



General Assembly

February Session, 2022

Raised Bill No. 94

LCO No. 1159



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING CERTAIN MODIFICATIONS TO GAS PIPELINE PROCESSES.

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

1 Section 1. Section 16-7 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 The utility commissioners of the Public Utilities Regulatory
4 Authority, or their designees, while engaged in the performance of their
5 duties may, at all reasonable times, enter any premises, buildings, cars,
6 plants or other places belonging to or controlled by any public service
7 company, [or] electric supplier or person involved in the transportation
8 of gas, as such terms are defined in section 16-280a, and any person
9 obstructing or in any way causing to be obstructed or hindered any
10 utility commissioner of the Public Utilities Regulatory Authority or
11 employee of the Public Utilities Regulatory Authority in the
12 performance of his or her duties shall be fined not more than [two
13 hundred] ten thousand dollars or imprisoned not more than six months,
14 or both.

15 Sec. 2. Section 16-8 of the general statutes is repealed and the
16 following is substituted in lieu thereof (*Effective October 1, 2022*):

17 (a) The Public Utilities Regulatory Authority may, in its discretion,
18 delegate its powers, in specific cases, to one or more of its directors or to
19 a hearing officer to ascertain the facts and report thereon to the
20 authority. The authority, or any director thereof, in the performance of
21 its duties or in connection with any hearing, or at the request of any
22 person, corporation, company, town, borough or association, may
23 summon and examine, under oath, such witnesses, and may direct the
24 production of, and examine or cause to be produced and examined, such
25 books, records, vouchers, memoranda, documents, letters, contracts or
26 other papers in relation to the affairs of any public service company or
27 person involved in the transportation of gas, as such terms are defined
28 in section 16-280a, as it may find advisable, and shall have the same
29 powers in reference thereto as are vested in magistrates taking
30 depositions. If any witness objects to testifying or to producing any book
31 or paper on the ground that such testimony, book or paper may tend to
32 incriminate him, and the authority directs such witness to testify or to
33 produce such book or paper, and he complies, or if he is compelled so
34 to do by order of court, he shall not be prosecuted for any matter
35 concerning which he or she has so testified. The fees of witnesses
36 summoned by the authority to appear before it under the provisions of
37 this section, and the fees for summoning witnesses shall be the same as
38 in the Superior Court. All such fees, together with any other expenses
39 authorized by statute, the method of payment of which is not otherwise
40 provided, shall, when taxed by the authority, be paid by the state,
41 through the business office of the authority, in the same manner as court
42 expenses. The authority may designate in specific cases a hearing officer
43 who may be a member of its technical staff or a member of the
44 Connecticut Bar engaged for that purpose under a contract approved by
45 the Secretary of the Office of Policy and Management to hold a hearing
46 and make report thereon to the authority. A hearing officer so
47 designated shall have the same powers as the authority, or any director
48 thereof, to conduct a hearing, except that only a director of the authority

49 shall have the power to grant immunity from prosecution to any witness
50 who objects to testifying or to producing any book or paper on the
51 ground that such testimony, book or paper may tend to incriminate him
52 or her.

53 (b) (1) The authority may employ professional personnel to perform
54 management audits. The authority shall promptly establish such
55 procedures as it deems necessary or desirable to provide for
56 management audits to be performed on a regular or irregular schedule
57 on all or any portion of the operating procedures and any other internal
58 workings of any public service company or person involved in the
59 transportation of gas, as such terms are defined in section 16-280a,
60 including the relationship between any public service company or
61 person involved in the transportation of gas, as such terms are defined
62 in section 16-280a, and a related holding company or subsidiary,
63 consistent with the provisions of section 16-8c, provided no such audit
64 shall be performed on a community antenna television company, except
65 with regard to any noncable communications services which the
66 company may provide, or when (A) such an audit is necessary for the
67 authority to perform its regulatory functions under the
68 Communications Act of 1934, 47 USC 151, et seq., as amended from time
69 to time, other federal law or state law, (B) the cost of such an audit is
70 warranted by a reasonably foreseeable financial, safety or service benefit
71 to subscribers of the company which is the subject of such an audit, and
72 (C) such an audit is restricted to examination of the operating
73 procedures that affect operations within the state.

