



General Assembly

January Session, 2023

Raised Bill No. 6852

LCO No. 5214



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING THE AFFORDABILITY OF UTILITIES.

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

1 Section 1. Subsection (a) of section 16-41 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (a) Each (1) public service company and its officers, agents and
5 employees, (2) electric supplier or person providing electric generation
6 services without a license in violation of section 16-245, and its officers,
7 agents and employees, (3) certified telecommunications provider or
8 person providing telecommunications services without authorization
9 pursuant to sections 16-247f to 16-247h, inclusive, and its officers, agents
10 and employees, (4) person, public agency or public utility, as such terms
11 are defined in section 16-345, subject to the requirements of chapter 293,
12 (5) person subject to the registration requirements under section 16-
13 258a, (6) cellular mobile telephone carrier, as described in section 16-
14 250b, (7) Connecticut electric efficiency partner, as defined in section 16-
15 243v, (8) company, as defined in section 16-49, (9) entity approved to
16 submeter pursuant to section 16-19ff, and (10) person involved in the

17 transportation of gas, as such terms are defined in section 16-280a, shall
18 obey, observe and comply with all applicable provisions of this title and
19 each applicable order made or applicable regulations adopted by the
20 Public Utilities Regulatory Authority by virtue of this title as long as the
21 same remains in force. Any such company, electric supplier, certified
22 telecommunications provider, cellular mobile telephone carrier,
23 Connecticut electric efficiency partner, entity approved to submeter,
24 person, any officer, agent or employee thereof, public agency or public
25 utility which the authority finds has failed to obey or comply with any
26 such provision of this title, order or regulation shall be fined, ordered to
27 pay restitution to customers or ordered to pay a combination of a fine
28 and restitution by order of the authority in accordance with the penalty
29 prescribed for the violated provision of this title or, if no penalty is
30 prescribed, not more than ten thousand dollars for each offense, except
31 that the penalty shall be a fine, restitution to customers or a combination
32 of a fine and restitution of not more than forty thousand dollars for
33 failure to comply with an order of the authority made in accordance
34 with the provisions of section 16-19 or 16-247k or within thirty days of
35 such order or within any specific time period for compliance specified
36 in such order. The authority may direct a portion of any fine levied
37 pursuant to this section to be paid to a nonprofit agency engaged in
38 energy assistance programs named by the authority in its decision or
39 notice of violation and may direct a portion of any fine levied pursuant
40 to this section against a certified telecommunications provider, person
41 providing telecommunications services without authorization or
42 cellular mobile telephone carrier, to be deposited in the educational
43 technology account established pursuant to section 4d-81, as amended
44 by this act. Any such nonprofit agency that receives a portion of a fine
45 pursuant to this subsection shall administer such funds as directed by
46 the authority and submit an annual report to the authority, at the end of
47 each fiscal year and in a form determined by the authority, that details
48 the expenditure of such funding. No such nonprofit agency shall use
49 more than ten per cent of such funding for administrative purposes.
50 [For] Notwithstanding any provision of this subsection, for the fiscal
51 years ending June 30, 2023, and June 30, 2024, the authority shall direct

52 not less than ninety-five per cent of any fine levied pursuant to this
53 section to nonprofit agencies engaged in energy assistance programs.
54 Each distinct violation of any such provision of this title, order or
55 regulation shall be a separate offense and, in case of a continued
56 violation, each day thereof shall be deemed a separate offense. Each
57 such penalty and any interest charged pursuant to subsection (g) or (h)
58 of section 16-49 shall be excluded from operating expenses for purposes
59 of rate-making.

60 Sec. 2. Section 4d-81 of the general statutes is repealed and the
61 following is substituted in lieu thereof (*Effective October 1, 2023*):

62 There is established an [educational technology] account to be known
63 as the "educational technology account", which shall be a separate,
64 nonlapsing account within the General Fund. The account shall contain
65 any moneys required by law to be deposited in the account. The
66 Commission for Educational Technology shall deposit in said account
67 any private donation, bequest or devise made to it to assist in the
68 attainment of the state-wide technology goals established pursuant to
69 subdivision (2) of subsection (c) of section 4d-80. Said account is
70 [intended to be] in addition to those resources that are appropriated by
71 the state for technology purposes. The commission shall use the
72 resources of the account for activities related to the attainment of such
73 goals.

