



General Assembly

January Session, 2025

Raised Bill No. 6928

LCO No. 4651



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING MUNICIPAL ELECTRIC AGGREGATION PROGRAMS.

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

- 1 Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:
- 2 (1) "Authority" means the Public Utilities Regulatory Authority;
- 3 (2) "Auto-enroll customer" means an eligible customer who will be
- 4 automatically enrolled in a municipal aggregation program unless such
- 5 customer opts out of such enrollment, but does not include any such
- 6 customer who (A) has, pursuant to subsection (a) of section 16-245o of
- 7 the general statutes, informed the electric distribution company such
- 8 customer does not want their account information shared, (B) receives
- 9 electric supply service from an electric supplier and not standard
- 10 service, (C) are hardship cases for purposes of subdivision (3) of
- 11 subsection (b) of section 16-262c of the general statutes, (D) have
- 12 arrearages deducted from such customers' bills by the electric
- 13 distribution company pursuant to subdivision (5) of subsection (b) of
- 14 section 16-262c of the general statutes, (E) receives financial assistance
- 15 from an electric distribution company, or (F) are otherwise protected by

16 law from shutoff of electricity services;

17 (3) "Community demand response" means changes in electric usage
18 by electric customers in response to: (A) Changes in the price of
19 electricity over time, including, but not limited to, time-of-use rates for
20 residential and small commercial and industrial customers; or (B)
21 incentive payments designed to induce lower electricity use at times of
22 high wholesale market prices or when system reliability is jeopardized;

23 (4) "Consultant" means a person or entity retained by a municipality,
24 or two or more municipalities acting jointly, to assist with the
25 development of a municipal aggregation plan and the operation of a
26 public aggregator;

27 (5) "Customer communications" means any communication from a
28 public aggregator concerning the implementation of a municipal
29 aggregation plan or program to any electric customer;

30 (6) "Electric customer" means a customer of record for an account
31 with an electric distribution company in any customer class;

32 (7) "Electric distribution company" has the same meaning as
33 provided in section 16-1 of the general statutes;

34 (8) "Electric supplier" has the same meaning as provided in section
35 16-1 of the general statutes;

36 (9) "Eligible customer" means any electric customer within a
37 municipal aggregation service area who receives standard service and
38 who meets the participation requirements of a municipal aggregation
39 plan and program;

40 (10) "Energy product" means an electric supply product, community
41 distributed generation or community demand response offered by the
42 public aggregator to a program participant;

43 (11) "Municipal aggregation plan" or "plan" means the plan that a

44 municipality, or two or more municipalities acting jointly, submits to
45 the authority for review and comment that describes the administration
46 of the municipal aggregation program;

47 (12) "Municipal aggregation program" or "program" means a
48 program established by a municipality, or two or more municipalities
49 acting jointly, pursuant to a municipal aggregation plan, under which
50 the municipality or municipalities procure electric supply, community
51 distributed generation or community demand response on behalf of
52 electric customers;

53 (13) "Municipal aggregation service area" means the geographic area
54 that receives, or is proposed to receive, service under a municipal
55 aggregation program;

56 (14) "Municipality" means any town, city or borough, whether
57 consolidated or unconsolidated;

58 (15) "Opt-out notice" means the notice sent to auto-enroll customers
59 to inform such customers of their right to opt out of such enrollment;

60 (16) "Program participant" or "participant" means an eligible
61 customer who is participating in a municipal aggregation program;

62 (17) "Program supplier" means a licensed electric supplier that
63 provides energy products to participants of the municipal aggregation
64 program;

65 (18) "Public aggregator" means a municipality, or two or more
66 municipalities acting jointly, under a municipal aggregation program
67 established pursuant to this section for the purpose of grouping
68 residential and commercial electric customers receiving standard
69 service to solicit bids, broker and contract for electric supply,
70 community distributed generation or community demand response for
71 such customers;

72 (19) "Standard service" means the electric generation service that an

73 electric distribution company provides to electric customers in their
74 service territory pursuant to subsection (a) of section 16-244c of the
75 general statutes; and

76 (20) "Voluntary energy product" means any energy product offered
77 under a municipal aggregation program that participants of such
78 program are required to affirmatively select to receive.

