



General Assembly

January Session, 2025

Raised Bill No. 7206

LCO No. 6020



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING PROCEEDINGS OF THE SITING COUNCIL
AND OTHER REQUIREMENTS CONCERNING CERTAIN UTILITY
EXPENDITURES.***

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

1 Section 1. Section 16-50n of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) The parties to a certification or amendment proceeding or to a
4 declaratory ruling proceeding shall include: (1) The applicant, certificate
5 holder, or petitioner; (2) each person entitled to receive a copy of the
6 application or resolution under section 16-50l, as amended by this act, if
7 such person has filed with the council a notice of intent to be a party; (3)
8 any domestic or qualified nonprofit corporation or association formed
9 in whole or in part to promote conservation or natural beauty, to protect
10 the environment, personal health or biological values, to preserve
11 historical sites, to promote consumer interests, to represent commercial
12 and industrial groups or to promote the orderly development of the
13 areas in which the facility is to be located, if it has filed with the council
14 a notice of intent to be a party; [and] (4) such other persons as the council

15 may at any time deem appropriate; and (5) the Consumer Counsel, as
16 provided in subsection (b) of this section.

17 (b) The council may permit any person to participate as an intervenor,
18 in accordance with the provisions of section 4-177a, in a certification or
19 amendment proceeding or a declaratory ruling proceeding.
20 Notwithstanding the provisions of section 4-177a, for any proceeding
21 pursuant to section 16-50k concerning a facility described in subdivision
22 (1) of subsection (a) of section 16-50i, the council shall grant any person
23 status as an intervenor in such proceeding if such person: (1) Submits a
24 written petition to the council; and (2) is the owner of any property that
25 abuts the proposed facility, or that abuts a right-of-way in which the
26 proposed facility is to be located. The council shall grant party status to
27 the Consumer Counsel to any proceeding of the council that the
28 Consumer Counsel has determined may significantly impact electric
29 rates upon the request of the Consumer Counsel to participate.

30 (c) The council in its discretion may provide for the grouping of
31 parties and intervenors with the same interests. If such a group does not
32 designate an agent for the service of notice and documents, the council
33 shall designate such an agent, and notice and documents need be served
34 only on the designated agent. Notwithstanding the provisions of this
35 subsection, any party or intervenor who has been included in a group
36 may, at any time by oral or written notice to the council, elect not to be
37 a member of the group to the extent specified in such notice.

38 (d) The Attorney General shall appoint an assistant attorney general
39 or a special assistant attorney general to act as counsel for the
40 Connecticut Siting Council.

41 (e) Upon receipt of the application, the council may employ one or
42 more independent consultants to study and measure the consequences
43 of the proposed facility on the environment. The council shall direct
44 such consultant or consultants to study any matter that the council
45 deems important to an adequate appraisal of the application. Any such

46 study and any report issued as a result thereof shall be part of the record
47 of the proceeding.

48 (f) Any person may make a limited appearance at a hearing held
49 pursuant to the provisions of section 16-50m, prior thereto or within
50 thirty days thereafter, entitling such person to file a statement in writing.
51 At the discretion of the council any person may make a limited
52 appearance at any such hearing to present an oral statement under oath.
53 All papers and matters filed by a person making a limited appearance
54 shall become part of the record. No person making a limited
55 appearance, and not otherwise entitled to be a party, shall be a party or
56 shall have the right to cross-examine witnesses, parties or intervenors.