74 Sec. 3. Subsection (b) of section 16-262c of the general statutes is
75 repealed and the following is substituted in lieu thereof (*Effective October*
76 *1, 2023*):

77 (b) (1) From November first to May first, inclusive, no electric
78 distribution company, as defined in section 16-1, no electric supplier and
79 no municipal utility furnishing electricity shall terminate, deny or refuse
80 to reinstate residential electric service in hardship cases where the
81 customer lacks the financial resources to pay his or her entire account.
82 From November first to May first, inclusive, no gas company and no
83 municipal utility furnishing gas shall terminate, deny or refuse to

84 reinstate residential gas service in hardship cases where the customer
85 uses such gas for heat and lacks the financial resources to pay his or her
86 entire account, except a gas company that, between May second and
87 October thirty-first, terminated gas service to a residential customer
88 who uses gas for heat and who, during the previous period of
89 November first to May first, had gas service maintained because of
90 hardship status, may refuse to reinstate the gas service from November
91 first to May first, inclusive, only if the customer has failed to pay, since
92 the preceding November first, the lesser of: (A) Twenty per cent of the
93 outstanding principal balance owed the gas company as of the date of
94 termination, (B) one hundred dollars, or (C) the minimum payments
95 due under the customer's amortization agreement. Notwithstanding
96 any other provision of the general statutes to the contrary, no electric
97 distribution or gas company, no electric supplier and no municipal
98 utility furnishing electricity or gas shall terminate, deny or refuse to
99 reinstate residential electric or gas service where the customer lacks the
100 financial resources to pay his or her entire account and for which
101 customer or a member of the customer's household the termination,
102 denial of or failure to reinstate such service would create a life-
103 threatening situation. No electric distribution or gas company, no
104 electric supplier and no municipal utility furnishing electricity or gas
105 shall terminate, deny or refuse to reinstate residential electric or gas
106 service where the customer is a hardship case and lacks the financial
107 resources to pay his or her entire account and a child not more than
108 twenty-four months old resides in the customer's household and such
109 child has been admitted to the hospital and received discharge papers
110 on which the attending physician, physician assistant or an advanced
111 practice registered nurse has indicated such service is a necessity for the
112 health and well-being of such child. In hardship cases where the
113 customer lacks the financial resources to pay such customer's entire
114 account, no electric distribution company or municipality utility may
115 charge more than one hundred dollars to reinstate residential electric
116 service to such customer. Such one-hundred-dollar limit shall include
117 any reconnection fee and any payment of an outstanding balance that
118 such company or utility requires as a condition of reinstating residential

119 electric service to such customer.

120 (2) During any period in which a residential customer is subject to
121 termination, an electric distribution or gas company, an electric supplier
122 or a municipal utility furnishing electricity or gas shall provide such
123 residential customer whose account is delinquent an opportunity to
124 enter into a reasonable amortization agreement with such company,
125 electric supplier or utility to pay such delinquent account and to avoid
126 termination of service. Such amortization agreement shall allow such
127 customer adequate opportunity to apply for and receive the benefits of
128 any available energy assistance program. An amortization agreement
129 shall be subject to amendment on customer request if there is a change
130 in the customer's financial circumstances.

131 (3) As used in this section, (A) "household income" means the
132 combined income over a twelve-month period of the customer and all
133 adults, except children of the customer, who are and have been
134 members of the household for six months or more, and (B) "hardship
135 case" includes, but is not limited to: (i) A customer receiving local, state
136 or federal public assistance; (ii) a customer whose sole source of
137 financial support is Social Security, United States Department of
138 Veterans Affairs or unemployment compensation benefits; (iii) a
139 customer who is head of the household and is unemployed, and the
140 household income is less than three hundred per cent of the poverty
141 level determined by the federal government; (iv) a customer who is
142 seriously ill or who has a household member who is seriously ill; (v) a
143 customer whose income falls below one hundred twenty-five per cent
144 of the poverty level determined by the federal government; and (vi) a
145 customer whose circumstances threaten a deprivation of food and the
146 necessities of life for himself or dependent children if payment of a
147 delinquent bill is required.