79 (b) A municipality, or two or more municipalities acting jointly, may
80 form a public aggregator pursuant to a municipal aggregation program.
81 Any such public aggregator may enter into agreements for services to
82 facilitate the sale and purchase of energy products including renewable
83 energy certificates. A public aggregator may enter into a contract on
84 behalf of a municipal aggregation program. A public aggregator shall
85 not be considered a public service company as defined in section 16-1 of
86 the general statutes, and providing energy products to electric
87 customers within a municipal aggregation service area shall not be
88 considered a wholesale utility transaction.

89 (c) A municipality may establish a municipal aggregation program
90 and create a public aggregator upon (1) an affirmative vote of the
91 legislative body of such municipality, and (2) the approval of the chief
92 executive officer of such municipality, provided such municipality has
93 complied with the requirements of subdivision (1) of subsection (d) of
94 this section. Two or more municipalities may jointly establish a
95 municipal aggregation program and create a public aggregator,
96 provided each municipality shall authorize the establishment of such
97 program and such aggregator by the vote and approval required in
98 subdivisions (1) and (2) of this subsection in each municipality.

99 (d) (1) Prior to the affirmative vote and approval required to establish
100 a municipal aggregation program and create a public aggregator
101 pursuant to subsection (c) of this section, the municipality, or
102 municipalities acting jointly, shall develop a municipal aggregation plan
103 for review by the electors of such municipality or municipalities that

104 details the process for, and consequences of, electric load aggregation
105 under such plan. Each municipality shall allow for a public review
106 period of not less than thirty days for such plan and shall hold not less
107 than one public hearing concerning such plan prior to seeking the
108 affirmative vote of the legislative body of the municipality.

109 (2) A municipal aggregation plan shall include, but need not be
110 limited to, the following components: (A) A general description of
111 planned program implementation; (B) the provision of universal access
112 in the municipal aggregation service area; (C) the provision of reliable
113 service; (D) the provision of equitable treatment of all classes of electric
114 customers; (E) an organizational structure of the public aggregator; (F)
115 proposed customer communications, including opt-out notices; (G) the
116 public aggregator's method of setting and providing funding for
117 services under the program and for program administration; (H) a
118 description of how the program rates will be set and structured; (I) the
119 rights and responsibilities of program participants; (J) a plan for
120 resolving customer complaints, including any arbitration or dispute
121 resolution procedure, that ensures that the public aggregator shall
122 participate in the resolution of complaints directly related to the
123 program and does not rely on the authority or an electric distribution
124 company to address such complaints; (K) a public aggregator's intent to
125 offer optional voluntary energy products; (L) the method for
126 suspending or terminating the municipal aggregation program; and (M)
127 a description of any voluntary energy products that the public
128 aggregator will offer to electric customers. If, at the time of filing the
129 plan with the authority, a public aggregator has not determined
130 whether the aggregator shall offer voluntary energy products, the plan
131 shall identify and describe the factors and criteria that the public
132 aggregator will consider in making such a determination.

133 (3) After the establishment of a public aggregator pursuant to
134 subsection (c) of this section, the municipal aggregation plan shall be
135 filed with the authority for review. Any proposed customer
136 communications included in such plan shall be approved or denied by

137 the authority not later than one hundred twenty days after the date
138 upon which the plan was filed with the authority. If the authority does
139 not approve or deny such communications within the time specified in
140 this subdivision, such communications shall be deemed approved by
141 the authority.

142 (4) Not later than fourteen days after the authority has approved the
143 proposed customer communications, or such communications have
144 been deemed approved, the public aggregator shall submit a timeline
145 concerning the implementation of the municipal aggregation plan to
146 any electric distribution company serving electric customers within the
147 municipal aggregation service area. The public aggregator shall submit
148 monthly updates concerning the implementation of the plan to any such
149 electric distribution company until the public aggregator executes an
150 agreement with a program supplier. The public aggregator shall
151 provide notice of the execution of such agreement to any such electric
152 distribution company, and the program supplier shall provide any such
153 electric distribution company with information necessary to enroll
154 customers with the program supplier as set forth in subsection (g) of this
155 section.