74 (2) In any case where the authority determines that an audit is
75 necessary or desirable, it may (A) order the audit to be performed by
76 one of the management audit teams, (B) require the affected company
77 or person to perform the audit utilizing the company's own internal
78 management audit staff as supervised by designated members of the
79 authority's staff or the person's own internal management audit staff as
80 supervised by designated members of the authority's staff, or (C)
81 require that the audit be performed under the supervision of designated

82 members of the authority's staff by an independent management
83 consulting firm selected by the authority, in consultation with the
84 affected company or person. If the affected company or person has more
85 than seventy-five thousand customers, such independent management
86 consulting firm shall be of nationally recognized stature. All reasonable
87 and proper expenses of the audits, including, but not limited to, the costs
88 associated with the audit firm's testimony at a public hearing or other
89 proceeding, shall be borne by the affected companies or persons and
90 shall be paid by such companies or persons at such times and in such
91 manner as the authority directs.

92 (3) For purposes of this section, a complete audit shall consist of (A)
93 a diagnostic review of all functions of the audited company or person,
94 which shall include, but not be limited to, documentation of the
95 operations of the company or person, assessment of the company's
96 system of internal controls or assessment of the person's system of
97 internal controls, and identification of any areas of the company or
98 person which may require subsequent audits, and (B) the performance
99 of subsequent focused audits identified in the diagnostic review and
100 determined necessary by the authority. All audits performed pursuant
101 to this section shall be performed in accordance with generally accepted
102 management audit standards. The authority shall adopt regulations in
103 accordance with the provisions of chapter 54 setting forth such generally
104 accepted management audit standards. Each audit of a community
105 antenna television company shall be consistent with the provisions of
106 the Communications Act of 1934, 47 USC 151, et seq., as amended from
107 time to time, and of any other applicable federal law. The authority shall
108 certify whether a portion of an audit conforms to the provisions of this
109 section and constitutes a portion of a complete audit.

110 (4) A complete audit of each portion of each gas company or electric
111 distribution company having more than seventy-five thousand
112 customers shall begin no less frequently than every six years, so that a
113 complete audit of such a company's operations shall be performed every
114 six years. Such an audit of each such company having more than

115 seventy-five thousand customers shall be updated as required by the
116 authority.

117 (5) The results of an audit performed pursuant to this section shall be
118 filed with the authority and shall be open to public inspection. Upon
119 completion and review of the audit, if the person or firm performing or
120 supervising the audit determines that any of the operating procedures
121 or any other internal workings of the affected public service company
122 or person involved in the transportation of gas, as such terms are
123 defined in section 16-280a, are inefficient, improvident, unreasonable,
124 negligent or in abuse of discretion, the authority may, after notice and
125 opportunity for a hearing, order the affected public service company or
126 person involved in the transportation of gas, as such terms are defined
127 in section 16-280a, to adopt such new or altered practices and
128 procedures as the authority shall find necessary to promote efficient and
129 adequate service to meet the public convenience and necessity. The
130 authority shall annually submit a report of audits performed pursuant
131 to this section to the joint standing committee of the General Assembly
132 having cognizance of matters relating to public utilities which report
133 shall include the status of audits begun but not yet completed and a
134 summary of the results of audits completed. Any such report may be
135 submitted electronically.

136 (6) All reasonable and proper costs and expenses, as determined by
137 the authority, of complying with any order of the authority pursuant to
138 this subsection shall be recognized by the authority for all purposes as
139 proper business expenses of the affected company or person.

140 (7) After notice and hearing, the authority may modify the scope and
141 schedule of a management audit of a telephone company which is
142 subject to an alternative form of regulation so that such audit is
143 consistent with that alternative form of regulation.

144 (c) Nothing in this section shall be deemed to interfere or conflict with
145 any powers of the authority or its staff provided elsewhere in the
146 general statutes, including, but not limited to, the provisions of this

147 section and sections 16-7, as amended by this act, 16-28 and 16-32, to
148 conduct an audit, investigation or review of the books, records, [plant]
149 plants and equipment of any regulated public service company or
150 person involved in the transportation of gas, as such terms are defined
151 in section 16-280a.

