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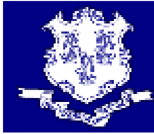

OLR ACTS AFFECTING

ENERGY AND UTILITIES

2013-R-0256

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July 12, 2013

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NOTICE TO READERS

This report provides highlights of new laws (public acts) affecting energy and public utilities enacted during the 2013 regular legislative session. In each summary, we indicate the public act (PA) number, if available. The report does not cover special acts and public acts that were vetoed unless the veto was overridden.

Not all provisions of the acts are included here. Complete summaries of all 2013 public acts are available on OLR's webpage: http://www.cga.state.ct.us/olr/publicactsummaries.asp.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website: http://www.cga.state.ct.us/default.asp.

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DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION/PUBLIC UTILITIES REGULATORY AUTHORITY

Adjustment Clause Review

PA 13-119 changes the process by which the Public Utilities Regulatory Authority (PURA) reviews gas and electric company charges and credits made under the adjustment clauses for purchased gas, energy, and transmission rates. It decreases the frequency of required hearings from once every six months to once every year and requires PURA to hold a hearing upon the Office of Consumer Counsel's application.

EFFECTIVE DATE: October 1, 2013

Consultants

PA 13-298 allows the Department of Energy and Environmental Protection (DEEP), in consultation with the PURA and the Office of Consumer Counsel (OCC), to retain consultants to (1) provide expertise in areas in which its staff lacks expertise and (2) supplement staff expertise for proceedings before certain federal regulatory entities. Similarly, the act allows PURA, in consultation with OCC, to retain consultants for these purposes for proceedings before the Federal Communications Commission.

In both cases, the utilities affected by a proceeding that requires retaining consultants must pay their reasonable and proper expenses in a manner that PURA directs. The expenses must be (1) apportioned to the revenue each affected entity reported for its most recent assessment and (2) under $ 2.5 million per calendar year for all proceedings, including appeals, unless PURA finds good cause for exceeding the limit. PURA must allow the utilities to recover these payments in their rates, if applicable.

EFFECTIVE DATE: July 1, 2013

Transferred Powers and Responsibilities

PA 13-119 transfers several regulatory powers from DEEP to PURA, such as making regulations regarding (1) electric suppliers' abusive switching practices, solicitations, and renewals; (2) customer notifications of electric supplier defaults; and (3) standard electricity billing formats.

EFFECTIVE DATE: Upon passage

The law requires PURA's procurement manager to prepare a plan for procuring power for the standard service the electric companies provide to small and medium sized customers who have not chosen a competitive supplier. PA 13-298 requires PURA, instead of DEEP, to (1) conduct an uncontested

proceeding to approve the plan and (2) submit an annual report on the plan to the Energy and Technology Committee.

EFFECTIVE DATE: Upon passage

Whistleblower Protection

By law, a utility company cannot threaten or retaliate against an employee who reported the company's malfeasance or illegal activities. Employees who feel they are being retaliated against can file a complaint with PURA. PA 13-119 extends the deadline for PURA to issue a preliminary finding from 30 to 90 days. It also expands PURA's enforcement powers to include ordering the company to pay the employee back pay or attorney's fees.

EFFECTIVE DATE: July 1, 2013

ELECTRIC SUPPLIER DISCLOSURES

Rate Disclosure

PA 13-119 requires an electric supplier to provide its residential customers with written notice of any changes to the customer's electric generation rate 30 to 60 days before the customer's fixed price term expires.

Starting January 1, 2014, when electric suppliers, aggregators, or their agents advertise or disclose electricity prices, the act requires them to indicate the advertised price's expiration terms in at least a 10-point font size in a conspicuous part of the advertisement or disclosure.

EFFECTIVE DATE: October 1, 2013

Renewable Energy Disclosure

The renewable portfolio standard (RPS) requires electric suppliers to obtain a certain portion of their power from Class I (e.g., solar or wind), Class II (e.g., certain biomass or trash-to-energy), and Class III (e.g., certain cogeneration or energy conservation) energy sources. Existing law limits electric suppliers' renewable energy advertising to their renewable energy that exceeds the Class I and Class II RPS requirements. PA 13-119 extends this advertising limit to include the Class III RPS requirement.