156 (5) A public aggregator may modify a municipal aggregation plan in
157 a manner consistent with this section provided the public aggregator
158 provides a public review period of not less than thirty days for the
159 revised plan. The public aggregator shall submit such revised plan to
160 the authority on the first day of such public review period. A material
161 revision to any proposed customer communication shall be approved or
162 denied by the authority not later than thirty days after the date upon
163 which the revised plan was filed with the authority. If the authority does
164 not approve or deny such communications within the time specified in
165 this subdivision, such communications shall be deemed approved by
166 the authority.

167 (e) A public aggregator may establish the practices, terms and
168 conditions of the offerings and services to be provided from time to

169 time, including, but not limited to: (1) Rates to support the program,
170 including the provision of energy products; (2) supply terms; (3) the
171 start time of the program; (4) energy product offerings, including any
172 periodic changes in the price or composition of such energy product
173 offerings; (5) contract terms and conditions for energy products
174 included in the program; (6) the format and mechanisms for delivering
175 any notice to program participants; (7) the maintenance of an Internet
176 web site dedicated to current program information; and (8)
177 accommodating consumers with limited English proficiency. The
178 practices, terms and conditions of the offerings and services identified
179 in this subsection need not be approved by the authority.

180 (f) A public aggregator shall deliver customer communications
181 concerning the plan, including opt-out notices, as approved or deemed
182 approved by the authority to electric customers in the municipal
183 aggregation service area. Such communications shall be made
184 consistent with the municipal aggregation plan and by one or more
185 delivery methods deemed most effective by the public aggregator. To
186 enable such delivery, any electric distribution company shall provide to
187 the public aggregator a current list of the names, mailing addresses,
188 electronic mail addresses and service addresses of any electric customer
189 receiving electric distribution services, as defined in section 16-1 of the
190 general statutes, from such company in the municipal aggregation
191 service area, except the electric distribution company shall not include
192 any electric customer in such list who (1) has opted out of the
193 aggregation; (2) has a contract with a licensed electric supplier; (3) has a
194 contract with the electric distribution company that prohibits the electric
195 customer from being automatically enrolled in the municipal
196 aggregation program; (4) is not located within the municipal
197 aggregation service area; (5) has informed the electric distribution
198 company such customer does not want their account information
199 shared; (6) is a hardship case for purposes of subdivision (3) of
200 subsection (b) of section 16-262c of the general statutes; (7) has
201 arrearages deducted from such customer's bill by the electric

202 distribution company pursuant to subdivision (4) of subsection (b) of
203 section 16-262c of the general statutes; (8) receives financial assistance
204 from the electric distribution company; or (9) is otherwise protected by
205 law from shutoff of electricity services.

206 (g) (1) Participation by any electric customer in a municipal
207 aggregation program shall be voluntary. On and after the date
208 customers may begin enrolling in the program, auto-enroll customers
209 shall be transferred to the program according to the opt-out process
210 described in the municipal aggregation plan. Such transfers shall occur
211 on either the January or July electric meter read date for such customers,
212 provided no such customer may be automatically enrolled unless such
213 customer was sent an opt-out notice not fewer than thirty days before
214 such meter read date.

215 (2) Any municipal aggregation program shall allow any electric
216 customer to opt out of such program and choose any supplier or
217 provider, including an electric supplier or standard service from an
218 electric distribution company, and a public aggregator shall not prohibit
219 or otherwise restrict electric suppliers or electric distribution companies
220 from enrolling customers within the municipal aggregation service area.

221 (3) Once enrolled in the program, any program participant who
222 chooses to opt out not more than one hundred eighty days after
223 enrollment shall do so without penalty and shall be entitled to receive
224 standard service or to select another electric supplier.

225 (4) After the initial automatic enrollment of eligible customers after
226 the approval of a municipal aggregation program by the authority, the
227 subsequent enrollment of new eligible customers or accounts within the
228 municipal aggregation service area shall be governed by the terms for
229 enrollment set forth in the municipal aggregation plan.

230 (h) A public aggregator shall provide written notice to any auto-
231 enroll customer in advance of such customer's automatic enrollment (1)
232 that such customer will be automatically enrolled in the program, (2)

233 that such customer has the right to opt out of the program, and (3) to
234 provide the deadline after which such customer may be assessed an opt-
235 out penalty. Such notice shall also prominently state any program
236 charges and the standard service rate, how an electric customer may
237 receive the standard service, and the fact that standard service is
238 available to such customer without penalty.