57 Sec. 2. Subsection (a) of section 16-2a of the general statutes is
58 repealed and the following is substituted in lieu thereof (*Effective October*
59 *1, 2025*):

60 (a) There shall be an independent Office of Consumer Counsel,
61 within the Department of Energy and Environmental Protection, for
62 administrative purposes only, to act as the advocate for consumer
63 interests in all matters which may affect Connecticut consumers with
64 respect to public service companies, electric suppliers and certified
65 telecommunications providers, including, but not limited to, rates and
66 related issues, ratepayer-funded programs and matters concerning the
67 reliability, maintenance, operations, infrastructure and quality of
68 service of such companies, suppliers and providers. The Office of
69 Consumer Counsel is authorized to appear in and participate in any
70 regulatory or judicial proceedings, federal or state, in which such
71 interests of Connecticut consumers may be involved, or in which
72 matters affecting utility services rendered or to be rendered in this state
73 may be involved. The Office of Consumer Counsel shall be a party to
74 each contested case before the Public Utilities Regulatory Authority and
75 any proceeding of the Connecticut Siting Council and shall participate
76 in such cases or proceedings to the extent [it] the Consumer Counsel
77 deems necessary. Said Office of Consumer Counsel may appeal from a

78 decision, order or authorization in any such state regulatory proceeding
79 notwithstanding its failure to appear or participate in said proceeding.

80 Sec. 3. Section 16-50l of the general statutes is amended by adding
81 subsection (i) as follows (*Effective October 1, 2025*):

82 (NEW) (i) Any applicant that submits an initial application under this
83 section for a facility described in subsection (a) of section 16-50i that
84 retains a communicator lobbyist, as defined in section 1-91, for purposes
85 of influencing the public or interested parties concerning such
86 application, shall immediately provide electronic notice of such retainer
87 to (1) the council; (2) the Attorney General; (3) each member of the
88 legislature in whose assembly or senate district the facility or any
89 alternative location listed in the application is to be located; and (4) the
90 chief elected official of the municipality in which any portion of such
91 facility is to be located, both as primarily proposed and in the alternative
92 locations listed, and any adjoining municipality having a boundary not
93 more than two thousand five hundred feet from such facility.

94 Sec. 4. Subdivision (1) of subsection (a) of section 16-50l of the general
95 statutes is repealed and the following is substituted in lieu thereof
96 (*Effective October 1, 2025*):

97 (1) In the case of facilities described in subdivisions (1), (2) and (4) of
98 subsection (a) of section 16-50i: (A) A description, including estimated
99 costs, of the proposed transmission line, substation or switchyard,
100 covering, where applicable underground cable sizes and specifications,
101 overhead tower design and appearance and heights, if any, conductor
102 sizes, and initial and ultimate voltages and capacities; (B) a statement
103 and full explanation of why the proposed transmission line, substation
104 or switchyard is necessary and how the facility conforms to a long-range
105 plan for expansion of the electric power grid serving the state and
106 interconnected utility systems, that will serve the public need for
107 adequate, reliable and economic service; (C) a map of suitable scale of
108 the proposed routing or site, showing details of the rights-of-way or site

109 in the vicinity of settled areas, parks, recreational areas and scenic areas,
110 residential areas, private or public schools, child care centers, as
111 described in section 19a-77, group child care homes, as described in
112 section 19a-77, family child care homes, as described in section 19a-77,
113 licensed youth camps, and public playgrounds and showing existing
114 transmission lines within one mile of the proposed route or site; (D) a
115 justification for adoption of the route or site selected, including
116 comparison with alternative routes or sites which are environmentally,
117 technically and economically practical, and, in the case of a proposed
118 repair, detailed studies of alternative solutions to repairing existing
119 electric transmission lines, with consideration of at least one type of
120 electric grid-enhancing technology; (E) a description of the effect of the
121 proposed transmission line, substation or switchyard on the
122 environment, ecology, and scenic, historic and recreational values; (F) a
123 justification for overhead portions, if any, including life-cycle cost
124 studies comparing overhead alternatives with underground
125 alternatives, and effects described in subparagraph (E) of this
126 subdivision of undergrounding; (G) a schedule of dates showing the
127 proposed program of right-of-way or property acquisition,
128 construction, completion and operation and, in the case of any facility
129 described in subdivision (1) of subsection (a) of section 16-50i, or any
130 modification of such a facility, (i) any appraisal completed by an
131 independent appraiser on behalf of the applicant concerning fair
132 compensation that is to be provided to an owner of real property in
133 connection with the necessity of entering a right-of-way, including any
134 easements or land acquisition, and (ii) for property that the applicant
135 does not own, lease or otherwise have access to, the applicant shall
136 exercise due diligence to seek permission to gain access to such
137 property. Evidence of due diligence shall be established by the
138 submission of: (I) Certified mail, return receipt requested, letters sent to
139 the owner or owners of record of such property requesting access to the
140 property; and (II) an affidavit from the applicant stating that the
141 applicant was not provided access to the property and, in the absence of
142 permission to access the property, the applicant made visual inspections