Under the act, any electric supplier offering any services or products containing renewable energy attributes other than those used to meet the Class I and II RPS requirements must disclose the service's or product's renewable energy content in its customer contracts and marketing materials. The supplier must also make information sufficient to substantiate its renewable energy marketing claims available on its web site.

EFFECTIVE DATE: October 1, 2013

ENERGY EFFICIENCY

Bonding for Programs

PA 13-239 (§ 21(g)) authorizes $25 million in general obligation bonds for DEEP energy efficiency and renewable energy projects in state-owned buildings in FY 15.

EFFECTIVE DATE: July 1, 2014

Energy Efficiency Plans

PA 13-298, among other things, modifies how electric and gas companies develop their conservation plans and how the plans are reviewed and approved. It requires the companies to develop a combined conservation plan, as is current practice, rather than requiring each company to develop a separate plan. The plan must be developed by October 1, 2014 and every three years thereafter, and must contain all of the information currently contained in the electric companies' conservation plans. The act extends to proposed gas conservation programs, the evaluation, measurement, and verification measures that currently only apply to electric programs. The plan also must include a detailed budget sufficient to fund all energy efficiency that is cost-effective or cheaper than acquiring an equivalent amount of supply.

EFFECTIVE DATE: Upon passage

Energy Efficiency Program Funding

Currently, electric conservation programs are primarily funded by a 0.3 cents per kilowatt-hour (kwh) charge on electric bills. Under PA 13-298, if the conservation budget for electric companies in the efficiency plan approved by DEEP exceeds the revenues collected by this charge, PURA must ensure that the additional revenues needed to fund the budget are provided through a fully reconciling conservation adjustment mechanism within 60 days of the plan's approval. This additional charge can be no more than 0.3 cents per kwh sold to each electric customer during any three years of any plan.

Currently, gas conservation programs are funded by an adjustment mechanism on gas bills. PA 13-298 requires that PURA ensure that the revenues required to fund the conservation budget for gas companies are provided through a fully reconciling adjustment mechanism for each gas company of not more than the equivalent of 4.6 cents per hundred cubic feet during the three years of any plan (approximately twice the current charge on gas bills).

PA 13-298 also eliminates the $99 cap on fees in the Home Energy Solutions audit program and the annual $500,000 cap on the subsidy for audits for customers who do not heat with electricity or gas.

EFFECTIVE DATE: Upon passage

Miscellaneous Energy Efficiency Provisions

Among other things, PA 13-298:

1. modifies eligibility for a low interest energy efficiency loan program administered by the Connecticut Housing Investment Fund;
2. requires DEEP to develop weatherization standards and procedures for buildings participating in the Rental Assistance Program; and
3. allows DEEP to benchmark energy use in all buildings owned or operated by the state with a gross floor area of 10,000 square feet or more.

EFFECTIVE DATE: July 1, 2013

Replacement Furnace Program

PA 13-247 (§§ 117-118) requires electric and gas companies to develop, by September 1, 2013, a three-year furnace replacement loan program. DEEP, in consultation with the Energy Conservation Management Board (ECMB), must approve or modify the program. The companies must hire an administrator to provide financing for improvement projects by property owners, loan servicing, and program administration.

The program is open to all residential property owners, regardless of how they heat their buildings. Participants must pay at least 10% of the cost of the replacement furnaces, which must be Energy Star rated. Program participants can receive loans for up to $15,000 at up to 3% interest rates, set by the administrator. The maximum loan term is 10 years or the amount of time it takes for the replacement furnace to pay for itself from energy savings, plus two years.

Participants must repay the loan on their electric or gas bill. If the property is sold, the unpaid loans must be transferred to the new owner, who may participate in the program, unless the seller and buyer agree that the loan will not be transferred. The third-party administrator can take legal actions to secure the loans, including attaching liens to participating properties.

The initial cost of the financing, the administrator's costs, and the cost of any defaults must be funded by the systems benefits charge on electric bills. The electric companies must recover their administrative and capital

carrying costs through this charge or another electric rate component, as approved by PURA.

EFFECTIVE DATE: Upon passage

ENERGY TAXES

Generator Tax

PA 13-184 (§ 76) extends the temporary tax on electric generation facilities for an additional three months, from July 1, 2013 to October 1, 2013.