152 Sec. 3. Section 16-8a of the general statutes is repealed and the
153 following is substituted in lieu thereof (*Effective October 1, 2022*):

154 (a) No public service company, as defined in section 16-1, holding
155 company, as defined in section 16-47, person involved in the
156 transportation of gas, as such terms are defined in section 16-280a, or
157 Nuclear Regulatory Commission licensee operating a nuclear power
158 generating facility in this state, or person, firm, corporation, contractor
159 or subcontractor directly or indirectly providing goods or services to
160 such public service company, holding company, person involved in the
161 transportation of gas or licensee, may take or threaten to take any
162 retaliatory action against an employee for the employee's disclosure of
163 (1) any matter involving the substantial misfeasance, malfeasance or
164 nonfeasance in the management of such public service company,
165 holding company, person involved in the transportation of gas or
166 licensee, or (2) information pursuant to section 31-51m. Any employee
167 found to have knowingly made a false disclosure shall be subject to
168 disciplinary action by the employee's employer, up to and including
169 dismissal.

170 (b) Any employee of such a public service company, holding
171 company, person involved in the transportation of gas or licensee, or of
172 any person, firm, corporation, contractor or subcontractor directly or
173 indirectly providing goods or services to such a public service company,
174 holding company, person involved in the transportation of gas or
175 licensee, having knowledge of any of the following may transmit all
176 facts and information in the employee's possession to the Public Utilities
177 Regulatory Authority: (1) Any matter involving substantial
178 misfeasance, malfeasance or nonfeasance in the management of such
179 public service company, holding company, person involved in the

180 transportation of gas or licensee; or (2) any matter involving retaliatory
181 action or the threat of retaliatory action taken against an employee who
182 has reported the misfeasance, malfeasance or nonfeasance, in the
183 management of such public service company, holding company, person
184 involved in the transportation of gas or licensee. With regard to any
185 matter described in subdivision (1) of this subsection, the authority shall
186 investigate such matter in accordance with the provisions of section 16-
187 8, as amended by this act, and shall not disclose the identity of such
188 employee without the employee's consent unless it determines that such
189 disclosure is unavoidable during the course of the investigation. With
190 regard to any matter described in subdivision (2) of this subsection, the
191 matter shall be handled in accordance with the procedures set forth in
192 subsections (c) and (d) of this section.

193 (c) (1) Not more than ninety business days after receipt of a written
194 complaint, in a form prescribed by the authority, by an employee
195 alleging the employee's employer has retaliated against an employee in
196 violation of subsection (a) of this section, the authority shall make a
197 preliminary finding in accordance with this subsection.

198 (2) Not more than five business days after receiving a written
199 complaint, in a form prescribed by the authority, the authority shall
200 notify the employer by certified mail. Such notification shall include a
201 description of the nature of the charges and the substance of any
202 relevant supporting evidence. The employer may submit a written
203 response and both the employer and the employee may present rebuttal
204 statements in the form of affidavits from witnesses and supporting
205 documents and may meet with the authority informally to respond
206 verbally about the nature of the employee's charges. The authority shall
207 consider in making its preliminary finding as provided in subdivision
208 (3) of this subsection any such written and verbal responses, including
209 affidavits and supporting documents, received by the authority not
210 more than twenty business days after the employer receives such notice.
211 Any such response received after twenty business days shall be
212 considered by the authority only upon a showing of good cause and at

213 the discretion of the authority. The authority shall make its preliminary
214 finding as provided in subdivision (3) of this subsection based on
215 information described in this subdivision, without a public hearing.

216 (3) Unless the authority finds by clear and convincing evidence that
217 the adverse employment action was taken for a reason unconnected
218 with the employee's report of substantial misfeasance, malfeasance or
219 nonfeasance, there shall be a rebuttable presumption that an employee
220 was retaliated against in violation of subsection (a) of this section if the
221 authority finds that: (A) The employee had reported substantial
222 misfeasance, malfeasance or nonfeasance in the management of the
223 public service company, holding company, person involved in the
224 transportation of gas or licensee; (B) the employee was subsequently
225 discharged, suspended, demoted or otherwise penalized by having the
226 employee's status of employment changed by the employee's employer;
227 and (C) the subsequent discharge, suspension, demotion or other
228 penalty followed the employee's report closely in time.

