



Senate

General Assembly

January Session, 2015

File No. 607

Senate Bill No. 566

Senate, April 13, 2015

The Committee on Energy and Technology reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING A PERMISSIBLE TIME PERIOD OF VALIDITY FOR CERTIFICATES OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR ELECTRIC GENERATING FACILITIES.

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

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) A certificate of
2 environmental compatibility and public need issued by the
3 Connecticut Siting Council on or after October 1, 2015, to construct a
4 facility described in subdivision (3) of subsection (a) of section 16-50i of
5 the general statutes, shall expire not more than three years after the
6 date such certificate was issued, unless the Connecticut Siting Council
7 establishes an earlier expiration date.

8 (b) The council may grant one or more extensions of time to a
9 certificate holder to complete all of the work in connection with such
10 certificate, provided the duration from the date the certificate is issued
11 and the facility begins generating electricity does not exceed ten years.

12 (c) If the certificate holder or the certificate holder's successor in

13 interest seeks judicial review of a council decision pursuant to section
14 16-50q of the general statutes, the expiration date of the certificate shall
15 be tolled for the time of such litigation and such other action of the
16 council in accordance with any judicial decision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section

ET *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which establishes an expiration date and extension process for Connecticut Siting Council certificates for electric generating or storage facilities, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 566*****AN ACT CONCERNING A PERMISSIBLE TIME PERIOD OF VALIDITY FOR CERTIFICATES OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR ELECTRIC GENERATING FACILITIES.*****SUMMARY:**

This bill establishes an expiration date and extension process for Connecticut Siting Council certificates for electric generating facilities or storage facilities (e.g., power plants). By law, the certificate is required to build a variety of energy and telecommunications facilities, including power plants.

Under the bill, a Siting Council certificate expires within three years of the date it is issued, unless the council sets an earlier expiration date. The bill allows the council to grant a certificate holder more time to complete work connected with the certificate, but it requires that the facility generate electricity within ten years of the date the certificate is issued. (Presumably, a developer of a project that has not generated electricity within 10 years of the issuance of the certificate would have to reapply to the council for a new certificate in order to continue work on the project.)

By law, any party can appeal the council's order on a certificate or certificate amendment to the Superior Court. Under the bill, the expiration of a certificate must be suspended for the time taken for such litigation and other action of the council in accordance with any judicial decision.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 23 Nay 0 (03/24/2015)