By law, the tax is 1/4 of one cent per net kilowatt hour (kwh) of electricity generated and uploaded into the regional bulk power grid at Connecticut facilities. It applies to all electricity except that generated (1) exclusively through use of a fuel cell or alternative energy system, such as a solar or wind system; (2) by a resources recovery facility; or (3) by a customer-side distributed energy facility (e. g., cogeneration systems) with a generating capacity of up to 65 megawatts.

The act also extends to FY 14 the comptroller's authority to count as revenue any generation tax revenue Department of Revenue Service receives within five business days after the July 31 following the end of the fiscal year. Prior law allowed him to do so for FY 12 and FY 13.

EFFECTIVE DATE: Upon passage

Petroleum Products Tax

PA 13-247 (§ 66) exempts propane gas used for school bus fuel from the petroleum products gross earnings tax.

EFFECTIVE DATE: July 1, 2013

FINANCING ENERGY EFFICIENCY AND RENEWABLE ENERGY

Commercial Property Assessed Clean Energy Program (C-PACE)

The law requires the Clean Energy Finance and Investment Authority (CEFIA) to establish this program for qualifying commercial properties, including multifamily buildings with five or more units. Under the program, owners of such property in participating municipalities may finance energy improvements by paying a special assessment on the participant's property tax bill. PA 13-116 adds (1) district heating and cooling and (2) solar thermal or geothermal system projects to the types of energy improvements that may be financed under the program. Under the act, a district heating and cooling system is a local system consisting of a pipeline or network providing hot water, chilled water, or steam from one or more sources to multiple buildings. By law, energy efficiency and renewable energy improvements are already eligible for the program.

EFFECTIVE DATE: Upon passage

C-PACE Assessments

By law, the assessment on a property that participates in the C-PACE program is backed by a lien on the property. Under prior law, the municipality must place a notice on the land records indicating that the assessment and lien are anticipated once the improvements are completed. PA 13-298 (§§ 42-43) alternatively allows CEFIA to levy the benefit assessment and file the lien on the land records based on the improvements' estimated costs before or once they are completed. To the extent that assessments are paid in installments and an installment is late, the lien may be foreclosed to the extent of any unpaid installments and related penalties, interest, and fees. If the lien is foreclosed, the lien survives the foreclosure judgment to the extent of any unpaid installments secured by the lien that were not the subject of the foreclosure judgment.

EFFECTIVE DATE: Upon passage

On-Bill Financing of Energy Improvements

PA 13-298 (§ 58) requires the ECMB and CEFIA to establish a program to finance residential energy efficiency and renewable energy measures using private capital, with loans repaid on the electric or gas bills of participating customers.

EFFECTIVE DATE: Upon passage

MICROGRID PILOT PROGRAM

Program Changes

By law, DEEP must establish a microgrid grant and loan pilot program to support onsite electricity generation at critical facilities (e.g., hospitals, police and fire stations, and municipal commercial areas). PA 13-298:

1. expands the program by including production and transmission facilities of licensed TV and radio stations as critical facilities;
2. requires PURA to authorize any governmental entity that owns, leases, or operates a Class I or III renewable resource or any other generation resource under five megawatts, to independently distribute electricity the resource generates across a public highway if it is connected to a municipal microgrid; and
3. allows energy improvement district boards to own, lease, or finance microgrids.

EFFECTIVE DATE: Upon passage, except for the energy improvement district provision, which is effective July 1, 2013.

Program Funding Limit

PA 13-239 (§ 62) eliminates a \$15 million limit on total grants and loans that DEEP can issue under its microgrid grant and loan pilot program.

EFFECTIVE DATE: July 1, 2013

NATURAL GAS SYSTEM EXPANSION

By law, DEEP's comprehensive energy strategy must address the benefits, costs, obstacles, and solutions related to the expansion, use, and availability of natural gas in the state. Under prior law, if DEEP found that expansion is in the public interest, it had to develop a plan to increase gas's availability and use for transportation purposes. PA 13-298 expands this requirement to cover all types of gas uses if DEEP finds that expansion is in the public interest.

The act requires the gas companies, by June 15, 2013, to jointly submit an expansion plan to DEEP and PURA. The plan must be designed to provide gas service to customers currently on and off distribution lines, consistent with the goals of the 2013 comprehensive energy strategy.

The plan must, among other things, include steps to:

1. expand the gas network,
2. increase cost-effective customer conversions to gas,
3. provide access to gas for industrial facilities to the greatest extent possible,
4. reduce conversion costs, and
5. synchronize infrastructure replacement with steps to reduce leaks from existing lines.

