OLR Bill Analysis

HB 5340 (as amended by House "A")*

AN ACT CONCERNING RENEWABLE POWER GENERATION.

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SUMMARY

This bill creates new and successor renewable energy programs, including for residential and non-residential customers, and shared clean energy facilities, and makes other changes mostly in laws related to renewable energy, as described in the section-by-section analysis below.

*House Amendment "A" extends current renewable programs until 2028, makes various changes to successor program requirements; adds provisions on (1) target total aggregate procurement under successor renewable and energy storage programs; (2) a Green Bank energy

storage pilot program; (3) State Building Code and State Fire Safety Code amendments for portable solar generation devices; (4) safety at electric generation or storage facilities, including incident reporting, training, and a working group; (5) a smart solar permitting platform; (6) a temporary prohibition on solar projects in certain municipalities and a related reporting requirement; (7) Siting Council determinations on certain transmission projects; and (8) gas company rebates for certain clean energy facilities; and removes provisions on an environmental justice community solar pilot program and electric suppliers.

EFFECTIVE DATE: Various, see below

§§ 1-4 — RENEWABLE ENERGY SUCCESSOR PROGRAMS

Requires PURA to establish successor programs for clean energy tariffs (RRES, NRES, and SCEF); sets a total aggregate procurement target for these successor programs and ESS, with related review and reporting requirements; sets requirements for program eligibility, establishing tariffs and rates, energy purchases under the tariffs, and rates that take effect when tariffs expire

Current law establishes three programs that govern how electric customers who install, lease, subscribe to, or otherwise contract with renewable energy facilities are compensated for the energy and related attributes these facilities generate: the Residential Renewable Energy Solutions (RRES) program, the Non-Residential Renewable Energy Solutions (NRES) program, and the Shared Clean Energy Facility (SCEF) program. Current law sunsets these programs in 2027 and 2028. (The bill extends these dates, see below.)

The bill requires the Public Utilities Regulatory Authority (PURA) to establish successor programs for RRES, NRES, and SCEF. PURA must initiate proceedings to do so by August 1, 2026, and issue final orders on the successor programs by December 1, 2027.

The bill sets a total aggregate procurement target for the successor programs and the existing Energy Storage Solutions (ESS) program. For each successor program, the bill sets requirements for program eligibility, establishing tariffs and rates, energy purchases under the tariffs, and rates that take effect when the tariffs expire. The bill requires electric distribution companies (EDCs, Eversource and United

Illuminating) to offer tariffs under the successor programs for up to 20-year terms until December 31, 2035.

As is generally the case under existing law for RRES, NRES, and SCEF, the bill requires EDCs to recover their prudently and reasonably incurred costs for the successor programs on a timely basis through a nonbypassable fully reconciling component of customer electric rates and credit customers for any net revenues through the same component.

EFFECTIVE DATE: July 1, 2026

Procurement Target, Allocation Process, and Reports (§ 4)

For the three successor programs and ESS, the bill sets a target for total aggregate EDC procurement of energy products. For tariff years starting on and after January 1, 2028, the bill sets the target at 180 megawatts (MW) per year and $85 million per year. The target must account for compensation for energy, renewable energy credits (RECs), energy products, or any combination of these participants receive. If the target goals cannot be reconciled in a given year, the spending target ($85 million) takes precedence over the MW target (180 MW).

In calculating these budgetary and MW targets, the bill requires PURA to disregard solar facilities combined with energy storage systems on the customer's premises if PURA finds that incentives associated with these systems provide benefits to all ratepayers in the state, as determined by a ratepayer impact measurement test developed by PURA.

The bill requires PURA to adopt an allocation methodology under this target that promotes reaching 580 MW of energy storage deployed in the state through ESS by December 31, 2031. By January 1, 2028, PURA must set an initial allocation of targeted MWs and budget expenditures on an annual basis that (1) achieves the greatest benefits for all ratepayers, (2) furthers existing law's system efficiency and utilization goals (see BACKGROUND) and (3) equitably distributes benefits to program participants as PURA determines. PURA may adjust its allocation as needed to achieve these goals.

If actual program spending deviates from the target, PURA may revise the budget target for the following year by up to 5%.

The bill sets several reporting and review requirements. PURA must:

1. annually review program performance, starting by January 1, 2029, and continuing through January 1, 2035, and determine annual allocations for target procurements that apply for each program;

2. adopt a notice procedure for adjustments in allocations or incentives under the programs to minimize potential enrollment disruptions;

3. starting January 1, 2028, direct EDCs to report to PURA on any procurement for a reporting period PURA establishes;

4. starting January 1, 2028, and at least quarterly, publish the total MWs procured under each successor program in the previous quarter on PURA's website; and

5. develop and implement a methodology to monitor procurement utilization and effectiveness under the programs.

The bill also requires PURA to report annually, starting by January 1, 2029, and continuing until January 1, 2036, to the Energy and Technology Committee. The report must analyze:

1. the number of MWs and individual projects participating in each program under the budget target within each EDC territory;

2. the total annual budget spend, accounting for the entire incentive for energy, RECs, energy products, or any combination including SCEF subscriber credits;

3. the ratepayer impact of these programs on nonparticipants;

4. whether the programs remained within the budget target, advanced the energy storage MW deployment goal described above, and, if not, any recommended legislative change to

maintain cost certainty; and

5. whether and how the projects further existing law's system efficiency and utilization goal.

