95% of the historic maximum level of such workers identified in PURA’s review of the EDC’s historic staffing levels.

**BACKGROUND**

*Emergency Performance Standards and Minimum Staffing and Equipment Levels*

PA 12-148 (codified in CGS § 16-32h), among other things, required PURA to open a proceeding to establish industry specific standards for
acceptable performance by electric and gas companies in an emergency. It also required PURA to establish minimum performance standards for each company's preparation and service restoration during an emergency in which more than 10% of its customers are without service for more than 48 hours. These standards must include, among other things, requirements for minimum staffing and equipment levels for each company, based on the size of its customer base and the nature of its infrastructure.

In practice, PURA established the performance standards required by the act through Docket 12-06-09. These standards, however, did not set specific minimum staffing levels for the EDCs. Instead, they required the EDCs to develop an emergency response plan that, among other things, (1) describes how the EDC will employ resources available under mutual assistance agreements and (2) includes a storm “matrix” that identifies the necessary mutual aid and contractor resources necessary to restore customers within a prescribed time period after various storm levels.

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 20  Nay 4  (03/14/2019)