



General Assembly

February Session, 2012

**Raised Bill No. 5542**

LCO No. 2447

\*02447\_\_\_\_\_ET\_\*

Referred to Committee on Energy and Technology

Introduced by:  
(ET)

**AN ACT CONCERNING CONSUMER PROTECTION FOR UTILITY CUSTOMERS.**

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

1 Section 1. Section 16-44a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each public service company, as defined in section 16-1,  
4 regulated pursuant to sections 16-19 and 16-19e and serving more than  
5 three thousand three hundred customers shall (1) on each customer's  
6 bill, notify customers at least annually that a listing of the salaries of its  
7 directors and officers and the salaries of the directors and officers of  
8 any holding company, as defined in section 16-47, that controls such  
9 public service company can be obtained from the Public Utilities  
10 Regulatory Authority at the customer's request, and (2) not later than  
11 July first, annually, submit to the authority a listing of the salaries of all  
12 its directors and officers and the salaries of the directors and officers of  
13 any holding company that controls such public service company,  
14 during the preceding fiscal year. [Any such public service company  
15 that files Securities and Exchange Commission Form 10-K, Part III with  
16 the authority pursuant to an order of the authority shall be deemed to

17 be in compliance with subdivision (2) of this subsection.]

18 (b) The authority shall maintain and make available to the public a  
19 listing of the salaries of directors and officers of each public service  
20 company regulated pursuant to sections 16-19 and 16-19e and serving  
21 more than three thousand three hundred customers and the salaries of  
22 directors and officers of any holding company that controls such  
23 public service company. The authority shall mail such listing to any  
24 person that requests it.

25 (c) No public service company or holding company that controls a  
26 public service company may compensate any director, officer,  
27 executive or employee an amount exceeding three hundred fifty  
28 thousand dollars annually using funds received from ratepayers of  
29 such public service company. No public service company or holding  
30 company may increase the level of compensation of any director,  
31 officer, executive or employee above three hundred fifty thousand  
32 dollars annually based upon such director's, officer's, executive's or  
33 employee's employment by more than one public service or holding  
34 company. The compensation for such director, officer, executive or  
35 employee from shareholder funds shall not be limited by the  
36 provisions of this subsection.

37 Sec. 2. (NEW) (*Effective from passage*) Each electric company and  
38 electric distribution company shall reimburse any residential customer  
39 of such company for spoilage loss to any food items caused by a lack of  
40 refrigeration during any electric service outage lasting longer than  
41 forty-eight hours, provided (1) such reimbursement shall not exceed  
42 four hundred dollars for any such outage, (2) such customer files an  
43 application for reimbursement with such company not later than thirty  
44 days after electric service is restored, (3) such customer submits with  
45 such application an itemized list of any spoiled food items and proof of  
46 such spoilage loss, and (4) (A) such customer's household income is  
47 not greater than sixty per cent of the state median income at the time of  
48 such outage, (B) such customer or a member of such customer's

49 household received benefits from a food assistance program  
50 administered by the Department of Social Services pursuant to  
51 subdivision (9) of section 17b-2 of the general statutes or section 17b-  
52 790a of the general statutes at the time of such outage, or (C) such  
53 customer's household received assistance from an energy assistance  
54 program implemented pursuant to section 16a-41a of the general  
55 statutes not more than twelve months prior to such outage. Such proof  
56 may include, but not be limited to, any credit card statement, bank  
57 statement, receipt or check demonstrating that such customer  
58 purchased such food items or any photograph of such spoiled food  
59 items. Upon approving such application, such company shall  
60 reimburse such customer in the form of a credit on such customer's  
61 bill. Such company shall recover the amount of such credit through the  
62 systems benefits charge established pursuant to section 16-245l of the  
63 general statutes, as amended by this act.

64 Sec. 3. (NEW) (*Effective from passage*) (a) No public service company,  
65 holder of a certificate of video franchise authority, electric supplier or  
66 telecommunications company, as those terms are defined in section 16-  
67 1 of the general statutes, shall assess any late fee to any customer of  
68 such company or holder for failure to timely pay such customer's  
69 monthly bill if the due date of such bill occurs during any period in  
70 which such customer was without service for more than twenty-four  
71 hours, provided such customer was not without service due to such  
72 customer's nonpayment.

73 (b) Each public service company, holder of a certificate of video  
74 franchise authority, electric supplier or telecommunications company,  
75 as those terms are defined in section 16-1 of the general statutes, shall  
76 credit the monthly bill of any customer of such company or holder if  
77 such company or holder fails to provide service to such customer for  
78 more than twenty-four consecutive hours during any monthly billing  
79 period, provided such customer was not without service for such  
80 customer's nonpayment. Such credit shall be in an amount equal to  
81 such customer's daily service charges and fixed charges multiplied by

82 the number of days such company or holder failed to provide service  
83 to such customer.