Residential Successor Program Eligibility (§ 1)

Under the bill, residential customers are eligible for the residential successor program if they live in a:

1. single family home,

2. multifamily development with two to four dwelling units, or

3. multifamily development with five or more units (a) where at least 60% of units are occupied by people with income up to 60% of the municipality's area median income or (b) that PURA has determined is affordable housing.

To qualify, eligible projects must:

1. be distributed energy resources (DERs), which, under existing law, are (a) customer- or grid-side distributed resources that generate energy from a Class I renewable energy source (like solar, wind, or fuel cells) or Class III source (certain combined heat and power systems and demand-side management projects) or (b) a customer-side distributed resource that reduces energy demand, including conservation and load management or energy storage;

2. emit no pollutants;

3. be located on a customer's premises;

4. have a nameplate capacity of up to 25 kilowatts (kw) per dwelling unit; and

5. be sized not to exceed the load at the customer's individual electric meter or, for eligible multifamily developments, the load of the premises, as determined by EDCs under rules PURA sets.

For eligible multifamily developments with five or more units, DERs only qualify if each dwelling unit gets an appropriate share of the benefits and no greater than an appropriate share goes to offset energy usage attributable to a common area. The bill requires PURA to initiate an uncontested proceeding to implement the distribution of benefits from DERs under the program.

Residential Successor Program Rates (§ 1)

The bill sets requirements for establishing the residential successor program's tariffs and rates. In the proceeding to establish the program, PURA must set tariffs for each EDC, tariff rates, and tariff terms and conditions. PURA must consider:

1. findings from a study required under existing law on the value of DERs,
2. the Integrated Resources Plan (IRP) and Comprehensive Energy Strategy (CES) recommendations,
3. the system efficiency and utilization goal, and
4. DER impacts on the state's greenhouse gas reduction goals (see BACKGROUND).

PURA must set tariff rates for the residential successor program based on electric system benefits received by all ratepayers from DERs based on time of production, equitable distribution of participant benefits, the IRP and CES, the system efficiency and utilization goal, and the value or benefits of DERs for electric grid reliability. PURA must also assess whether to incorporate time-varying rates or other dynamic pricing methods.

The bill additionally requires PURA to authorize a separate tariff for (1) low-income customers and customers in eligible multifamily developments with at least five units (see above) and (2) customers who live in distressed municipalities (see BACKGROUND).

Residential Successor Program Utility Requirements (§ 1)

Starting January 1, 2028, the bill requires EDCs to offer tariffs for residential customers to buy (1) any energy and RECs on a cents-per-kilowatt-hour (kwh) basis (a "buy-all" tariff) and (2) energy produced and not consumed in a time period PURA sets and any RECs on a cents-per-(kwh) basis (a "netting" tariff). The bill prohibits residential customers from selecting more than one tariff for the same premises.

All tariffs are subject to PURA's terms, conditions, or other stipulations, including stipulations on DER capacity rights.

Nonresidential Successor Program Eligibility (§ 2)

To qualify for the nonresidential successor program, projects must:

1. be a DER that emits no pollutants;
2. be located on a customer's premises and sized not to exceed the annual load at the customer's meter or set of meters if combined for billing purposes, as PURA determines (with some exceptions, see below);
3. be up to five MW in size; and
4. serve an EDC distribution system.

The bill exempts state, agricultural, and municipal (SAM) customers from the requirement that projects be located on a customer's premises and specifies that the exemption includes co-located energy storage facilities connected to projects. For SAM customers, the bill requires projects to be sized not to exceed the annual load (1) at the customer's meter, or set of meters; (2) at up to five SAM beneficial accounts; and (3) up to five non-SAM beneficial accounts for critical facilities (such as a hospitals or police stations) connected to a microgrid (see BACKGROUND). Generally, beneficial accounts are additional accounts customers designate to benefit from a facility's energy or related products.

Regardless of the requirement on project size described above, the

bill allows commercial and industrial customers to use the premises' entire rooftop space for the project.

Nonresidential Successor Program Rates and Price Cap (§ 2)

For the nonresidential successor program, the bill requires tariff rates to be set by EDC solicitations for projects. PURA must establish a procurement plan for EDCs and resulting tariffs, a price cap on a cents-per-kwh basis for selected DERs, and tariff terms and conditions.

In its proceeding, PURA must consider:

1. findings from a study required under existing law on the value of DERs,
2. the IRP and CES recommendations,
3. the system efficiency and utilization goal, and
4. Class I resource impacts on the state's greenhouse gas reduction goals.

PURA must set the price cap based on electric system benefits received by all ratepayers from the DER, equitable distribution of participant benefits, the CES and IRP, and the system efficiency and utilization goal.

Nonresidential Successor Program Utility Requirements (§ 2)

The bill requires EDCs, at least annually and starting January 1, 2028, to solicit and file with PURA one or more projects selected through a procurement for the nonresidential successor program that are consistent with the tariffs PURA approves (see above). For any selected project, EDCs must offer a tariff to buy (1) all energy and any RECs (a "buy all" tariff) at a rate consistent with the PURA-approved procurement plan and (2) energy produced and not consumed in a time period PURA sets and any RECs on a cents-per-kwh basis (a "netting" tariff).

