



General Assembly

Amendment

January Session, 2025

LCO No. 10432



Offered by:

SEN. ANWAR, 3rd Dist.

REP. FOSTER, 57th Dist.

REP. HALL C., 59th Dist.

SEN. GORDON, 35th Dist.

REP. SANTANELLA, 58th Dist.

To: Subst. Senate Bill No. 4

File No. 325

Cal. No. 199

(As Amended)

"AN ACT CONCERNING ENERGY AFFORDABILITY, ACCESS AND ACCOUNTABILITY."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2025*) The Connecticut Siting
4 Council shall establish a solar photovoltaic facility emergency
5 preparedness account, which shall be a separate, nonlapsing account
6 within the General Fund, and which shall be financed through the
7 collection of fees by the council pursuant to section 16-50z of the general
8 statutes. The council shall assess such fees upon the request of the
9 Commissioner of Emergency Services and Public Protection, for
10 funding to support annual expenses of one staff position in the

11 Department of Emergency Services and Public Protection. Personnel
12 shall be assigned to such staff position solely for the purposes of the
13 program established pursuant to section 502 of this act. Any federal
14 reimbursements and grants obtained in support of the solar
15 photovoltaic facility emergency preparedness program established
16 pursuant to section 502 of this act shall be paid into the General Fund
17 and credited to the account. All moneys within the account shall be
18 invested by the State Treasurer in accordance with established
19 investment practices and all interest earned by such investments shall
20 be returned to the account.

21 Sec. 502. (NEW) (*Effective October 1, 2025*) (a) For the purposes of this
22 section, "solar photovoltaic facility" means a solar photovoltaic facility
23 that has a generating capacity greater than one megawatt of electricity.
24 The Commissioner of Emergency Services and Public Protection shall
25 establish and administer a solar photovoltaic facility emergency
26 preparedness program to develop solar photovoltaic facility emergency
27 response plans and provide training and equipment to emergency
28 response personnel in connection with such plans.

29 (b) Moneys in the solar photovoltaic facility emergency preparedness
30 account established pursuant to section 501 of this act shall be expended
31 by the commissioner, in conjunction with the Commissioner of Energy
32 and Environmental Protection, to support the activities of the program
33 and in accordance with the plan approved by the Secretary of the Office
34 of Policy and Management under subsection (c) of this section. The
35 program shall include, but need not be limited to, the: (1) Development
36 of a detailed solar photovoltaic facility emergency response plan for
37 areas surrounding each such facility, (2) annual training of state and
38 local emergency response personnel concerning emergency responses
39 to fires or other hazards located at or near such facilities, (3)
40 development of accident scenarios and exercising of solar photovoltaic
41 facility emergency response plans, and (4) provision of specialized
42 response equipment necessary to respond to such emergencies.

43 (c) Not later than May first, annually, the Commissioner of

44 Emergency Services and Public Protection, in consultation with the
45 Commissioner of Energy and Environmental Protection, shall submit to
46 the Secretary of the Office of Policy and Management a plan for carrying
47 out the purposes of the solar photovoltaic facility emergency
48 preparedness program during the next state fiscal year. The plan shall
49 include proposed itemized expenditures for the program. The secretary
50 shall review the plan and, not later than June first, annually, approve
51 the plan if the plan conforms with the provisions of this section.

52 Sec. 503. Subsections (a) to (c), inclusive, of section 16-50v of the
53 general statutes are repealed and the following is substituted in lieu
54 thereof (*Effective October 1, 2025*):

55 (a) All expenses of administering this chapter, including the functions
56 of the council and its staff, shall be financed as provided in this section.

57 (b) (1) Before December thirty-first of each year, the council shall
58 review the anticipated amount of expenses attributable to energy
59 facilities for the next fiscal year, including expenses attributable to the
60 solar photovoltaic facility emergency preparedness account established
61 pursuant to section 501 of this act, and excluding expenses under
62 subsection (c), (d), (e), (g) or (h) of this section, at a public meeting, notice
63 of which shall be given to each person subject to assessment under this
64 subsection, and at which interested persons shall be heard. After the
65 meeting, the council shall determine the anticipated amount of such
66 expenses and submit its determination to the joint standing committee
67 of the General Assembly having cognizance of appropriations and the
68 budgets of state agencies. After the committee completes its review, the
69 council shall apportion and assess the anticipated amount of expenses
70 among those persons having gross revenue from the sale of electric
71 power at retail in the state in excess of one hundred thousand dollars
72 during the preceding calendar year, in the proportion which the gross
73 revenue of each such person bears to the aggregate gross revenues of all
74 such persons. Each such person shall pay the assessment in three equal
75 installments on or before July thirty-first, October thirty-first, and
76 January thirty-first of the fiscal year. During the fiscal year the council

77 may further apportion and assess the additional amount of such
78 expenses as could not reasonably have been anticipated prior to the
79 fiscal year, apportioned in the same manner after notice and hearing in
80 the same manner. The total of such assessments for any fiscal year shall
81 not exceed one million five hundred thousand dollars. No proceeds
82 from any assessment under this subsection may be used by the council
83 after June 30, 1984, for any proceedings concerning hazardous waste
84 facilities.