The act requires the DEEP commissioner to review the plan. If he determines that it is consistent with the Comprehensive Energy Strategy's (CES) goals, PURA must approve or modify it.

The act expands the circumstances when all gas customers, rather than just new customers, pay for a gas line extension by increasing the amount of time that a line has to pay for itself from added distribution revenues. It requires PURA to establish several mechanisms to cover the costs of gas line extensions.

The act also requires DEEP, CEFIA, and ECMB to establish a pilot program in at least four municipalities to:

1. ensure that potential customers targeted for conversion to gas are given incentives to install efficient equipment and improve the efficiency of their buildings at the time of conversion,
2. ensure that customers who cannot cost-effectively convert to gas are given incentives to install efficient equipment and improve the efficiency of their buildings, and
3. provide access to low-cost financing for gas conversion or efficiency upgrades.

EFFECTIVE DATE: Upon passage

RENEWABLE ENERGY

Contracts with Renewable Generators

By law, electric companies must enter into long-term contracts to buy 150 megawatts of power produced at renewable energy generation plants under a program called Project 150. PA 13-6 requires PURA, upon request, to extend a plant's in-service deadline by up to 24-months if it has less than a five megawatt capacity.

EFFECTIVE DATE: Upon passage

Correctional Facilities

PA 13-267 allows the correction commissioner, within available resources, to conduct a pilot program to use renewable energy sources at one or more correctional facilities for space heating and cooling, domestic hot water, and other applications. Any energy produced under the program must be allocated to the correctional facility. Excess energy must be allocated to benefit the municipality where the facility is located.

EFFECTIVE DATE: July 1, 2013

Funding

Connecticut participates in the Regional Greenhouse Gas Initiative (RGGI), in which electric generators buy allowances to emit carbon dioxide. The revenue from the allowance auctions goes into an account administered by DEEP and is used for energy efficiency and renewable energy programs. PA 13-184 (§ 105) transfers $5 million from the RGGI account to the General Fund for FY 15. But PA 13-247 (§ 388) repeals this transfer.

PA 13-184 (§ 107) also transfers $6.2 million in FY 14 and $24.2 million in FY 15 from CEFIA to the General Fund. PA 13-247 (§ 378) reduces the latter amount to $19.2 million. It also allows DEEP, until July 1, 2015, to allocate any part of auction proceeds above the amounts budgeted by electric companies in their 2012 conservation plan to CEFIA (§ 131). The allocation must be on a pro rata basis at the conclusion of an auction.

EFFECTIVE DATE: Upon passage

Property Tax Exemption

For assessment years starting on or after October 1, 2014, PA 13-61 exempts from the property tax renewable energy sources that (1) are installed on or after January 1, 2014, (2) are for energy generation or displacement for commercial or industrial purposes, and (3) do not have a nameplate capacity that exceeds its location's load (i.e., do not produce more energy than the location will need). It applies to (1) Class I renewable energy sources, (2) Class II renewable hydropower facilities, and (3) solar thermal (e.g., solar heated water) or geothermal renewable energy sources that meet these criteria.

In New Haven, the exemption begins one year earlier and applies to the same renewable energy sources installed as early as January 1, 2010.

For assessment years starting on or after October 1, 2013, the act allows municipalities (other than New Haven) to abate up to 100% of the property taxes on these same renewable energy sources if they were installed between January 1, 2010 and December 31, 2013. The exemption must be approved by the municipality's legislative body, or, if the legislative body is a town meeting, the board of selectmen.

EFFECTIVE DATE: Upon passage and applicable to assessment years starting on or after October 1, 2013.

Renewable Portfolio Standard

PA 13-303 modifies the state's renewable portfolio standard (RPS), which requires electric companies and competitive suppliers to get part of their power from renewable resources. Among other things, it:

1. expands the types of resources that count as Class I resources used to meet part of the RPS and
2. requires that the value of renewable energy credits (RECs) associated with certain biomass facilities be reduced. (Suppliers and companies use RECs to meet their RPS obligations.)

The act also allows the DEEP commissioner to (1) solicit proposals from class I and large-scale hydropower generators and (2) direct the electric companies to enter into agreements with them, subject to review and approval by PURA. It allows large scale hydropower to count towards the RPS under certain conditions.