229 (4) If such findings are made, the authority shall issue an order
230 requiring the employer to immediately return the employee to the
231 employee's previous position of employment or an equivalent position
232 pending the completion of the authority's full investigatory proceeding
233 pursuant to subsection (d) of this section.

234 (d) Not later than thirty days after making a preliminary finding in
235 accordance with the provisions of subsection (c) of this section, the
236 authority shall initiate a full investigatory proceeding in accordance
237 with the provisions of section 16-8, as amended by this act, at which time
238 the employer shall have the opportunity to rebut the presumption. The
239 authority may issue orders, impose civil penalties, order payment of
240 back pay or award attorneys' fees in a manner that conforms with the
241 notice and hearing provisions in section 16-41, as amended by this act,
242 against a public service company, holding company, person involved in
243 the transportation of gas or licensee or a person, firm, corporation,
244 contractor or subcontractor directly or indirectly providing goods or
245 services to such public service company, holding company, person

246 involved in the transportation of gas or licensee, in order to enforce the
247 provisions of this section.

248 (e) If an employee or former employee of such a public service
249 company, holding company, person involved in the transportation of
250 gas or licensee, or of a person, firm, corporation, contractor or
251 subcontractor directly or indirectly providing goods or services to such
252 a public service company, holding company, person involved in the
253 transportation of gas or licensee, having knowledge of any matter
254 involving the substantial misfeasance, malfeasance or nonfeasance in
255 the management of such public service company, holding company,
256 person involved in the transportation of gas or licensee, enters into an
257 agreement with the employee's employer that contains a provision
258 directly or indirectly discouraging the employee from presenting a
259 written complaint or testimony concerning such misfeasance,
260 malfeasance or nonfeasance in any legislative, administrative or judicial
261 proceeding, such provision shall be void as against public policy.

262 (f) The Public Utilities Regulatory Authority shall adopt regulations,
263 in accordance with chapter 54, to carry out the provisions of this section.
264 Such regulations shall include the following: (1) The procedures by
265 which a complaint may be brought pursuant to subsection (a) of this
266 section; (2) the time period in which such a complaint may be brought;
267 (3) the time period by which the authority shall render a decision
268 pursuant to subsection (d) of this section; (4) the form on which written
269 complaints shall be submitted to the authority by an employee pursuant
270 to subsection (c) of this section; and (5) the requirement that a notice be
271 posted in the workplace informing all employees of any public service
272 company, holding company, person involved in the transportation of
273 gas and licensee and of any person, firm, corporation, contractor or
274 subcontractor directly or indirectly providing goods or services to a
275 company or licensee, as defined in subsection (b) of this section, of their
276 rights under this section, including the right to be reinstated in
277 accordance with subsection (c) of this section.

278 Sec. 4. Section 16-11 of the general statutes is repealed and the

279 following is substituted in lieu thereof (*Effective October 1, 2022*):

280 The Public Utilities Regulatory Authority shall, so far as is
281 practicable, keep fully informed as to the condition of the plant,
282 equipment and manner of operation of all public service companies and
283 persons involved in the transportation of gas, as such terms are defined
284 in section 16-280a, in respect to their adequacy and suitability to
285 accomplish the duties imposed upon such companies by law and in
286 respect to their relation to the safety of the public and of the employees
287 of such companies or persons. The authority may order such reasonable
288 improvements, repairs or alterations in such plant or equipment, or such
289 changes in the manner of operation, as may be reasonably necessary in
290 the public interest. The general purposes of this section and sections 16-
291 19, 16-25, 16-43 and 16-47 are to assure to the state of Connecticut its full
292 powers to regulate its public service companies, to increase the powers
293 of the Public Utilities Regulatory Authority and to promote local control
294 of the public service companies of this state, and said sections shall be
295 so construed as to effectuate these purposes.