The bill requires PURA to dispose of Class I RECs purchased under the program in a way determined under existing law, which requires

PURA, in consultation with the Department of Energy and Environmental Protection (DEEP) and the Office of Consumer Counsel (OCC) to establish procedures to dispose of RECs for other energy procurements.

Community Solar Program Eligibility (§ 3)

The bill requires PURA to establish the Community Solar Program as a successor to the SCEF program. PURA must allow cost-effective SCEF projects of various nameplate capacities (sizes) to participate and may allow multiple SCEFs in the same EDC service area. A SCEF is a Class I renewable energy source that emits no pollutants, is served by an EDC, has a nameplate capacity of up to five MW and at least two subscribers.

The bill limits SCEF subscribers to low-income customers and allows PURA to (1) give priority to those who have arrearages with their EDC and (2) create incentives or other financing mechanisms to encourage low-income customers to participate. A "low-income customer" is an EDC customer (1) with income up to 60% of state median income, adjusted for family size, or (2) who lives in an affordable housing development. The bill allows PURA to change this definition to meet any requirements for federal programs that provide renewable energy incentives.

Community Solar Program Rates and Price Cap (§ 3)

For the Community Solar Program, the bill requires tariff rates to be set by EDC solicitations for projects. PURA must establish a procurement plan for EDCs and resulting tariffs, a price cap on a cents-per-kwh basis for selected SCEFs, and tariff terms and conditions.

PURA must set the price cap based on electric system benefits received by all ratepayers from the Class I resource, equitable distribution of participant benefits, the CES and IRP, and the system efficiency and utilization goal.

Community Solar Program Utility Requirements (§ 3)

The bill requires EDCs, at least annually and starting January 1, 2028, to jointly or individually solicit and file with PURA one or more projects

selected through a procurement that are consistent with the tariffs PURA approves. For any selected project, EDCs must offer a tariff for SCEF subscribers consistent with program requirements PURA adopts.

The Community Solar Program must use one or more tariff mechanisms with EDCs, subject to PURA's approval, to pay for the purchase of energy products and RECs produced by an eligible SCEF or deliver billing credits. The bill requires PURA to determine the billing credit for SCEF subscribers that may be issued through EDCs's monthly billing systems.

The bill requires each EDC to submit a SCEF subscriber enrollment plan to PURA that may include automatic enrollment and opt-out provisions. PURA must also establish consumer protections for SCEF subscribers and potential subscribers, including required disclosures when selling or reselling a subscription.

Additional Incentives in Successor Program Tariffs (§§ 1-3)

For all three successor programs, PURA must also examine and, at its discretion, incorporate the following incentives into the tariffs, which PURA may adjust to enhance grid reliability or ratepayer benefits:

1. energy storage incentives that provide electric distribution benefits, accounting for existing ratepayer funded incentives like ESS to ensure aggregate incentives benefit all ratepayers;

2. incentives on DER locations to improve distribution system reliability; and

3. other energy policy benefits identified in the IRP and CES and to further the system efficiency and utilization goal.

For the nonresidential successor program and the Community Solar Program, the bill additionally requires PURA to examine preferences for DERs in distressed municipalities or brownfields (see BACKGROUND) and solar canopy incentives.

Rates After Tariffs Expire (§§ 1-3)

For all three successor programs, the bill requires PURA to set rates that apply when any tariff terms expire. PURA must set these rates to purchase energy on a cents-per-kwh basis. For the nonresidential successor program and the Community Solar Program, this rate must be set at the same rate as the wholesale energy rate.

For residential and nonresidential successor programs, PURA may set a monthly charge for customers that takes effect when any tariff expires. For the Community Solar Program, the bill authorizes PURA to allow subscriptions to continue past the tariff term.

§ 5 — RRES, NRES, AND SCEF END DATE

Sunsets current clean energy tariffs on December 31, 2028, or sooner if successor tariffs take effect and allows PURA to add a monthly charge that applies after tariffs expire

Current law sunsets RRES after six years (it began in 2022) and NRES and SCEF in 2027. The bill instead sunsets these programs on December 31, 2028, or sooner if PURA issues an order to offer tariffs through a successor program described above.

The bill also allows PURA to add a monthly charge that applies after a tariff expires under these programs.

EFFECTIVE DATE: July 1, 2026

§ 6 — ENERGY STORAGE PROGRAM SUNSET

Generally aligns ESS's end date with those of successor programs

Existing law required PURA, by January 1, 2022, to initiate a proceeding to develop one or more programs and funding mechanisms for electric energy storage resources connected to the electric distribution system, including programs for (1) residential customers and (2) commercial and industrial customers. PURA established ESS in a 2021 decision (Docket 17-12-03RE03), with the goal of deploying 580 MW by 2030. The program provides incentives for battery energy storage installation for commercial, industrial, and residential customers.

Current law does not set an end date for these programs. The bill

requires programs established under this law to end on December 31, 2035.

EFFECTIVE DATE: July 1, 2026

§ 7 — GREEN BANK STORAGE PILOT PROGRAM

Requires the Green Bank to administer a pilot program to promote energy storage installation for RRES and RSIP customers; establishes a working group after the pilot ends to make recommendations on an ESS successor program

The bill requires the Green Bank to establish and administer a pilot program, within available resources, to promote energy storage for residential solar customers participating in RRES or the Green Bank's Residential Solar Investment Program (RSIP). The bill limits program expenditures to $2 million and requires the program to provide energy storage system installation at no cost to program participants, with preference for customers in environmental justice communities (see BACKGROUND). The program must be designed to (1) increase understanding of electric system benefits received by all ratepayers from these programs and (2) offset ratepayer costs from net metering credits from Class I resources by encouraging storage behind the meter for customer use. The bill authorizes the Green Bank to enter into an agreement with any licensed contractor to install energy storage systems under program guidelines the Green Bank adopts.