The act requires that PURA determine whether a supplier or company has met its RPS obligations in an uncontested, rather than contested, proceeding. It requires PURA, by December 31, 2013, to issue a decision on those proceedings for calendar years through 2012 that have not already been issued. It requires that subsequent determinations be made by December 31, 2014 and annually thereafter.

By law, if a supplier or company does not meet its RPS obligations, it must make an alternative compliance payment (ACP). Under prior law, CEFIA received ACP revenues to develop new Class I resources. The act instead requires that these revenues be used to reduce electric rates.

EFFECTIVE DATE: Upon passage

Virtual Net Metering

PA 13-298 (§ 35):

1. broadens eligibility for “virtual net metering,” by allowing state agencies and agricultural customers, in addition to municipalities

who could already do so, to receive a billing credit for generating electricity on-site using certain renewable resources;
2. expands the maximum size of the generating unit that can take advantage of virtual net metering and allows the unit to be leased rather than owned by the participating customer; and
3. potentially increases the value of the electric bill credit that participating customers receive. (PA 13-247 (§ 119) makes a minor change in the last provision.)

Prior law required DEEP to develop administrative processes and specifications for the program, including a statewide cap of $1 million per year on the cost of virtual net metering. PA 13-298 requires PURA, rather than DEEP, to do this by October 1, 2013 and raises the cap to $10 million per year. Of this amount, no more than 40% can go to the municipal, state, and agricultural categories of customers.

EFFECTIVE DATE: July 1, 2013

TELECOMMUNICATIONS

Siting Council Approval of Telecommunications Towers

The law requires a Siting Council certificate to build or modify a variety of energy and telecommunications facilities. Generally, the council can grant a certificate only if it finds that there is a public need for the facility and that this need outweighs the environmental harm the facility may cause.

PA 13-298 (§ 61) establishes a presumption, in the case of cell phone tower certificate applications, that there is a public need for personal wireless (e.g., cell phone) services. It limits the council's consideration of need to the specific need for the proposed tower to provide these services.

By law, the council must consider a proposed facility's environmental and public health impacts in determining whether to grant a certificate. For proposals involving new ground mounted cellphone towers to be installed on land owned by a water company, the act requires the council to consult with the Department of Public Health to consider potential public health impacts to public drinking water supplies as part of this review.

By law, the council can deny an application for a cell phone or cable TV tower for several reasons. The act additionally allows the council, in the case of a proposed tower owned or operated by the state, to deny an application if no public safety concerns require that it be constructed in the proposed location.

EFFECTIVE DATE: July 1, 2013

Telecommunications Towers in Watersheds

By law, (1) a water utility needs a DPH permit to lease or change the use of any of its watershed lands and (2) there are restrictions on the circumstances under which DPH can issue these permits.

PA 13-298 (§ 62) allows the DPH commissioner to grant a permit to allow for telecommunications towers, ancillary equipment, or related roads and utilities on water utility land to provide cellphone and other personal wireless services under certain circumstances. The commissioner must find that (1) the lease or change of use will not harm the purity and quality of public water supply and (2) any use restrictions he imposes as a permit condition can be enforced against subsequent owners, lessees, and assignees. The act requires the permit application for such facilities to at least (1) document the extent that the telecommunications service provider considered other sites and found them unsuitable and (2) include a finding by the commissioner that the lease or change of use will not significantly harm the public drinking water supply purity or adequacy. A permit is subject to any conditions or restrictions the commissioner considers necessary to maintain the water supply's purity or adequacy.

EFFECTIVE DATE: July 1, 2013

Use of Telecommunications Lines

PA 13-247 (§ 62) allows municipalities to use one position (gain) on telecommunication lines for any purpose, rather than just for municipal and state signal wires.

EFFECTIVE DATE: July 1, 2013

UTILITY RATE-SETTING

Notices of Rate Cases

The law requires utility companies to notify their customers of a proposed rate amendment by mail at least one week before a public hearing on the amendment. PA 13-119 limits how early the notice can be issued to no earlier than six weeks before the first public hearing. It also requires the notice to include (1) the date, time, and location of any scheduled hearing and (2) a statement that customers can appear at the hearing or provide written comments on the proposal to PURA. It allows PURA to hold more than one hearing on a proposed rate amendment.