239 (i) A public aggregator shall notify each program participant in
240 advance of any change in (1) energy products offered under the
241 program, or (2) rates for energy products offered under the program,
242 and that each participant has the right, without penalty, to opt out of the
243 program or to select another energy product available under the
244 program, if applicable. In the event of any such change, each participant
245 shall continue to be enrolled in the program unless the participant opts
246 out of the program.

247 (j) A public aggregator may offer, and a program participant may
248 select, voluntary energy products at a price greater than the standard
249 service rate.

250 (k) Upon approval from a public aggregator, a program supplier
251 under contract with the public aggregator may communicate with
252 program participants and offer products separate from the energy
253 products offered under the program to such participants.

254 (l) Unless an electric customer has informed an electric distribution
255 company such customer does not want such customer's account
256 information shared, the electric distribution company shall provide real-
257 time interval meter data in fifteen-minute increments in flat file format
258 to the program supplier, as applicable.

259 (m) Each program supplier shall file an annual report with the public
260 aggregator that includes the following for the prior program year: (1)
261 The monthly enrollment statistics by customer class; (2) the number and
262 percentage of customers that opted out of the program; (3) the number
263 and percentage of customers that selected a voluntary energy product,

264 if applicable; and (4) a description of each customer complaint and the
265 disposition of each complaint.

266 (n) A violation of this section, including the use of unauthorized or
267 deceptive customer communications, by a consultant, program supplier
268 or public aggregator, shall subject such consultant, supplier or
269 aggregator to the penalties provided in section 16-41 of the general
270 statutes, as amended by this act, and the authority may order that any
271 consultant or program supplier found in violation of this section be
272 prohibited from providing further services to a public aggregator.

273 Sec. 2. Subsection (a) of section 16-41 of the general statutes is
274 repealed and the following is substituted in lieu thereof (*Effective October*
275 *1, 2025*):

276 (a) Each (1) public service company and its officers, agents and
277 employees, (2) electric supplier or person providing electric generation
278 services without a license in violation of section 16-245, and its officers,
279 agents and employees, (3) certified telecommunications provider or
280 person providing telecommunications services without authorization
281 pursuant to sections 16-247f to 16-247h, inclusive, and its officers, agents
282 and employees, (4) person, public agency or public utility, as such terms
283 are defined in section 16-345, subject to the requirements of chapter 293,
284 (5) person subject to the registration requirements under section 16-
285 258a, (6) cellular mobile telephone carrier, as described in section 16-
286 250b, (7) Connecticut electric efficiency partner, as defined in section 16-
287 243v, (8) company, as defined in section 16-49, (9) entity approved to
288 submeter pursuant to section 16-19ff, [and] (10) person involved in the
289 transportation of gas, as such terms are defined in section 16-280a, (11)
290 consultant, as defined in section 1 of this act, (12) program supplier, as
291 defined in section 1 of this act, and (13) public aggregator, as defined in
292 section 1 of this act, shall obey, observe and comply with all applicable
293 provisions of this title and each applicable order made or applicable
294 regulations adopted by the Public Utilities Regulatory Authority by
295 virtue of this title as long as the same remains in force. Any such

296 company, electric supplier, certified telecommunications provider,
297 cellular mobile telephone carrier, Connecticut electric efficiency partner,
298 entity approved to submeter, person, consultant, program supplier or
299 public aggregator, or any officer, agent or employee thereof, or public
300 agency or public utility which the authority finds has failed to obey or
301 comply with any such provision of this title, order or regulation shall be
302 fined, ordered to pay restitution to customers or ordered to pay a
303 combination of a fine and restitution by order of the authority in
304 accordance with the penalty prescribed for the violated provision of this
305 title or, if no penalty is prescribed, not more than ten thousand dollars
306 for each offense, except that the penalty shall be a fine, restitution to
307 customers or a combination of a fine and restitution of not more than
308 forty thousand dollars for failure to comply with an order of the
309 authority made in accordance with the provisions of section 16-19 or 16-
310 247k or within thirty days of such order or within any specific time
311 period for compliance specified in such order. The authority may direct
312 a portion of any fine levied pursuant to this section to be paid to a
313 nonprofit agency engaged in energy assistance programs named by the
314 authority in its decision or notice of violation and may direct a portion
315 of any fine levied pursuant to this section against a person involved in
316 the transportation of gas, as such terms are defined in section 16-280a,
317 to support the study, installation and deployment of residential
318 methane detectors by one or more public service companies, as
319 determined by the authority. Any such nonprofit agency that receives a
320 portion of a fine pursuant to this subsection shall administer such funds
321 as directed by the authority and submit an annual report to the
322 authority, at the end of each fiscal year and in a form determined by the
323 authority, that details the expenditure of such funding. No such
324 nonprofit agency shall use more than ten per cent of such funding for
325 administrative purposes. Notwithstanding any provision of this
326 subsection, for the fiscal years ending June 30, 2023, and June 30, 2024,
327 the authority shall direct not less than ninety-five per cent of any fine
328 levied pursuant to this section to nonprofit agencies engaged in energy
329 assistance programs. Each distinct violation of any such provision of