The bill sets related reporting requirements. The Green Bank must report by February 1, 2028, to the Energy and Technology and Environment committees, analyzing the pilot program's impact, recommending whether to establish a permanent program, and, if so, including any needed legislation.

Under the bill, the pilot program terminates February 1, 2028, or sooner if the Green Bank submits its report before that date.

EFFECTIVE DATE: July 1, 2026

§ 8 — WORKING GROUP ON PILOT PROGRAM RESULTS AND ESS SUCCESSOR PROGRAM

Requires a working group to examine the Green Bank's pilot program results and make recommendations on an ESS successor program

When the Green Bank pilot program described above ends, the bill requires a working group to convene to examine the pilot program's results, analyze pilot program benefits for all ratepayers, and make recommendations on an ESS successor program.

The working group includes:

1. the chairpersons of the Energy and Technology Committee, who are the working group's chairpersons;
2. the DEEP commissioner or her designee;
3. the Consumer Counsel or her designee;
4. the PURA chairperson or his designee;
5. the Green Bank chief executive officer or his designee; and
6. anyone else the chairpersons deem relevant and necessary to carry out the working group's duties.

The Energy and Technology Committee chairpersons must schedule and hold the working group's first meeting within 60 days after the pilot program ends. The Energy and Technology Committee's administrative staff acts in that capacity for the working group.

The bill requires the working group to report its findings to the Energy and Technology Committee by one year after the working group convenes. It terminates one year after it convenes or when it submits its report, whichever is later.

EFFECTIVE DATE: October 1, 2026

§§ 9 & 10 — PORTABLE SOLAR GENERATION DEVICES

Exempts portable solar generation devices from interconnection requirements, among other things, and sets requirements for exempt devices; requires officials to consider provisions ensuring the safe installation of plug-in photovoltaic panels in the next adopted amendments to the State Building Code and the State Fire Safety Code

The bill exempts portable solar generation devices from interconnection requirements under PURA regulations or decisions and limits exempted device use to one behind a customer's electric meter.

Under the bill, a portable solar generation device is a solar device that:

1. is not permanently affixed to a structure;
2. has a maximum power output of 1,200 watts;
3. is designed to be connected to a building's electrical system through a 120 volt AC outlet behind the meter;
4. is intended primarily to offset part of a customer's electricity consumption;
5. meets State Building Code requirements;
6. meets National Electric Code requirements (NEPA-70) and the Institute of Electric and Electronics Engineers requirements (IEEE 1547);
7. is certified by Underwriters Laboratories (UL) or an equivalent nationally recognized testing laboratory and meets UL Standard Number 1741;
8. includes a device or feature that prevents the system from energizing the building's electrical system during a power outage; and
9. includes a consumer warning that states that any electricity generation exceeding consumption at the customer's location will result in excess generation being charged to customers unless the customer uses an electric meter that allows net

metering.

The bill prohibits EDCs from requiring a customer using a portable solar generation device to:

1. get the company's approval before installing or using it;

2. pay a fee or charge related to the system, except any charges the system incurs through its use; or

3. install additional controls.

Under the bill, EDCs are not liable for damage or injury caused by a portable solar generation device. The bill specifies that it does not exempt any portable solar generation device from requirements under the State Building Code, the Fire Safety Code, the State Fire Prevention Code, or any applicable local ordinance or regulation.

The bill requires provisions to ensure safe installation of portable solar generation devices to be considered (1) jointly by the State Building Inspector and the Codes and Standards Committee with the administrative services commissioner's approval in amendments to the State Building Code adopted after October 1, 2026, and (2) by the State Fire Marshal and the Codes and Standards Committee in amendments to the State Fire Safety Code adopted after October 1, 2026.

EFFECTIVE DATE: October 1, 2026

§ 11 — AGRIVOLTAICS PROJECTS STUDY

Requires DEEP to study agrivoltaics projects and report to the Energy and Technology and Environment committees by January 1, 2027

The bill requires DEEP, in consultation with the agriculture commissioner, to study the feasibility of implementing an incentive program for agrivoltaics projects in the state. These are generally solar facilities on agricultural land. The study must consider potential benefits and consequences of agrivoltaics projects and make recommendations on:

1. nameplate capacity (size) restrictions for solar facilities,

2. limiting program participation to land in productive agricultural use before program participation,

3. system configuration to preserve agricultural operations,

4. the allowable percentage of a parcel that may be used for solar equipment instead of agricultural use,

5. preserving core forest (see BACKGROUND), and

6. a permitting process and incentives for these projects.

DEEP must report to the Energy and Technology and Environment committees by January 1, 2027.

EFFECTIVE DATE: October 1, 2026

§ 12 — INCIDENT REPORTS AT ELECTRIC GENERATION OR STORAGE FACILITIES

Requires Siting Council certificate holders for electric generation or storage facilities to report major and minor incidents to the council and requires the council to report annually to the Energy and Technology Committee

The bill requires any person (including entities) who has a Siting Council certificate to operate an electric generation or storage facility to report any major or minor incident at the facility in a form and way set by the council. Under the bill, they must report a major incident within five days after it occurs, and a minor incident within 30 days after it occurs.

