



General Assembly

February Session, 2020

Governor's Bill No. 10

LCO No. 543



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

REP. ARESIMOWICZ, 30th Dist.

REP. RITTER M., 1st Dist.

AN ACT CONCERNING CERTAIN RECOMMENDATIONS REGARDING CLIMATE CHANGE.

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

1 Section 1. Section 22a-174g of the general statutes is amended by
2 adding subsections (c) and (d) as follows (*Effective October 1, 2020*):

3 (NEW) (c) (1) On or before December 31, 2021, the Commissioner of
4 Energy and Environmental Protection shall assess the energy,
5 environmental and air quality impacts of adopting California's medium
6 and heavy duty vehicle emission standards.

7 (2) Pursuant to subdivision (1) of this subsection, if the commissioner
8 deems such adoption necessary to meet federal air quality standards or
9 state greenhouse gas reduction requirements, the commissioner may
10 adopt regulations, in accordance with the provisions of chapter 54, to
11 implement California's medium and heavy duty vehicle emission

12 standards and shall amend such regulations from time to time, in
13 accordance with changes to such standards. Such regulations may
14 incorporate by reference California's medium and heavy duty vehicle
15 emission standards established in final regulations issued by the
16 California Air Resources Board pursuant to Title 13 of the California
17 Code of Regulations and promulgated under the authority of Division
18 26 of the California Health and Safety Code, as may be amended from
19 time to time. The commissioner may enter into any agreement deemed
20 necessary to ensure the effective and efficient implementation of this
21 subsection.

22 (NEW) (d) In consultation with the Commissioner of Motor Vehicles
23 and in accordance with subsection (b) of section 14-164c, the
24 Commissioner of Energy and Environmental Protection may furnish the
25 Commissioner of Motor Vehicles with emission standards for all
26 medium and heavy duty motor vehicles for the purpose of establishing
27 inspection and maintenance requirements in accordance with said
28 subsection. The Commissioner of Energy and Environmental Protection
29 and the Commissioner of Motor Vehicles may enter into any agreement
30 deemed necessary to ensure the effective and efficient implementation
31 of this subsection, including, but not limited to, reciprocity agreements
32 with other states for medium and heavy duty motor vehicles moving in
33 interstate commerce.

34 Sec. 2. Subsection (a) of section 22a-200a of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective July 1,*
36 *2020*):

37 (a) The state shall reduce the level of emissions of greenhouse gas:

38 (1) Not later than January 1, 2020, to a level at least ten per cent below
39 the level emitted in 1990;

40 (2) Not later than January 1, 2030, to a level at least forty-five per cent
41 below the level emitted in 2001; [and]

42 (3) Not later than January 1, 2040, to a level of zero per cent from
43 electric generation serving electric usage in the state;

44 [(3)] (4) Not later than January 1, 2050, to a level at least eighty per
45 cent below the level emitted in 2001; [.] and

46 [(4)] (5) All of the levels referenced in this subsection shall be
47 determined by the Commissioner of Energy and Environmental
48 Protection.

49 Sec. 3. (NEW) (*Effective from passage*) (a) The Commissioner of Energy
50 and Environmental Protection, in consultation with the procurement
51 manager identified in subsection (l) of section 16-2 of the general
52 statutes, the Office of Consumer Counsel and the Attorney General,
53 may, in coordination with other states in the control area of the regional
54 independent system operator, as defined in section 16-1 of the general
55 statutes, in coordination with states in a neighboring control area, or on
56 behalf of the state alone, solicit proposals for energy products or
57 benefits, associated attributes and associated transmission, or any
58 combination thereof, in one solicitation or multiple solicitations, from
59 any combination of the following resources: (1) Active demand response
60 measures, (2) passive demand response measures, including, but not
61 limited to, energy efficiency and load management, and (3) energy
62 storage systems. The commissioner may select proposals from such
63 resources that do not, annually, exceed three hundred thousand
64 megawatt hours of electricity in the aggregate.

65 (b) If an electric distribution company, as defined in section 16-1 of
66 the general statutes, submits a proposal, such electric distribution
67 company shall demonstrate that the electric demand reductions of the
68 proposal are in addition to the projected electric demand reductions of
69 the conservation and load management programs authorized pursuant
70 to section 16-245m of the general statutes.