330 this title, order or regulation shall be a separate offense and, in case of a
331 continued violation, each day thereof shall be deemed a separate
332 offense. Each such penalty and any interest charged pursuant to
333 subsection (g) or (h) of section 16-49 shall be excluded from operating
334 expenses for purposes of rate-making.

335 Sec. 3. Section 16-245b of the general statutes is repealed and the
336 following is substituted in lieu thereof (*Effective October 1, 2025*):

337 Notwithstanding the provisions of subsection (a) of section 16-245,
338 the provisions of said section shall not apply to (1) any municipality or
339 regional water authority that aggregates the sale of electric generation
340 services, including any public aggregator established pursuant to
341 section 1 of this act, or to the MIRA Dissolution Authority if such
342 authority aggregates the sale of electric generation services, for end use
343 customers located within the boundaries of such municipality or
344 regional water authority, (2) any municipality that joins together with
345 other municipalities to aggregate the sale of electric generation services
346 for end use customers located within the boundaries of such
347 municipalities, or (3) any municipality or regional water authority that
348 aggregates the purchase of electric generation services for municipal
349 facilities, street lighting, boards of education and other publicly-owned
350 facilities within (A) the municipality for which the municipality is
351 financially responsible, or (B) the municipalities that are within the
352 authorized service area of the regional water authority. Any
353 municipality or regional water authority that aggregates in accordance
354 with this section shall register not less than annually with the Public
355 Utilities Regulatory Authority on a form prescribed by the authority.

356 Sec. 4. Subsection (b) of section 33-219 of the general statutes is
357 repealed and the following is substituted in lieu thereof (*Effective October*
358 *1, 2025*):

359 (b) Notwithstanding the provisions of subsection (a) of this section,
360 cooperative, nonprofit, membership corporations may be organized

361 under this chapter for the purpose of generating electric energy by
 362 means of cogeneration technology, renewable energy resources or both
 363 and supplying it to any member or supplying it to, purchasing it from
 364 or exchanging it with a public service company, electric supplier, as
 365 defined in section 16-1, [municipal] electric aggregator, as defined in
 366 [said] section 16-1, municipal utility or municipal electric energy
 367 cooperative, in accordance with an agreement with the company,
 368 electric supplier, electric aggregator, municipal utility or cooperative.
 369 No membership corporation under this subsection may exercise those
 370 powers contained in subsection (i) or (j) of section 33-221 unless the prior
 371 approval of the Public Utilities Regulatory Authority is obtained, after
 372 opportunity for hearing in accordance with title 16 and chapter 54. Any
 373 cooperative organized on or after July 1, 1998, pursuant to this
 374 subsection shall collect from its members the competitive transition
 375 assessment levied pursuant to section 16-245g and the systems benefits
 376 charge levied pursuant to section 16-245l in such manner and at such
 377 rate as the Public Utilities Regulatory Authority prescribes, provided
 378 the authority shall order the collection of said assessment and said
 379 charge in a manner and rate equal to that to which the members of the
 380 cooperative would have been subject had the cooperative not been
 381 organized.

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

Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	16-41(a)
Sec. 3	<i>October 1, 2025</i>	16-245b
Sec. 4	<i>October 1, 2025</i>	33-219(b)

Statement of Purpose:

To allow a municipality, or two or more municipalities acting jointly, to establish municipal aggregation programs.

[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.]