Under the bill, a "major incident" is any event at an electric generation or storage facility that (1) requires an emergency shutoff of electricity flowing to or from it due to a hazardous condition at the facility, (2) requires local emergency services personnel to respond to the facility, or (3) causes injury requiring someone's hospitalization. A "minor incident" is an unanticipated or unplanned shutdown of the facility that does not require local emergency services personnel to respond. It excludes a shutdown (1) for scheduled or routine maintenance or (2) as a preventative safety measure.

The bill exempts from these requirements any electric generation

facility that is a generating source under Title V of the federal Clean Air Act Amendments of 1990 or DEEP regulations that generally set more stringent air pollution limits.

The bill requires the Siting Council, starting on July 1, 2028, to annually give the Energy and Technology Committee a report detailing any reports on major and minor incidents the council received over the prior year.

EFFECTIVE DATE: October 1, 2026

§ 13 — EMERGENCY SERVICE TRAINING AND CONTACT PERSON

Allows the Siting Council to require applicants to provide emergency service training to local firefighters or other emergency services personnel; requires the council to require applicants to designate an emergency contact person and post contact information at the facility

The bill allows the Siting Council to require, as a condition of approving an electric generation or storage facility, that the applicant provide emergency services training specific to the proposed facility to local firefighters or other emergency services personnel (those in any municipality where the facility will be located). The applicant must pay for the training.

If the council imposes this requirement, the bill requires the applicant to notify the local chief executive officer and fire marshal, as ordered by the council. The chief executive officer or fire marshal must respond to the notice in writing within 60 days after receiving it and indicate whether firefighters or other emergency services personnel in the municipality request the training. If so, the applicant must arrange for the training to be given within 60 days after the request.

The bill also requires the Siting Council, as a condition for approving a facility, to require an applicant to (1) designate an emergency contact person for the facility, (2) give the person's contact information to the council and the chief executive officer and the local fire official of the municipality where the facility is located, and (3) post a sign displaying the contact person's contact information at each entrance to the facility. Additionally, any current certificate holder must take these steps by

January 1, 2027.

Under the bill, an "emergency contact person" is a person (including an entity or an organization), designated by an applicant or certificate holder, who has authority to act on behalf of the applicant or certificate holder in the event of an emergency at an electric generation or storage facility.

If the designated emergency contact person or their contact information changes, the bill requires the applicant or certificate holder, within 30 days after the change, to (1) give written notice about the change to the council and the local chief executive officer and fire official and (2) update each sign displaying the contact information at the facility.

The bill requires the designated emergency contact person to be available to respond (at the facility, by phone, or by other electronic means) to any emergency at the facility within one hour after the emergency occurs. If the person fails to timely respond to an emergency at the facility, any firefighter or other emergency services personnel who tried to contact the emergency contact person must file a written report with the council detailing the lack of response.

EFFECTIVE DATE: October 1, 2026

§ 14 — PURA WORKING GROUP

Requires PURA to convene a working group to review processes on resuming energy generation service after a service shutoff at a generation or storage facility and report to the Energy and Technology and Public Safety and Security committees by February 1, 2027

The bill requires PURA's chairperson, by November 1, 2026, and in consultation with the DEEP commissioner and Siting Council, to convene a working group within PURA to review and assess any processes on resuming electric generation services after a service shutoff at an electric generation or storage facility that exceeds five days. The review and assessment must consider:

1. any existing statutory, regulatory, or contractual processes governing the resumption of electric generation services after an

extended shutoff;

2. the adequacy of coordination among electric generation facility owners or operators, electric distribution companies, regional transmission organizations, and state agencies;

3. potential risks to public safety or electric grid reliability associated with extended shutoffs and subsequent service resumptions; and

4. any recommendations for statutory, regulatory, or procedural changes to improve transparency, coordination, and safety when service resumes.

The bill requires the working group to include:

1. PURA's chairperson or his designee;

2. the Siting Council's chairperson or their designee;

3. the DEEP commissioner or her designee;

4. the Consumer Counsel or her designee;

5. a local fire marshal from a municipality where at least two generation facilities are sited;

6. at least one representative from an EDC;

7. at least one owner or operator of an electric generation facility subject to the Siting Council's jurisdiction;

8. an employee of a higher education institution in the state with expertise in electrical engineering or any field related to electricity generation, transmission, or distribution; and

9. any other interested party the chairperson deems appropriate.

The bill requires PURA's chairperson, by February 1, 2027, to submit a report on the working group's efforts and recommendations to the

Energy and Technology and Public Safety and Security committees.

EFFECTIVE DATE: October 1, 2026

§ 15 — SMART SOLAR PERMITTING PLATFORM

Requires DAS to implement a smart solar permitting platform by July 1, 2028, to automatically review applications to build residential solar, alone or in combination with energy storage projects; requires municipalities to allow applications to be submitted through the DAS platform or through an alternative automated solar permitting platform; sets related reporting requirements

The bill requires the Department of Administrative Services (DAS) commissioner to implement a smart solar permitting platform by July 1, 2028, to automatically review applications to build residential solar projects, alone or in combination with energy storage systems, and instantly release a building permit if the project complies with the state building code. A smart solar permitting platform is (1) the web-based SolarAPP+ platform developed by the U.S. Department of Energy's National Laboratory of the Rockies or (2) a similar web-based platform the DAS commissioner selects. The platform must review permit applications for residential solar photovoltaic systems, which are equipment and devices that generate solar energy, have a nameplate capacity of up to 25 kw, and are installed on a single-family or multi-family home's roof.

