



General Assembly

Substitute Bill No. 321

February Session, 2026



AN ACT CONCERNING REQUIREMENTS FOR CERTAIN EXCAVATION PROJECTS.

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

1 Section 1. Section 16-330g of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 (a) On or before January 1, [2022] 2027, the Public Utilities Regulatory
4 Authority shall initiate an uncontested proceeding to develop a process
5 for the [construction of] approval of any application by a
6 telecommunications service provider or a broadband Internet access
7 service provider to construct underground facilities in [the public
8 highways, streets or other public rights-of-way to ensure] a public
9 highway, street or other public right-of-way that will contain conduit
10 used by a telecommunications service provider or a broadband Internet
11 access service provider. The process adopted by the authority shall
12 provide for timely and nondiscriminatory procedures [that accomplish]
13 concerning conduit excavations for telecommunications service
14 providers and broadband Internet access service providers. Upon
15 application by [the] a telecommunications service provider or a
16 broadband Internet access service [providers] provider for the
17 construction of such underground facilities, [that will contain conduit
18 for telecommunications service providers or broadband Internet access
19 service providers,] the Public Utilities Regulatory Authority shall

20 condition any approval of such application on the following:

21 (1) The size of such conduit shall be consistent with industry best
22 practices and sufficient to accommodate potential demand for such
23 services as set forth by the applicant;

24 (2) Any handholes and manholes for fiber optic cable access and
25 pulling with respect to each such practice shall be placed at intervals
26 consistent with industry best practices;

27 (3) Such conduit shall be installed with a pull tape and [capabilities]
28 be capable of [supporting] accommodating additional fiber optic cable
29 installed for use by other telecommunications service providers and
30 broadband Internet access service providers;

31 [(4) The applicant shall notify telecommunications service providers
32 and broadband Internet access service providers of the proposed
33 excavation to reduce the potential for future street excavations in the
34 same location;]

35 [(5)] (4) Any requesting telecommunications service provider or
36 broadband Internet access service provider shall be able to access such
37 conduit on a competitively neutral and nondiscriminatory basis and for
38 a charge not to exceed a cost-based rate;

39 [(6)] (5) The applicant shall report to the authority upon completion
40 of any approved construction [verifying that it] and certify, in a form
41 and manner prescribed by the authority, that the applicant has complied
42 with the provisions of this subsection; [and]

43 (6) The applicant shall comply with the provisions of section 16-233
44 concerning the use of such underground facilities by a town, city,
45 borough, fire district or the Department of Transportation; and

46 (7) Any other condition deemed prudent and reasonable by the
47 authority.

48 (b) For excavations in [the] any state highway [rights-of-way] right-

49 of-way, the applicant shall comply with [the Department of
50 Transportation's] any encroachment permit process adopted by the
51 Commissioner of Transportation, including the payment of any
52 applicable fees. [Any application for construction in the public
53 highways, streets or other public rights-of-way shall require the
54 applicant to install a conduit for the benefit of the Department of
55 Transportation, as required by section 16-233.]

56 (c) The Commissioner of Transportation is authorized to lease space,
57 or enter into any other contract or agreement to permit access to such
58 space, in any conduit installed by the Department of Transportation [in
59 the public highways, streets or other public rights-of-way] pursuant to
60 the provisions of this section or section 16-233 in, under or over any
61 public highway, street or other public right-of-way on such terms and
62 conditions, and for any purpose, deemed to be in the public interest by
63 [said] the commissioner.

64 (d) Nothing in this section shall be construed to limit the use of
65 conduit by the Department of Transportation on [public highways,
66 streets or other public rights-of-way] any public highway, street or other
67 public right-of-way as otherwise permitted by law.

68 (e) [All telecommunications service providers and broadband
69 Internet access service providers that are] Any telecommunications
70 service provider or broadband Internet access service provider
71 authorized by the authority to install facilities in, under or over [the
72 public highways, streets or other public rights-of-way] any public
73 highway, street or other public right-of-way shall obey, observe and
74 comply with this section and [each] any applicable order [made by] of
75 the authority [with respect to] concerning underground conduit.
76 [Failure] The authority may impose a civil penalty pursuant to the
77 provisions of section 16-41 against any telecommunications service
78 provider or broadband Internet access service provider that fails to
79 comply with the provisions of this section or [applicable orders of the
80 authority may result in a civil penalty levied by the authority in
81 accordance with section 16-41. Any] any order of the authority made

82 pursuant to this section. No such [fines] civil penalty shall [not] be
83 recoverable costs in any rate proceeding conducted by the authority.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	16-330g

ET *Joint Favorable Subst.*