143 of the property to document existing conditions from public rights-of-
 144 way, existing utility rights-of-way or other accessible properties within
 145 or surrounding the proposed facility site; (H) an identification of each
 146 federal, state, regional, district and municipal agency with which
 147 proposed route or site reviews have been undertaken, including a copy
 148 of each written agency position on such route or site; [and] (I) an
 149 assessment of the impact of any electromagnetic fields to be produced
 150 by the proposed transmission line; (J) data for the preceding two years,
 151 by quarter, regarding the earned and authorized return on equity on
 152 related projects subject to the jurisdiction of the council; (K) an estimate
 153 of the return on investment for the proposed facility that is the subject
 154 of such application, and (L) an estimate of the impact of the proposed
 155 transmission line, substation or switchyard on regional network service
 156 and local network service rates for electric distribution companies, and
 157 accompanying calculations, including any underlying assumptions for
 158 such estimate;

159 Sec. 5. Subdivision (3) of subsection (a) of section 16-50l of the general
 160 statutes is repealed and the following is substituted in lieu thereof
 161 (*Effective October 1, 2025*):

162 (3) In addition to the requirements of subdivisions (1) and (2) of this
 163 subsection, in the case of any facility described in subdivision (1) of
 164 subsection (a) of section 16-50i, or any modification of such a facility: (A)
 165 A description of the estimated initial and life-cycle costs for the facility
 166 or modification, as applicable, and for each feasible and practical
 167 alternative; (B) an estimate of the regionalized and localized costs for the
 168 facility or modification, as applicable, and for each feasible and practical
 169 alternative, in accordance with the regional independent system
 170 operator's procedure for pool-supported pool transmission facilities
 171 cost review, or a successor procedure; (C) for any difference between the
 172 estimated total costs and estimated localized costs, an analysis of the
 173 benefits associated with such cost difference; (D) not later than thirty
 174 days after the filing of the application, a detailed analysis from an
 175 independent engineer selected by the council of any nontransmission

176 alternatives to the proposed facility or proposed modification, as
 177 applicable; and (E) (i) for the ten-year period preceding the date of the
 178 application, the actual loads for existing transmission lines in the area
 179 where the proposed transmission line is to be located, (ii) for the ten-
 180 year period following the date of the application, the projected load for
 181 any proposed transmission line, (iii) for the ten-year period preceding
 182 the date of application, the performance of all electric circuits for
 183 existing transmission lines in the area where the proposed transmission
 184 line is to be located, including a description of all service outages or
 185 disruptions, any cause for such outage or disruption and the time
 186 required to restore service following such outages or disruptions, and
 187 (iv) a statement of loads and resources, as described in subsection (a) of
 188 section 16-50r, and all planning studies conducted by the regional
 189 independent system operator or the applicant associated with the
 190 proposed facility.

191 Sec. 6. Section 16-19d of the general statutes is repealed and the
 192 following is substituted in lieu thereof (*Effective October 1, 2025*):

193 (a) As used in this section:

194 (1) "Advertising" means the commercial use of any media, including,
 195 but not limited to, newspaper and all other forms of print, radio, [and]
 196 television and Internet, in order to transmit a message to a substantial
 197 number of members of the public or customers of a public service
 198 company;

199 (2) "Political advertising" means any advertising for the purpose of
 200 influencing public opinion with respect to any legislative,
 201 administrative or electoral decision or with respect to any controversial
 202 issue of public importance;

203 (3) "Institutional advertising" means any advertising which is
 204 designed to create, enhance or sustain a public service company's image
 205 or good will with regard to the general public or its customers;

206 (4) "Promotional advertising" means any advertising that has the
207 purpose of inducing the public to select or use the service or additional
208 service of a public service company or select or install any appliance or
209 equipment designed to use such service, provided such advertising
210 shall not include advertising authorized by order or regulation of the
211 Public Utilities Regulatory Authority.