DAS must administer the platform in a way that allows it to:

1. be used by DAS, municipalities, and licensed architects, professional engineers, and contractors;

2. automatically evaluate any application to construct a residential solar facility or energy storage system to determine whether the facility complies with state building code requirements and whether the application complies with regulations DAS adopts under the bill;

3. instantly release a building permit for compliant applications;

4. process a permit application for at least 75% of residential rooftop solar facilities that weigh less than four pounds per square foot,

provide electrical power to detached single- and multi-family homes, and comply with state building code requirements for installation on an existing residential structure;

5. accept applications 24 hours per day, unless the platform is unavailable due to maintenance or a system upgrade;

6. use digital signatures, stamps, seals, or certifications on submitted applications and supporting documents needed to issue a permit;

7. provide customer service to help users navigate the platform; and

8. periodically update the platform, as needed, to conform to building code changes or other applicable state laws.

Municipalities must allow applications to be submitted through the DAS platform or through an alternative automated solar permitting platform that equally satisfies the bill's requirements (or report to DAS, see below). Municipalities that allow permits through the DAS platform must revise their permitting fees by January 1, 2029, to reflect any reduction in cost or resources to permit residential solar energy systems.

Alternative Automated Solar Permitting Platforms

Municipalities may coordinate with their regional councils of governments (COGs) to select and implement an alternative automated solar permitting platform, including issuing requests for proposals, invitations to bid, or other solicitations.

The bill prohibits municipalities that elect to use an alternative platform from requiring applicants to submit documentation or information that is not required under the DAS platform. Municipalities using an alternative platform must enable access to it by January 1, 2029.

Within 60 days after a municipality implements an alternative platform, it must submit a compliance report to DAS, in a form and way the DAS commissioner prescribes. The compliance report must include

the date of compliance, the software used for compliance, and documentation demonstrating that the alternative automated solar permitting platform equally satisfies the requirements described above for the DAS platform.

Any municipality that implements an alternative platform must also report annually to the DAS commissioner, starting by July 1, 2029. The bill allows the DAS commissioner to set guidelines for annual reports, which must at least include:

1. the number of permits released by the municipality for residential solar facilities through the alternative platform and through other means,

2. the relevant characteristics of facilities approved through the alternative platform and through other means, and

3. documentation demonstrating that the alternative automated solar permitting platform equally satisfies the requirements described above for the DAS platform.

If the DAS commissioner determines that the information in the compliance report or the annual report is not sufficient to verify the requirements, the municipality must give the commissioner access to its alternative platform to allow the commissioner to determine whether it complies.

DAS must post any compliance reports and annual reports on its website.

Other Application Requirements

The bill requires the DAS commissioner to prescribe the form and format for permit applications, including supporting documentation; specifications; requirements for digital signatures, stamps, seals, or certifications; and other information exchanged through the DAS platform.

The DAS commissioner must also require that any application and

supporting documentation submitted through these platforms be prepared and submitted by a licensed architect, professional engineer, or contractor.

Waived Requirements and Sanctions

The bill requires the DAS commissioner to waive any requirement related to physical signatures, stamps, seals, certifications, or notarization imposed by statute, regulation, or local ordinance to allow the smart solar permitting platform to process applications, as long as the permit application has a digital signature, stamp, seal, or certification.

The bill prohibits anyone exchanging information through the DAS platform or an alternative platform from being penalized for failure to comply with a statute, regulation, or local ordinance that requires information submitted in a physical form, including requirements that the information be:

1. in a particular form or of a particular size;
2. submitted with multiple copies;
3. physically attached to another document;
4. an original document; or
5. signed stamped, sealed, certified, or notarized.

The prohibition applies to licensing sanctions, civil penalties, fines, permit disapprovals, revocations, or other sanctions.

EFFECTIVE DATE: July 1, 2026

§ 16 — SITING COUNCIL MORATORIUM ON APPROVING SOLAR FACILITIES IN CERTAIN MUNICIPALITIES AND DEEP REPORT

Generally prohibits the Siting Council, until July 1, 2027, from approving solar facilities in certain municipalities that already have council-approved solar facilities on a certain proportion of their total land area; requires the DEEP commissioner to prepare a report on various solar-siting issues

Moratorium

The bill prohibits the Siting Council from granting a certificate for a

solar facility, or approving one by declaratory ruling, if it finds that the facility is located in a municipality (1) where more than 5.5% of the municipality's total land area has solar installations and related solar infrastructure or (2) that is contiguous with and to the north of the municipality described above and has solar installations and solar related infrastructure on more than 2% of its total land area. These percentages are calculated by total parcel size, apply to installations and infrastructure that the council has previously approved, and exclude council-approved solar installations on a brownfield or landfill.

To calculate the percentage of land area covered by the solar facilities, the total parcel size of the installations and related infrastructure in the municipality, as determined by the computer-assisted mass appraisal system maintained by the Geographic Information Systems Office the Office of Policy and Management (OPM), must be divided by the municipality's total acreage.