148 (4) In order for a residential customer of a gas or electric distribution
149 company using gas or electricity for heat to be eligible to have any
150 moneys due and owing deducted from the customer's delinquent
151 account pursuant to this subdivision, the company furnishing gas or

152 electricity shall require that the customer (A) apply and be eligible for
153 benefits available under the Connecticut energy assistance program or
154 state appropriated fuel assistance program; (B) authorize the company
155 to send a copy of the customer's monthly bill directly to any energy
156 assistance agency for payment; (C) enter into and comply with an
157 amortization agreement, which agreement is consistent with decisions
158 and policies of the Public Utilities Regulatory Authority. Such an
159 amortization agreement shall reduce a customer's payment by the
160 amount of the benefits reasonably anticipated from the Connecticut
161 energy assistance program, state appropriated fuel assistance program
162 or other energy assistance sources. Unless the customer requests
163 otherwise, the company shall budget a customer's payments over a
164 twelve-month period with an affordable increment to be applied to any
165 arrearage, provided such payment plan will not result in loss of any
166 energy assistance benefits to the customer. If a customer authorizes the
167 company to send a copy of his monthly bill directly to any energy
168 assistance agency for payment, the energy assistance agency shall make
169 payments directly to the company. If, on April thirtieth, a customer has
170 been in compliance with the requirements of subparagraphs (A) to (C),
171 inclusive, of this subdivision, during the period starting on the
172 preceding November first, or from such time as the customer's account
173 becomes delinquent, the company shall deduct from such customer's
174 delinquent account an additional amount equal to the amount of money
175 paid by the customer between the preceding November first and April
176 thirtieth and paid on behalf of the customer through the Connecticut
177 energy assistance program and state appropriated fuel assistance
178 program. Any customer in compliance with the requirements of
179 subparagraphs (A) to (C), inclusive, of this subdivision, on April
180 thirtieth who continues to comply with an amortization agreement
181 through the succeeding October thirty-first, shall also have an amount
182 equal to the amount paid pursuant to such agreement and any amount
183 paid on behalf of such customer between May first and the succeeding
184 October thirty-first deducted from the customer's delinquent account.
185 In no event shall the deduction of any amounts pursuant to this
186 subdivision result in a credit balance to the customer's account. No

187 customer shall be denied the benefits of this subdivision due to an error
188 by the company. The Public Utilities Regulatory Authority shall allow
189 the amounts deducted from the customer's account pursuant to the
190 implementation plan, described in subdivision (5) of this subsection, to
191 be recovered by the company in its rates as an operating expense,
192 pursuant to said implementation plan. If the customer fails to comply
193 with the terms of the amortization agreement or any decision of the
194 authority rendered in lieu of such agreement and the requirements of
195 subparagraphs (A) to (C), inclusive, of this subdivision, the company
196 may terminate service to the customer, pursuant to all applicable
197 regulations, provided such termination shall not occur between
198 November first and May first.

199 (5) Each gas and electric distribution company shall submit to the
200 Public Utilities Regulatory Authority annually, on or before July first,
201 an implementation plan which shall include information concerning
202 amortization agreements, counseling, reinstatement of eligibility, rate
203 impacts and any other information deemed relevant by the authority.
204 The Public Utilities Regulatory Authority may, in consultation with the
205 Office of Policy and Management, approve or modify such plan within
206 ninety days of receipt of the plan. If the authority does not take any
207 action on such plan within ninety days of its receipt, the plan shall
208 automatically take effect at the end of the ninety-day period, provided
209 the authority may extend such period for an additional thirty days by
210 notifying the company before the end of the ninety-day period. Any
211 amount recovered by a company in its rates pursuant to this subsection
212 shall not include any amount approved by the Public Utilities
213 Regulatory Authority as an uncollectible expense. The authority may
214 deny all or part of the recovery required by this subsection if it
215 determines that the company seeking recovery has been imprudent,
216 inefficient or acting in violation of statutes or regulations regarding
217 amortization agreements.

218 (6) On or after January 1, 1993, the Public Utilities Regulatory
219 Authority may require gas companies to expand the provisions of
220 subdivisions (4) and (5) of this subsection to all hardship customers. Any

221 such requirement shall not be effective until November 1, 1993.