84 Sec. 4. Subsection (a) of section 16-245l of the general statutes is  
85 repealed and the following is substituted in lieu thereof (*Effective from*  
86 *passage*):

87 (a) The Public Utilities Regulatory Authority shall establish and  
88 each electric distribution company shall collect a systems benefits  
89 charge to be imposed against all end use customers of each electric  
90 distribution company beginning January 1, 2000. The authority shall  
91 hold a hearing that shall be conducted as a contested case in  
92 accordance with chapter 54 to establish the amount of the systems  
93 benefits charge. The authority may revise the systems benefits charge  
94 or any element of said charge as the need arises. The systems benefits  
95 charge shall be used to fund (1) the expenses of the public education  
96 outreach program developed under subsections (a), (f) and (g) of  
97 section 16-244d other than expenses for authority staff, (2) the  
98 reasonable and proper expenses of the education outreach consultant  
99 pursuant to subsection (d) of section 16-244d, (3) the cost of hardship  
100 protection measures under sections 16-262c and 16-262d and other  
101 hardship protections, including, but not limited to, electric service bill  
102 payment programs, funding and technical support for energy  
103 assistance, fuel bank and weatherization programs and weatherization  
104 services, (4) the payment program to offset tax losses described in  
105 section 12-94d, (5) any sums paid to a resource recovery authority  
106 pursuant to subsection (b) of section 16-243e, (6) low income  
107 conservation programs approved by the Public Utilities Regulatory  
108 Authority, (7) displaced worker protection costs, (8) unfunded storage  
109 and disposal costs for spent nuclear fuel generated before January 1,  
110 2000, approved by the appropriate regulatory agencies, (9)  
111 postretirement safe shutdown and site protection costs that are  
112 incurred in preparation for decommissioning, (10) decommissioning  
113 fund contributions, (11) the costs of temporary electric generation  
114 facilities incurred pursuant to section 16-19ss, (12) operating expenses

115 for the Connecticut Energy Advisory Board, (13) costs associated with  
116 the Connecticut electric efficiency partner program established  
117 pursuant to section 16-243v, (14) reinvestments and investments in  
118 energy efficiency programs and technologies pursuant to section 16a-  
119 38l, costs associated with the electricity conservation incentive  
120 program established pursuant to section 119 of public act 07-242, [and]  
121 (15) legal, appraisal and purchase costs of a conservation or land use  
122 restriction and other related costs as the authority in its discretion  
123 deems appropriate, incurred by a municipality on or before January 1,  
124 2000, to ensure the environmental, recreational and scenic preservation  
125 of any reservoir located within this state created by a pump storage  
126 hydroelectric generating facility, and (16) the cost of any credit to any  
127 residential customer for food spoilage loss pursuant to section 2 of this  
128 act. As used in this subsection, "displaced worker protection costs"  
129 means the reasonable costs incurred, prior to January 1, 2008, (A) by an  
130 electric supplier, exempt wholesale generator, electric company, an  
131 operator of a nuclear power generating facility in this state or a  
132 generation entity or affiliate arising from the dislocation of any  
133 employee other than an officer, provided such dislocation is a result of  
134 (i) restructuring of the electric generation market and such dislocation  
135 occurs on or after July 1, 1998, or (ii) the closing of a Title IV source or  
136 an exempt wholesale generator, as defined in 15 USC 79z-5a, on or  
137 after January 1, 2004, as a result of such source's failure to meet  
138 requirements imposed as a result of sections 22a-197 and 22a-198 and  
139 this section or those Regulations of Connecticut State Agencies  
140 adopted by the Department of Energy and Environmental Protection,  
141 as amended from time to time, in accordance with Executive Order  
142 Number 19, issued on May 17, 2000, and provided further such costs  
143 result from either the execution of agreements reached through  
144 collective bargaining for union employees or from the company's or  
145 entity's or affiliate's programs and policies for nonunion employees,  
146 and (B) by an electric distribution company or an exempt wholesale  
147 generator arising from the retraining of a former employee of an  
148 unaffiliated exempt wholesale generator, which employee was

149 involuntarily dislocated on or after January 1, 2004, from such  
150 wholesale generator, except for cause. "Displaced worker protection  
151 costs" includes costs incurred or projected for severance, retraining,  
152 early retirement, outplacement, coverage for surviving spouse  
153 insurance benefits and related expenses. "Displaced worker protection  
154 costs" does not include those costs included in determining a tax credit  
155 pursuant to section 12-217bb.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-44a
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	16-245l(a)

**Statement of Purpose:**

To disclose the salaries of certain executives of public utility holding companies, to limit the ratepayer funds used to compensate such executives, to credit certain utility customers for food losses during prolonged service outages and to require certain utility companies to waive late fees and credit customers during prolonged service outages.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*