The bill ends the prohibition on July 1, 2027, and specifies that it does not apply to facilities proposed to be sited on land zoned for commercial or industrial use by the municipality as of January 1, 2024.

DEEP Report

The bill requires the DEEP commissioner to prepare a reportrecommending specific criteria for equitably distributing solar facility sites in the state. In preparing the report, the commissioner must consult with:

1. the commissioners of agriculture and economic and community development;

2. the presidents of the Connecticut Conference of Municipalities, Connecticut Council of Small Towns, and Connecticut State Building Trades Council;

3. the executive director of the Capitol Region Council of Governments;

4. a training director of a registered affiliate of the Connecticut State

Building Trades Council;

5. the OPM secretary;

6. the chairpersons of the Siting Council, Council on Environmental Quality and PURA;

7. the consumer counsel; and

8. two Connecticut-based conservation organizations, one with expertise in the management of forests, and the other with expertise in agrivoltaics and farmland soils.

The bill also allows the DEEP commissioner, within available appropriations, to hire a consultant to help prepare the report, but the consultant cannot be the owner or operator of any facility type subject to the Siting Council's jurisdiction.

The bill requires the report to have evaluations of and recommendations on:

1. the location of solar facilities previously approved by the council, with a focus on measuring and explaining the distribution and concentration of solar facilities across the state;

2. how the council can further minimize conflicts between solar development and other land use priorities, particularly in municipalities with greater concentrations of solar development;

3. an assessment of the effectiveness of PA 17-218 at protecting core forest and prime farmland resources in the solar facility siting process (see BACKGROUND);

4. the existence of project labor agreements between the solar facility developers and the Connecticut State Building Trades Council;

5. the potential economic impacts that solar facility development projects may have, including how many direct and indirect jobs would be created in a community and the surrounding region;

6. how project developers can show that contractors and subcontractors have a registered apprenticeship program approved by the state, with a curriculum that includes training for solar and other Class I renewable energy source construction;

7. how a developer can attest that contractors and subcontractors have no history of stop work orders, wage violations, or licensing violations pending with a federal or state agency, and have not been cited for any wage or licensing violations by a federal or state agency over the preceding five years; and

8. any policy recommendations resulting from these evaluations.

The bill requires the DEEP commissioner, by November 30, 2026, to post a draft report on DEEP's website for public review and comment. And before submitting a final report, the commissioner must hold one or more public comment periods and integrate any public comment the commissioner deems appropriate and useful into the final report. She must submit the final report to the Energy and Technology, Environment, Government Administration and Elections, Judiciary, and Labor committees by February 1, 2027.

EFFECTIVE DATE: Upon passage

§§ 17 & 18 — SITING COUNCIL TRANSMISSION PROJECT DECISIONS

Expands the Siting Council's jurisdiction to cover combinations of electric transmission lines and substations or switchyards that meet certain criteria related to future generation sources

By law, developers must get a certificate of environmental compatibility and public need from the Siting Council before starting projects to build or modify certain facilities, such as transmission lines, electric substations, and switchyards.

The bill expands the Siting Council's jurisdiction to cover combinations of electric transmission lines (including their associated equipment) and electric substations or switchyards, whether they are expanding an existing facility or installing a new one, that are designed to (1) accommodate the interconnection of one or more future sources of

any generation type that is not yet subject to an interconnection agreement (generally, a contract between the generator and the electric grid operator) or (2) relieve transmission system constraints to facilitate delivery or power from the future generation source.

Existing law prohibits the council from granting a certificate unless it makes certain findings about the project, including that there is a public need for the facility and the basis of that need. A public need exists when a facility is necessary for the reliability of the state's electric power supply.

The bill requires the council, when determining whether a public need exists for the newly covered projects describe above, to consider whether the project addresses anticipated future electric grid reliability needs, including the need for additional generation on the electric grid to maintain resource adequacy.

Under the bill, any future reliability needs the council identifies in these proceedings must be supported by (1) an ISO-New England study or finding, (2) the state's IRP, or (3) an advisory opinion by the DEEP commissioner stating that the facility is in the best interest of the state's ratepayers. The commissioner's advisory opinion may, without limitation, be based on:

1. the availability of funding from sources other than the state's ratepayers;

2. collaborative efforts with one more other states that will provide a net benefit to Connecticut's rate payers; or

3. whether the proposed project will eliminate, or otherwise limit, the need for other upgrades to the transmission system that would be a cost to Connecticut ratepayers.

EFFECTIVE DATE: October 1, 2026

§ 19 — SHARED CLEAN ENERGY GAS REBATE

Removes selection deadline for SCEF gas rebates

The law generally requires each gas company (the Connecticut Natural Gas Corporation, the Southern Connecticut Gas Company, and Eversource) to have a program that gives rebates to customers that use natural gas for a SCEF (for example, a fuel cell) selected to participate in the SCEF program by December 31, 2023. The bill requires the companies to provide these rebates to SCEFs regardless of when they are selected to participate in the program.

By law, the rebate is equal to the retail delivery charge for transporting natural gas to the SCEF, and a gas company may recover the costs of providing the rebates through its decoupling mechanism, authorized under existing law (CGS § 16-19tt).