296 Sec. 5. Section 16-16 of the general statutes is repealed and the
297 following is substituted in lieu thereof (*Effective October 1, 2022*):

298 Each public service company, person involved in the transportation
299 of gas, as such terms are defined in section 16-280a, and electric supplier
300 subject to regulation by the Public Utilities Regulatory Authority shall,
301 in the event of any accident attended with personal injury or involving
302 public safety, which was or may have been connected with or due to the
303 operation of its [or his] property, or caused by contact with the wires of
304 any public service company or electric supplier, notify the authority
305 thereof, by telephone or otherwise, as soon as may be reasonably
306 possible after the occurrence of such accident, unless such accident is a
307 minor accident, as defined by regulations of the authority. Each such
308 person, company or electric supplier shall report such minor accidents
309 to the authority in writing, in summary form, once each month. If notice
310 of such accident, other than a minor accident, is given otherwise than in
311 writing, it shall be confirmed in writing within five days after the

312 occurrence of such accident. Any person, company or electric supplier
313 failing to comply with the provisions of this section shall be fined not
314 more than five hundred dollars for each offense.

315 Sec. 6. Section 16-41 of the general statutes is repealed and the
316 following is substituted in lieu thereof (*Effective October 1, 2022*):

317 (a) Each (1) public service company and its officers, agents and
318 employees, (2) electric supplier or person providing electric generation
319 services without a license in violation of section 16-245, and its officers,
320 agents and employees, (3) certified telecommunications provider or
321 person providing telecommunications services without authorization
322 pursuant to sections 16-247f to 16-247h, inclusive, and its officers, agents
323 and employees, (4) person, public agency or public utility, as such terms
324 are defined in section 16-345, subject to the requirements of chapter 293,
325 (5) person subject to the registration requirements under section 16-
326 258a, (6) cellular mobile telephone carrier, as described in section 16-
327 250b, (7) Connecticut electric efficiency partner, as defined in section 16-
328 243v, (8) company, as defined in section 16-49, [and] (9) entity approved
329 to submeter pursuant to section 16-19ff, and (10) person involved in the
330 transportation of gas, as such terms are defined in section 16-280a, shall
331 obey, observe and comply with all applicable provisions of this title and
332 each applicable order made or applicable regulations adopted by the
333 Public Utilities Regulatory Authority by virtue of this title as long as the
334 same remains in force. Any such company, electric supplier, certified
335 telecommunications provider, cellular mobile telephone carrier,
336 Connecticut electric efficiency partner, entity approved to submeter,
337 person, any officer, agent or employee thereof, public agency or public
338 utility which the authority finds has failed to obey or comply with any
339 such provision of this title, order or regulation shall be fined, ordered to
340 pay restitution to customers or ordered to pay a combination of a fine
341 and restitution by order of the authority in accordance with the penalty
342 prescribed for the violated provision of this title or, if no penalty is
343 prescribed, not more than ten thousand dollars for each offense, except
344 that the penalty shall be a fine, restitution to customers or a combination

345 of a fine and restitution of not more than forty thousand dollars for
346 failure to comply with an order of the authority made in accordance
347 with the provisions of section 16-19 or 16-247k or within thirty days of
348 such order or within any specific time period for compliance specified
349 in such order. The authority may direct a portion of any fine levied
350 pursuant to this section to be paid to a nonprofit agency engaged in
351 energy assistance programs named by the authority in its decision or
352 notice of violation. Each distinct violation of any such provision of this
353 title, order or regulation shall be a separate offense and, in case of a
354 continued violation, each day thereof shall be deemed a separate
355 offense. Each such penalty and any interest charged pursuant to
356 subsection (g) or (h) of section 16-49 shall be excluded from operating
357 expenses for purposes of rate-making.

358 (b) Any regional water authority, any regional water district, any
359 municipal gas or electric plant established under chapter 101, any
360 municipal waterworks system established under chapter 102, or any
361 other municipality or department thereof owning, leasing, operating or
362 managing a plant for the supplying or furnishing of any public utility,
363 which the Public Utilities Regulatory Authority finds has failed to
364 comply with the procedures of section 16-29, shall be subject to a civil
365 penalty of not more than five thousand dollars for any annual report
366 which is not submitted or submitted late in violation of said section.