71 (c) In making any selection of such proposals, the commissioner shall
72 consider factors, including, but not limited to, whether the proposal (1)

73 is in the best interest of ratepayers, (2) is consistent with the
74 requirements to reduce greenhouse gas emissions in accordance with
75 section 22a-200a of the general statutes, as amended by this act, and (3)
76 is consistent with the policy goals outlined in the Comprehensive
77 Energy Strategy adopted pursuant to section 16a-3d of the general
78 statutes and the Integrated Resources Plan adopted pursuant to section
79 16a-3a of the general statutes.

80 (d) The commissioner may direct the electric distribution companies
81 to enter into power purchase agreements for energy products and
82 associated attributes, associated transmission or any combination
83 thereof from resources selected pursuant to this section for periods of
84 not more than twenty years on behalf of all customers of the state's
85 electric distribution companies.

86 (e) Certificates issued by the New England Power Pool Generation
87 Information System for any Class III source procured by an electric
88 distribution company pursuant to this section may be: (1) Sold into the
89 New England Power Pool Generation Information System renewable
90 energy credit market to be used by any electric supplier or electric
91 distribution company to meet the requirements of section 16-245a of the
92 general statutes, provided the revenues from such sale are credited to
93 electric distribution company customers as described in this section; or
94 (2) retained by the electric distribution company to meet the
95 requirements of section 16-245a of the general statutes. In considering
96 whether to sell or retain such certificates, the company shall select the
97 option that is in the best interest of such company's ratepayers, as
98 directed by the Public Utilities Regulatory Authority.

99 (f) Any agreement entered into pursuant to this section shall be
100 subject to review and approval by the Public Utilities Regulatory
101 Authority, which review shall be completed not later than one hundred
102 twenty days after receipt by the authority. The authority shall review
103 and approve such agreement if it meets the criteria in the request for
104 proposals issued pursuant to subsection (a) of this section and is in the

105 best interest of ratepayers. If the authority does not issue a decision
106 within one hundred and twenty days after such filing, the agreement
107 shall be deemed approved. The net costs of any such agreement,
108 including costs incurred by the electric distribution companies under
109 the agreement and reasonable costs incurred by the electric distribution
110 companies in connection with the agreement, shall be recovered
111 through a fully reconciling component of electric rates for all customers
112 of electric distribution companies. Any net revenues from the sale of
113 products purchased in accordance with long-term contracts entered into
114 pursuant to this section shall be credited to customers through the same
115 fully reconciling rate component for all customers of the contracting
116 electric distribution company.

117 (g) The commissioner may hire consultants with expertise in
118 quantitative modeling of electric and gas markets to assist in
119 implementing this section, including, but not limited to, the evaluation
120 of proposals submitted pursuant to this section. All reasonable costs
121 associated with the commissioner's solicitation and review of proposals
122 pursuant to this section shall be recoverable through the same fully
123 reconciling rate component for all customers of the electric distribution
124 companies. Such costs shall be recoverable even if the commissioner
125 does not select any proposals pursuant to any solicitation issued
126 pursuant to this section.

127 (h) (1) Any dispute arising from a contract that is approved by the
128 authority pursuant to this section shall be brought to the authority. A
129 party may petition the authority for a declaratory ruling or make an
130 application for review pursuant to this subsection. Notwithstanding
131 subsection (a) of section 4-176 of the general statutes, the authority may
132 not, on its own motion, initiate a proceeding to review a contract entered
133 into pursuant to this subsection.

134 (2) The authority shall review such contract claims brought pursuant
135 to subdivision (1) of this subsection. The authority shall decide such
136 contract claims by issuing a declaratory ruling or a final decision in a

137 contested case proceeding, including ordering legal and equitable
138 contract remedies. Any party to the contract shall have the right to
139 appeal to the Superior Court from any such declaratory ruling or final
140 decision adjudicating such contract claims pursuant to this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	22a-174g
Sec. 2	<i>July 1, 2020</i>	22a-200a(a)
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]