EFFECTIVE DATE: Upon passage

BACKGROUND

Brownfields

By law, a brownfield is any abandoned or underutilized site where redevelopment, reuse, or expansion has not occurred due to pollution or potential pollution in the buildings, soil, or groundwater that requires investigation or remediation to redevelop, reuse, or expand the property (CGS § 32-760).

Comprehensive Energy Strategy (CES)

The law requires DEEP to prepare a CES every four years. Among other things, the CES must identify energy policies and long-range energy planning objectives and strategies appropriate to achieve the state's greenhouse gas reduction goals, a sound economy, the least-cost mix of energy supply sources to meet these goals, and measures to reduce energy demand, considering various factors like consumer price impacts, fuel supply security and diversity, and protection of public health and safety (CGS § 16a-3d).

Core Forest

By law, core forest means unfragmented forest land at least 300 feet

from the boundary between forestland and nonforest land, as the DEEP commissioner determines (CGS § 16a-3k).

Distressed Municipalities

"Distressed municipality" is a designation under state law generally used to target funds to fiscally and economically distressed municipalities. The Department of Economic and Community Development annually designates distressed municipalities, generally based on high unemployment and poverty, aging housing stock, and low or declining rates of job, population, and per capita income growth (CGS § 32-9p).

Environmental Justice Communities

By law, an environmental justice community is a (1) U.S. census block group in which at least 30% of the population consists of non-institutionalized, low-income people with incomes below 200% of the federal poverty level or (2) distressed municipality (CGS § 22a-20a).

Integrated Resources Plan (IRP)

The law requires DEEP, in consultation with the EDCs, to review the state's energy and capacity resource assessment and approve an IRP to procure energy resources to meet customer requirements in a way that minimizes costs over time and maximizes benefits consistent with state environmental goals and standards. DEEP must report on the IRP every two years to the Energy and Technology and Environment committees (CGS § 16a-3a).

Greenhouse Gas Reduction Goals

The state's Global Warming Solutions Act requires the state to reduce greenhouse gas emissions from all sources to a level at least:

1. 10% below 1990 emission level by 2020,
2. 45% below the 2001 emission level by 2030,
3. 65% below the 2001 emission level by 2040, and
4. 80% below the 2001 emission level by 2050.

The law also requires the state to reduce greenhouse gas emissions from electricity supplied to electric customers in the state to zero by 2040 (CGS § 22a-200a).

Microgrids and Critical Facilities

A microgrid is a group of interconnected loads and DERs within clearly defined electrical boundaries that act as a single controllable entity with respect to the grid and may operate in both grid-connected or island mode.

A critical facility is any hospital, police station, fire station, water treatment plant, sewage treatment plant, public shelter, correctional facility, television or radio station production and transmission facilities, a municipality's commercial area, a municipal center, or any other facility or area DEEP identifies as critical (CGS § 16-243y).

PA 17-218

Among other things, this act requires the DEEP commissioner and the Siting Council to consider the impact of certain proposed energy-related projects on the environment, prime farmland, certain forest land, or agriculture, before allowing them to proceed.

Specifically, for Siting Council decisions on certain solar facilities on prime farmland, the act requires the Department of Agriculture to represent in writing that the project will not materially affect the land's status as prime farmland. The act requires DEEP to do the same for proposed projects on forest land. The act allows the departments to consult with the U.S. Department of Agriculture (USDA) and soil and water conservation districts when evaluating these solar facility projects.

Prime farmland means soils defined by USDA as best suited to produce food, feed, forage, fiber, and oilseed crops. In general, these lands have an adequate and dependable water supply, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks (7 C.F.R. § 657.5).

System Efficiency and Utilization Goals

The law establishes as state goals (1) maximizing the efficiency and use of the electric transmission and distribution systems and (2) ensuring that any ratepayer-funded programs are cost-effective and focused on affordability, reliability, and decarbonization. The law allows PURA to set specific goals and metrics aligned with these goals through its programs and regulation of utilities. It also allows DEEP to set specific goals and metrics aligned with these goals through its IRP (CGS § 16a-3v).

Related Bills

HB 5457 (File 253), reported favorably by the Appropriations and Public Safety and Security committees, generally (1) requires local fire marshals to give the Siting Council an incident report for any fire or explosion at a solar photovoltaic electric generating facility under the council's jurisdiction and (2) sets conditions under which the council (a) must open an amendment proceeding to require these facility owners to adopt a fire mitigation plan and (b) may require other similar facilities to do the same.

sHB 5472 (File 423), reported favorably by the Energy and Technology Committee, includes similar provisions on incident reports, emergency training and contact person requirements, and PURA's workgroup on resuming operations after shutoffs.

sHB 5036 (File 373), reported favorably by the Appropriations and Energy and Technology committees, includes similar provisions on smart solar permitting platforms.

sHB 5551 (File 439), reported favorably by the Government Administration and Elections Committee, includes a provision that limits the Siting Council's ability to approve certain solar facilities in municipalities that already have a solar facility with a generating capacity greater than 100 MW.

HB 5248 (File 378), reported favorably by the Energy and Technology Committee, includes a provision that generally requires the Siting

Council, when considering a proposal for transmission lines, substations, or switchyards, to consider whether they address anticipated future electric grid reliability needs by (1) creating an interconnection point for a future electric generation source or (2) relieving a transmission system constraint to allow for the unconstrained delivery of electricity from a future generation source.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable
Yea 18 Nay 8 (03/19/2026)