367 (c) If the authority has reason to believe that a violation has occurred
368 for which a civil penalty is authorized by subsection (a) or (b) of this
369 section, it shall notify the alleged violator by certified mail, return
370 receipt requested, or by personal service. The notice shall include:

371 (1) A reference to the sections of the title, regulation or order
372 involved;

373 (2) A short and plain statement of the matter asserted or charged;

374 (3) A statement of the prescribed civil penalty for the violation; and

375 (4) A statement of the person's right to a hearing.

376 (d) The person to whom the notice is addressed shall have twenty
377 days from the date of receipt of the notice in which to deliver to the
378 authority a written application for a hearing. If a hearing is requested,
379 then, after a hearing and upon a finding that a violation has occurred,
380 the authority may issue a final order assessing a civil penalty under this
381 section which shall not be greater than the maximum penalty [stated in
382 the notice] permitted by law. If a hearing is not requested, or if such a
383 request is later withdrawn, then the notice shall, on the first day after
384 the expiration of the twenty-day period or on the first day after the
385 withdrawal of the request for hearing, whichever is later, become a final
386 order of the authority and the matters asserted or charged in the notice
387 shall be deemed admitted, unless the notice is modified by a consent
388 order before it becomes a final order. A consent order shall be deemed
389 a final order.

390 (e) All hearings under this section shall be conducted under sections
391 4-176e to 4-184, inclusive. The final order of the authority assessing a
392 civil penalty shall be subject to appeal under section 4-183. No challenge
393 to any final order of the authority assessing a civil penalty shall be
394 allowed as to any issue which could have been raised by an appeal of
395 an earlier order of the authority. Any civil penalty authorized by this
396 section shall become due and payable (1) at the time of receipt of a final
397 order in the case of a civil penalty assessed in such order after a hearing,
398 (2) on the first day after the expiration of the period in which a hearing
399 may be requested if no hearing is requested, or (3) on the first day after
400 the withdrawal of a request for hearing.

401 (f) A civil penalty assessed in a final order of the authority under this
402 section may be enforced in the same manner as a judgment of the
403 Superior Court. The final order shall be delivered to the respondent by
404 personal service or by certified mail, return receipt requested. After
405 entry of such final order, the authority may file a transcript without the
406 payment of costs, in the office of the clerk of the superior court in the
407 judicial district in which the respondent resides, has a place of business,
408 owns real property, or in which any real property which is the subject

409 of the proceedings is located or, if the respondent is not a resident of the
410 state of Connecticut, in the judicial district of Hartford. Upon the filing,
411 the clerk shall docket the order in the same manner and with the same
412 effect as a judgment entered in the superior court within the judicial
413 district. Upon the docketing, the order may be enforced as a judgment
414 of the court.

415 Sec. 7. Subsection (c) of section 16-280b of the general statutes is
416 repealed and the following is substituted in lieu thereof (*Effective October*
417 *1, 2022*):

418 (c) The authority may issue a waiver of any federal safety standards
419 or any regulations adopted by the authority pursuant to subsection (b)
420 of this section in individual cases where warranted by local
421 circumstances or conditions, consistent with public safety and
422 authorized under the federal act.

423 Sec. 8. Section 16-280c of the general statutes is repealed and the
424 following is substituted in lieu thereof (*Effective October 1, 2022*):

425 [Each] The federal safety [standard] standards applicable to [pipeline
426 facilities and] the transportation of gas established under the provisions
427 of the federal act, contained in 49 CFR 191 to 49 CFR 193, inclusive, and
428 49 CFR 199, as the same are, from time to time, made effective, or any
429 regulation adopted by the authority pursuant to subsection (b) or (c) of
430 section 16-280b, as amended by this act, shall be the standards of the
431 state.

432 Sec. 9. Subsection (a) of section 16-280e of the general statutes is
433 repealed and the following is substituted in lieu thereof (*Effective October*
434 *1, 2022*):

435 (a) Any person that violates any provision of the federal act, any
436 regulation issued under the federal act, any provision of this chapter or
437 any regulation adopted by the authority pursuant to subsection (b) or
438 (c) of section 16-280b, as amended by this act, shall be subject to a civil
439 penalty not to exceed the higher of the maximum civil penalty provided

440 under 49 USC 60122(a), as amended, or 49 CFR 190.223(a), as amended
441 from time to time.