222 (7) (A) All electric distribution and gas companies, electric suppliers
223 and municipal utilities furnishing electricity or gas shall collaborate in
224 developing, subject to approval by the Public Utilities Regulatory
225 Authority, standard provisions for the notice of delinquency and
226 impending termination under subsection (a) of section 16-262d. Each
227 such company and utility shall place on the front of such notice a
228 provision that the company, electric supplier or utility shall not effect
229 termination of service to a residential dwelling for nonpayment of
230 disputed bills during the pendency of any complaint. In addition, the
231 notice shall state that the customer must pay current and undisputed
232 bill amounts during the pendency of the complaint. (B) At the beginning
233 of any discussion with a customer concerning a reasonable amortization
234 agreement, any such company or utility shall inform the customer (i) of
235 the availability of a process for resolving disputes over what constitutes
236 a reasonable amortization agreement, (ii) that the company, electric
237 supplier or utility will refer such a dispute to one of its review officers
238 as the first step in attempting to resolve the dispute, and (iii) that the
239 company, electric supplier or utility shall not effect termination of
240 service to a residential dwelling for nonpayment of a delinquent account
241 during the pendency of any complaint, investigation, hearing or appeal
242 initiated by the customer, unless the customer fails to pay undisputed
243 bills, or undisputed portions of bills, for service received during such
244 period. (C) Each such company, electric supplier and utility shall inform
245 and counsel all customers who are hardship cases as to the availability
246 of all public and private energy conservation programs, including
247 programs sponsored or subsidized by such companies and utilities,
248 eligibility criteria, where to apply, and the circumstances under which
249 such programs are available without cost.

250 (8) The Public Utilities Regulatory Authority shall adopt regulations
251 in accordance with chapter 54 to carry out the provisions of this
252 subsection. Such regulations shall include, but not be limited to, criteria
253 for determining hardship cases and for reasonable amortization
254 agreements, including appeal of such agreements, for categories of

255 customers. Such regulations may include the establishment of a
256 reasonable rate of interest which a company may charge on the unpaid
257 balance of a customer's delinquent bill and a description of the
258 relationship and responsibilities of electric suppliers to customers.

259 Sec. 4. (NEW) (*Effective October 1, 2023*) Not later than November 1,
260 2023, the Public Utilities Regulatory Authority shall initiate a
261 proceeding to establish a procedure that prohibits any electric supplier
262 or electric distribution company, as such terms are defined in section 16-
263 1 of the general statutes, from terminating, denying or refusing to
264 reinstate service to any customer identified as a hardship case pursuant
265 to section 16-262c of the general statutes, as amended by this act, on any
266 day for which the heat index temperature is forecast to be at or above
267 ninety degrees Fahrenheit at any point on such day, in a weather
268 forecast issued on or before eight o'clock a.m. In the proceeding, the
269 authority shall determine the method for determining what forecasts of
270 heat index temperature such procedure shall use and the applicable
271 location or locations of such forecasts.

272 Sec. 5. (NEW) (*Effective October 1, 2023*) At the next general rate
273 proceeding of each gas company and water company, as such terms are
274 defined in section 16-1 of the general statutes, commencing on or after
275 October 1, 2023, and conducted pursuant to section 16-19 of the general
276 statutes, the Public Utilities Regulatory Authority shall investigate and
277 determine whether to implement low-income rates for such company's
278 customers. During such proceedings, the authority may implement low-
279 income rates for customers of all gas companies and water companies,
280 for customers of gas companies and water companies of a certain size or
281 for no customers of any gas companies or water companies. Any low-
282 income rates adopted pursuant to this section in a general rate
283 proceeding shall apply only to the rate plan that is the subject of such
284 proceeding.

285 Sec. 6. Section 16-24a of the general statutes is repealed. (*Effective*
286 *October 1, 2023*)

Statement of Purpose:

To (1) use funds from fines levied against telecommunications companies for educational technology, (2) prohibit electric utilities from charging hardship customers more than one hundred dollars to reconnect service, (3) prohibit electric service disconnections on hot days, and (4) require the Public Utilities Regulatory Authority to consider discount rates for low-income customers of gas and water companies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	16-41(a)
Sec. 2	<i>October 1, 2023</i>	4d-81
Sec. 3	<i>October 1, 2023</i>	16-262c(b)
Sec. 4	<i>October 1, 2023</i>	New section
Sec. 5	<i>October 1, 2023</i>	New section
Sec. 6	<i>October 1, 2023</i>	Repealer section

[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.]