85 (2) As used in this subdivision, "communications services" means
86 services involving transmitting or receiving signals in the
87 electromagnetic spectrum for a public or commercial purpose pursuant
88 to a Federal Communications Commission license. Before December
89 thirty-first of each year, the council shall review the anticipated amount
90 of administrative expenses attributable to facilities used for providing
91 communications services for the next fiscal year, excluding expenses
92 under subsection (c), (d), (e), (g) or (h) of this section, at a public meeting,
93 notice of which shall be given to each person subject to assessment
94 under this subsection, and at which interested persons shall be heard.
95 After the meeting, the council shall determine the anticipated amount of
96 such expenses and submit its determination to the joint standing
97 committee of the General Assembly having cognizance of matters
98 relating to appropriations and the budgets of state agencies. The council
99 shall apportion and assess the anticipated amount of expenses equitably
100 in proportion to the percentage of the council's direct costs, among those
101 persons who (1) provide communications services or have provided
102 communications services facilities, and (2) have come before the council
103 in the preceding calendar year. Each such person shall pay the
104 assessment and submit a return, on a form prescribed by the council, to
105 the council in four equal installments, on or before July 1, 1994, and July
106 thirty-first of each year thereafter, October 31, 1994, and October thirty-
107 first of each year thereafter, January 31, 1995, and January thirty-first of
108 each year thereafter, and April 30, 1995, and April thirtieth of each year
109 thereafter. The council shall transfer all payments received pursuant to
110 this section to the Treasurer who shall credit such payments to the Siting

111 Council Fund. Such payments shall be considered administrative
112 expenses recovered from communications services providers.

113 (c) The fee for each application for a certificate for a facility described
114 in subdivisions (1) to (4), inclusive, of subsection (a) of section 16-50i,
115 shall be used to meet the expenses of the council in connection with the
116 review of, hearing on and decision on the application, including the
117 expenses of any consultant employed by the council under subsection
118 (d) of section 16-50n, and expenses attributable to the solar photovoltaic
119 facility emergency preparedness account established pursuant to
120 section 501 of this act. The council shall, by regulation, adjust the fees to
121 [meet the] fund such expenses. In addition, the council may assess the
122 applicant during the proceeding on the application and thereafter, as
123 may be necessary to [meet the] fund such expenses. The amount of any
124 fees and assessments paid under this subsection [which are in excess of]
125 that exceed the expenses of the council in reviewing and acting upon the
126 application for which the fees and assessments [were paid] or funding
127 the solar photovoltaic facility emergency preparedness account shall be
128 refunded within sixty days after completion of the matter.

129 Sec. 504. (NEW) (*Effective October 1, 2025*) (a) After any incident at a
130 solar photovoltaic facility, as defined in section 502 of this act, that
131 results in personal injury or a threat to public safety, including any fire
132 that requires the response of state or local emergency response
133 personnel, if such incident is related to the operations of such facility,
134 the chief executive officer of the municipality in which such facility is
135 located may file a petition with the Connecticut Siting Council seeking
136 the reopening of a docket concerning any certification or declaratory
137 ruling previously granted or issued by the council for such facility.

138 (b) The form and manner of submission of such petition shall be
139 proscribed by the council. Such petition shall contain, but need not be
140 limited to, a description of the time, date and place of such incident, the
141 owner of the facility at which the incident took place, if known to the
142 chief executive officer, and a description of the emergency response to
143 such incident.

144 (c) Upon receipt of a petition pursuant to this section, the Connecticut
145 Siting Council shall conduct an inquiry concerning such incident. The
146 council shall give the owner of the facility described in such petition the
147 opportunity to be heard concerning such petition. The council may
148 summon by subpoena any person whose testimony may be pertinent to
149 the inquiry and any records or documents related to the operation of the
150 facility described in such petition.

151 (d) If, after conducting an inquiry in accordance with subsection (c)
152 of this section, the council finds such incident provides cause to
153 reexamine the certification or declaratory ruling previously granted or
154 issued by the council for such facility, the council shall reopen any
155 docket concerning such certification or ruling for such facility.

156 Sec. 505. Section 16-50p of the general statutes is amended by adding
157 subsections (k) and (l) as follows (*Effective October 1, 2025*):

158 (NEW) (k) Prior to granting an applicant's certificate for a facility
159 described in subsection (a) of section 16-50i, the council shall consider,
160 in addition to its consideration of other factors under this section: (1)
161 The testimony of the chief elected official of any municipality in which
162 the facility or any part thereof is to be located that the chief elected
163 official gives at any hearing prescribed in section 16-50m; and (2) any
164 other witness testimony or written testimony of the chief elected official
165 of such municipality that is filed or presented by the municipality to the
166 council, if such municipality is a party pursuant to subsection (a) of
167 section 16-50n.

168 (NEW) (l) In reviewing an application for a certificate for a solar
169 photovoltaic facility that has a generating capacity greater than one
170 megawatt of electricity that is proposed to be located within a five-mile
171 radius of any solar photovoltaic facility that has a generating capacity
172 greater than one hundred megawatts, the council shall be bound by the
173 approval, disapproval or conditions concerning such facility that any
174 chief executive officer of any municipality in which such facility is
175 located submits to the council, provided the chief executive officer

176 submits such approval, disapproval or conditions not later than thirty
177 days after such chief executive officer is served a copy of the application
178 for such certificate pursuant to subsection (b) of section 16-50l. The
179 provisions of this subsection shall not apply to any certificate for a solar
180 photovoltaic facility that is proposed as part of an expansion of an
181 existing facility pursuant to an existing certificate issued by the council,
182 whether such expansion is proposed on the site of the existing facility or
183 on land or parcels contiguous to the parcel or parcels that comprise the
184 site of the existing facility."

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

Sec. 501	<i>October 1, 2025</i>	New section
Sec. 502	<i>October 1, 2025</i>	New section
Sec. 503	<i>October 1, 2025</i>	16-50v(a) to (c)
Sec. 504	<i>October 1, 2025</i>	New section
Sec. 505	<i>October 1, 2025</i>	16-50p(k) and (l)