442 Sec. 10. (NEW) (*Effective October 1, 2022*) The utility commissioners,
443 as defined in section 16-1 of the general statutes, or their designees, shall
444 have the authority to cause any work performed by any person involved
445 in the transportation of gas, as such terms are defined in section 16-280a
446 of the general statutes, to cease immediately if said work may endanger
447 any person.

448 Sec. 11. Section 16-354 of the general statutes is repealed and the
449 following is substituted in lieu thereof (*Effective October 1, 2022*):

450 A person, public agency or public utility responsible for excavating,
451 discharging explosives or demolition shall exercise reasonable care
452 when working in proximity to the underground facilities of any public
453 utility and shall comply with such safety standards and other
454 requirements as the authority shall prescribe by regulations adopted
455 pursuant to section 16-357. If the facilities are likely to be exposed, such
456 support shall be provided as may be reasonably necessary for protection
457 of the facilities. If excavation is within the approximate location of
458 facilities containing combustible or hazardous fluids or gases, only hand
459 digging or soft digging shall be employed. As used in this section, "soft
460 digging" means a nonmechanical and nondestructive process used to
461 excavate and evacuate soils at a controlled rate, using high pressure
462 water or air jet to break up the soil, often in conjunction with a high
463 power vacuum unit to extract the soil without damaging the facilities.
464 In the event that an immediate life-threatening hazard resulting from a
465 wilful violation of this chapter, or of such regulations adopted pursuant
466 to section 16-357, is identified, the utility commissioners, as defined in
467 section 16-1, or their designees, shall immediately notify the person,
468 public agency or public utility responsible for excavating, discharging
469 explosives or demolition of said hazard and violation. Upon receipt of
470 such notification, the person, public agency or public utility responsible
471 for excavating, discharging explosives or demolition shall promptly
472 abate said hazard and violation. In the event that said hazard and

473 violation is not abated in a reasonable time frame, the utility
 474 commissioners, or their designees, shall have the authority to cause the
 475 excavation, discharge of explosives or demolition to cease immediately
 476 until said hazard and violation have been abated.

477 Sec. 12. Subdivision (1) of subsection (a) of section 8-31c of the general
 478 statutes is repealed and the following is substituted in lieu thereof
 479 (*Effective October 1, 2022*):

480 (a) (1) Wherever the term "regional planning agency" is used in the
 481 following general statutes, the term "regional council of governments"
 482 shall be substituted in lieu thereof; and (2) wherever the term "regional
 483 planning agencies" is used in the following general statutes, the term
 484 "regional councils of governments" shall be substituted in lieu thereof:
 485 8-35b, 8-35c, 8-164, 8-166, 8-189, 8-336f, 8-384, 13b-38a, 13b-79ll, 16-32f,
 486 16-50l, [16-358,] 16a-28, 16a-35c, 22-26dd, 22a-102, 22a-118, 22a-137, 22a-
 487 207, 22a-352, 23-8, 25-33e to 25-33h, inclusive, 25-68d, 25-102qq and 25-
 488 233.

489 Sec. 13. Sections 16-358 and 16-359 of the general statutes are
 490 repealed. (*Effective October 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	16-7
Sec. 2	<i>October 1, 2022</i>	16-8
Sec. 3	<i>October 1, 2022</i>	16-8a
Sec. 4	<i>October 1, 2022</i>	16-11
Sec. 5	<i>October 1, 2022</i>	16-16
Sec. 6	<i>October 1, 2022</i>	16-41
Sec. 7	<i>October 1, 2022</i>	16-280b(c)
Sec. 8	<i>October 1, 2022</i>	16-280c
Sec. 9	<i>October 1, 2022</i>	16-280e(a)
Sec. 10	<i>October 1, 2022</i>	New section
Sec. 11	<i>October 1, 2022</i>	16-354
Sec. 12	<i>October 1, 2022</i>	8-31c(a)(1)
Sec. 13	<i>October 1, 2022</i>	Repealer section

ET *Joint Favorable*