212 (b) The cost of political, institutional or promotional advertising of
213 any gas company or electric distribution company and the cost of
214 political or institutional advertising of any telephone company shall not
215 be deemed to be an operating expense in any rate schedule proceedings
216 held pursuant to section 16-19. For the purposes of this section, political,
217 institutional or promotional advertising shall not be deemed to include
218 reasonable expenditures for (1) the publication or distribution of
219 existing or proposed tariffs or rate schedules; (2) notices required by law
220 or regulation; (3) public information regarding service interruptions,
221 safety measures, emergency conditions, employment opportunities or
222 the means by which customers can conserve energy or make efficient
223 and economical use of service; (4) the promotion or marketing of
224 efficient gas and electric equipment which the Public Utilities
225 Regulatory Authority determines: (A) Is consistent with the state's
226 energy policy; (B) is consistent with integrated resource planning
227 principles; (C) provides net economic benefit to such company's
228 customers; and (D) shall not have the primary purpose of promoting
229 one fuel over another; or (5) advertising by a gas company that is
230 necessary as a result of competition created by actions and decisions of
231 the Federal Energy Regulatory Commission and the Public Utilities
232 Regulatory Authority. Such advertising shall be limited to the express
233 purpose of promoting gas companies in competition with other
234 providers and marketers of natural gas. Such advertising shall not
235 include any promotions, cash, equipment, installation or service
236 subsidies for the conversion to natural gas from any other energy
237 source.

238 (c) A public service company shall [make application] apply to the

239 authority for determination that equipment meets the requirements of
240 subdivision (4) of subsection (b) of this section. The authority shall, to
241 the extent practicable, make such determination within one hundred
242 twenty days of such filing. All reasonable and proper expenses, required
243 by the authority and the Office of Consumer Counsel, including, but not
244 limited to, the costs associated with analysis, testing, evaluation and
245 testimony at a public hearing or other proceeding, shall be borne by the
246 company and shall be paid by the company at such times and in such
247 manner as the authority directs.

248 (d) The authority shall not allocate any expenditures made by a gas
249 company pursuant to subdivision (5) of subsection (b) of this section to
250 residential customers in any rate schedule proceedings held pursuant to
251 section 16-19 unless the authority finds that effective competition in the
252 residential gas market already exists.

253 (e) The authority shall adopt regulations to carry out the purposes of
254 subsections (a) and (b) of this section.

255 (f) Each gas or electric distribution company shall conspicuously
256 indicate in all of its advertising whether the costs of the advertising are
257 being paid for by the company's shareholders, its customers or both.

258 Sec. 7. Section 16-243gg of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective October 1, 2025*):

260 (a) No electric distribution company, gas company, pipeline
261 company or water company [, as such terms are defined in section 16-
262 1,] shall recover through rates any direct or indirect cost associated with
263 membership, dues, sponsorships or contributions to a business or
264 industry trade association, group or related entity incorporated under
265 Section 501 of the Internal Revenue Code of 1986, or any subsequent
266 corresponding internal revenue code of the United States, as amended
267 from time to time.

268 (b) No electric distribution company, gas company, pipeline

269 company or water company, as such terms are defined in section 16-1,
270 shall recover through rates any direct or indirect cost associated with
271 lobbying or legislative action, as such terms are defined in section 1-91.

272 (c) No electric distribution company, gas company, pipeline
273 company or water company [, as such terms are defined in section 16-
274 1,] shall recover through rates any direct or indirect cost associated with
275 advertising, marketing, communications that seek to influence public
276 opinion or any other related costs identified by the authority, unless
277 such marketing, advertising, communications or related costs are
278 specifically approved or ordered by the authority or the Department of
279 Energy and Environmental Protection.