EFFECTIVE DATE: October 1, 2013

Rate-setting Policies

Under existing law, PURA's decisions must be guided by DEEP's statutory goals, the Integrated Resources Plan's (IRP) goals, and the CES's goals. PA 13-298 (§ 3) additionally requires that PURA's decisions, including those related to rate cases arising

from the CES, IRP, conservation and load management plan, and DEEP policies, be guided by the DEEP's policies, the CES, IRP, and Conservation and Load Management plan.

EFFECTIVE DATE: Upon passage

Water Rates

By law, PURA must authorize water company rates that promote conservation. PA 13-78 establishes additional conservation-related principles that PURA and municipal legislative bodies must consider when setting water company rates. The act requires PURA to authorize water company rates that promote comprehensive supply-side and demand-side water conservation. It must also consider (1) state energy policies, (2) the capital intensive nature of supporting water systems that minimize water loss, and (3) the competition for capital to invest in such water systems. The act requires municipal legislative bodies setting rates for a municipal water utility to consider measures that promote water conservation and reduce the demand on the state's water and energy resources.

The act requires PURA, and municipal legislative bodies setting water rates, to consider:

1. demand projections that recognize conservation's effects,
2. implementing metering and measures to provide timely price signals to consumers,
3. multi-year rate plans,
4. measures to reduce system water losses, and
5. alternative rate designs that promote conservation.

PA 13-298 (§ 49) additionally requires PURA to consider consumers who are low water users, including those who have already implemented conservation measures, in adopting these rates, in addition to the factors PURA already must consider. It also requires the rates to prioritize demand projections that recognize the effects of conservation and account for declining rates of water consumption in order to minimize the use of a revenue adjustment mechanism following a rate case.

EFFECTIVE DATE: Upon passage

UTILITY TREE-TRIMMING

PA 13-298 (§ 60) expands the ability of electric and telecommunication utilities to trim trees near their lines. It allows the utilities to trim trees in the "utility protection zone" to secure the reliability of utility services by protecting wires and other utility infrastructure from trees and other vegetation in the zone. Under the act, the zone is the area extending eight feet horizontally from the outermost line and vertically from the ground to the sky.

The act modifies the provisions of prior law requiring utilities to notify abutting property owners of tree trimming

and allows the owners to appeal the trimming. It eliminates the notice requirement if a tree warden or the Department of Transportation gives the utility written authorization to prune or remove a hazardous tree (1) within the utility protection zone or (2) on or overhanging any public highway or public ground. A hazardous tree is all or part of a tree that (1) is dead, extensively decayed, or structurally weak, and (2) would endanger utility infrastructure, facilities, or equipment if it failed. A utility is also not required to provide notice to prune or remove a tree if any part of it directly contacts a live electric line or has visible signs of burning.

EFFECTIVE DATE: July 1, 2013

WATER UTILITIES

Water Conservation

PA 13-78 requires (1) PURA and the Water Planning Council to identify and recommend conservation programs and (2) PURA to implement, under certain circumstances, a revenue adjustment mechanism to let water companies meet their allowed revenues regardless of their customers' water usage.

Among other things, the act also (1) increases the maximum water infrastructure and conservation adjustment (WICA) from 7.5% to 10%; (2) expands the list of WICA eligible projects to include efficiency equipment purchases, among other things; and (3) allows a water company voluntarily acquiring an economically non-viable water company to receive a reasonable acquisition premium as part of a PURA-approved rate surcharge.

EFFECTIVE DATE: Upon passage

Water Regulation Study

PA 13-298 (§ 47) requires PURA to study the financial capacity and system viability of small community water companies that are not covered by the water supply plans required by law. The study must at least address the potential (1) factors affecting the costs to maintain and operate these systems safely and effectively and (2) benefits of creating a financial assistance account to help them defray the costs of essential infrastructure improvements.

EFFECTIVE DATE: Upon passage

MISCELLANEOUS PROVISIONS

Alternative Fuel Vehicles

PA 13-298 (§ 53) allows DEEP, from non-appropriated resources, to provide grants or rebates to municipalities, academic institutions, and other entities to buy or install alternative fuel vehicles, alternative vehicle fueling equipment, and energy efficient devices.

It also requires PURA, with regard to (1) electric companies and (2) municipal electric utilities that have sales of over 500

million kilowatt-hours annually, to determine within one year whether it is appropriate to implement time of day rates for electric vehicle charging stations that do not charge people to charge their vehicles. Such rates reflect the cost to the utility of providing power for electric vehicles, but do not include demand charges (§ 64).