280 (d) No electric distribution company, gas company, pipeline
281 company or water company [, as such terms are defined in section 16-
282 1,] shall recover through rates any direct or indirect cost associated with
283 (1) travel, lodging or food and beverage expenses for such company's
284 board of directors and officers or the board of directors and officers of
285 such company's parent company; (2) entertainment or gifts; (3) any
286 owned, leased or chartered aircraft for such company's board of
287 directors and officers or the board of directors and officers of such
288 company's parent company; or (4) investor relations.

289 (e) No electric distribution company shall recover through rates any
290 direct or indirect cost associated with (1) promoting the company's
291 application before the Connecticut Siting Council, including, but not
292 limited to, consulting, data and analytics, franking, fundraising, market
293 research, community engagement and Internet web site development,
294 or (2) preparing for a proceeding before the Connecticut Siting Council,
295 including any appeal from a proceeding of the council.

296 [(e)] (f) On or before January 15, 2024, and annually thereafter, each
297 electric distribution company, gas company, pipeline company or water
298 company [, as such terms are defined in section 16-1,] with more than
299 seventy-five thousand customers shall report to the authority an

300 itemized list of costs associated with the activities described in this
 301 section and subsection (b) of section 16-243p in a form prescribed by the
 302 authority. Such report shall include, but need not be limited to: (1) Any
 303 costs spent by the parent company or affiliates of the public service
 304 company directly billed or allocated to the public service company; (2)
 305 a list of the title, job description and salary of any employees of the
 306 public service company who performed work associated with the
 307 activities described in this section or in subsection (b) of section 16-243p
 308 and the hours attributed to such work; (3) a list of the title, job
 309 description and salary of any employees of the parent company or
 310 affiliate who performed work associated with the activities described in
 311 this section or in subsection (b) of section 16-243p and the hours
 312 attributed to such work that were directly billed or allocated to the
 313 public service company; (4) an itemized list of costs that the public
 314 service company made to all third-party vendors for any expenses
 315 associated with the activities described in this section or in subsection
 316 (b) of section 16-243p including unredacted billing amounts, billing
 317 dates, payees and explanation of the expenditure in detail sufficient to
 318 describe the purpose of the cost; and (5) any other itemized information
 319 deemed relevant by the authority. No electric distribution company, gas
 320 company, pipeline company or water company [, as such terms are
 321 defined in section 16-1,] shall recover through rates any costs associated
 322 with the preparation of such report.

323 Sec. 8. Subsection (g) of section 16-50j of the general statutes is
 324 repealed and the following is substituted in lieu thereof (*Effective October*
 325 *1, 2025*):

326 (g) The council shall employ such employees as may be necessary to
 327 carry out the provisions of this chapter, and such employees shall, in the
 328 aggregate, have sufficient expertise in engineering and financial
 329 analysis to carry out the provisions of this chapter, provided the council
 330 shall employ at least one employee dedicated to facilitating the
 331 engagement of interested parties in a proceeding and providing a plain
 332 language summary of proceedings.

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

| | | |
|-----------|-----------------|--------------|
| Section 1 | October 1, 2025 | 16-50n |
| Sec. 2 | October 1, 2025 | 16-2a(a) |
| Sec. 3 | October 1, 2025 | 16-50l(i) |
| Sec. 4 | October 1, 2025 | 16-50l(a)(1) |
| Sec. 5 | October 1, 2025 | 16-50l(a)(3) |
| Sec. 6 | October 1, 2025 | 16-19d |
| Sec. 7 | October 1, 2025 | 16-243gg |
| Sec. 8 | October 1, 2025 | 16-50j(g) |

Statement of Purpose:

To modify provisions concerning the Connecticut Siting Council, including by establishing the Consumer Counsel as a party in proceedings, requiring disclosure of utility retention of lobbyists and excluding lobbying and certain other costs from being considered operating costs for ratemaking purposes and modifying submission and notification requirements for council applications.

[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.]