The act also prohibits vehicle manufacturers or distributors from requiring a dealer to purchase goods or services, including vehicle battery charging stations, from a vendor chosen by the manufacturer or distributor if substantially similar items of like appearance, function, and quality are available from other sources (§ 65). But PA 13-247 (§ 70) repeals this provision.

EFFECTIVE DATE: Upon passage

Bureau of Enterprise Systems and Technology Report

PA 13-247 (§ 256) requires the Bureau of Enterprise Systems and Technology (formerly known as the Department of Information Technology), in consultation with regional councils of governments, to recommend a two-year schedule to connect each municipality and regional council to the state-wide high speed, flexible network for video, voice, and data transmission. The bureau must submit the report to the Energy and Technology Committee by October 1, 2013.

EFFECTIVE DATE: Upon passage

Combined Heat and Power Program

PA 13-298 (§ 59) requires DEEP to establish a pilot program to promote large combined heat and power (cogeneration) systems by limiting the demand charge electric companies impose on them. It requires DEEP to solicit applications from qualifying projects and select program participants on a first-come, first-served basis. DEEP can select as many eligible projects as it wishes, subject to a 20 megawatt limit on the total capacity for the program.

EFFECTIVE DATE: Upon passage

Commission for Educational Technology

PA 13-247 (§§ 255-256) changes the Commission for Education Technology's membership by, among other things, (1) adding the Office of Policy and Management (OPM) secretary, Department of Economic and Community Development commissioner, University of Connecticut president, Consumer Counsel, and representatives from the Connecticut Conference of municipalities and the

Connecticut Council of Small towns, or their designees and (2) removing representatives from the Connecticut Association of Public School Superintendents, the Connecticut Educators Computer Association, a secondary school teacher picked by the Connecticut Education Association, and an elementary school teacher picked by the Connecticut Federation of Education and Professional Employees.

The act also eliminates a requirement for the Department of Education, in cooperation with the commission, to biannually update a state-wide (1) standard for teacher and administrator competency in using technology for instructional purposes and (2) plan to assist teachers and administrators achieve the standard.

EFFECTIVE DATE: July 1, 2013

CRRA-Related Obsolete Provisions

PA 13-285 (§ 11) repeals three obsolete statutes related to the Connecticut Resources Recovery Authority (CRRA)- Enron-Connecticut Light and Power Company (CL&P) transaction. It also repeals a statute requiring the CRRA board to establish special committees to study and present solid waste disposal options for municipalities contracting with CRRA, including private sector management, by a certain date before outstanding bonds for a waste management project mature. It eliminates a provision establishing a steering committee of the CRRA board for the purposes of, among other things, establishing a financial restructuring plan to mitigate the impact of the CRRA-Enron-CL&P transaction on municipalities with CRRA contracts.

EFFECTIVE DATE: Upon passage

Diesel Fuel Cetane Numbers

PA 13-270 requires anyone selling diesel to publicly display and maintain the minimum cetane number on each diesel pump or other dispensing device intended to dispense fuel for motor boats or vehicles. Violators are fined between $50 and $250.

EFFECTIVE DATE: January 1, 2014

Submetering

PA 13-298 (§§ 36-37) broadens the circumstances where electric submeters can be installed. It requires electric companies to permit submetering at commercial, industrial, multi-family residential, or multiuse buildings where the electric power or thermal energy is provided by a Class I renewable energy source (e.g., photovoltaic systems or fuel cells) or a combined heat and power (cogeneration) system. It allows PURA to permit submetering at other locations when this

promotes the state's energy goals, while protecting consumers against termination of residential utility service.

EFFECTIVE DATE: July 1, 2013

Sulfur Content of Heating Oil

Under prior law, the maximum sulfur content of heating oil (currently 0.3% or 3,000 parts per million (ppm) by weight) would have decreased to 50 ppm between July 1, 2011 and June 30, 2014 and 15 ppm thereafter if Massachusetts, New York, and Rhode Island adopted comparable standards. PA 13-298 (§ 46) instead reduces the limit to 500 ppm until June 30, 2018 and 15 ppm thereafter, regardless of whether the neighboring states adopt these standards.

EFFECTIVE DATE: Upon passage

KM/LH:ro