



2024 Acts Affecting Energy and Utilities

By: Mary Fitzpatrick, Principal Analyst
July 3, 2024 | 2024-R-0098



Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting energy and utilities enacted during the 2024 regular legislative session and June Special Session (JSS). OLR's other Acts Affecting reports, including Acts Affecting Environment, are, or will soon be, available on [OLR's website](#).

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on [OLR's website](#).

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or [General Assembly's website](#).

Table of Contents

Energy Assistance	4
Low-Income Energy Advisory Board	4
Program Fuel Prices and Study	4
Supplemental LIHEAP Benefits	4
The Green Bank	4
Green Bank C-PACE Project Requirements	4
Renewable Energy and Efficiency Energy Finance Account (REEEFA)	5
Hydropower	5
Run-of-the-River Hydropower Solicitation.....	5
Upper Farmington River Water Resources	5
Nuclear Energy	5
Coordinated Solicitation for Nuclear.....	5
Offshore Wind.....	6
Offshore Wind Solicitations and Contracts	6
Renewable Energy Tariffs.....	6
Existing Renewable Energy Tariff Study	6
PURA Program Implementation	6
Renewable Energy Tariff for Solar in Schools	7
Shared Clean Energy Facility Natural Gas Rebates.....	7
Tariff Caps and SCEF Program Extension	7
Siting Energy Projects	7
IRP Provision on Solar Siting.....	7
The Siting Council	8
Solar Energy	8
Solar Canopies	8
Solar Consumer Protection Task Force	8
Solar Feasibility Study.....	8
Uniform Capacity Tax Study.....	9
Water and Sewer Utilities	9
MDC’s Independent Consumer Advocate	9
Sewer Grant Program for Hartford Residents	10
South Central Connecticut Water Authority (RWA) Charter Changes	10
Miscellaneous	10
Additional Biomass Power Purchase Agreements.....	10
Class III Renewable Portfolio Standard (RPS).....	11
Energy Funds and School Construction Grants	11
Housing Environmental Improvement Loan and Grant Fund and Retrofit Pilot Program.....	11

Energy Assistance

Low-Income Energy Advisory Board

New legislation redesignates the “Low-Income Energy Advisory Board” as the “Low-Income Energy and Water Advisory Board” and makes other changes to it, including broadening the scope of the advice and assistance it may give state agencies. For example, it authorizes the board to advise and assist the Office of Policy and Management, Department of Social Services (DSS), and Department of Energy and Environmental Protection (DEEP) in planning, developing, implementing, and coordinating water assistance-related programs and policies, including those to alleviate the impact of utility rates. The act also adds reporting requirements and makes changes to the board’s membership ([PA 24-37](#), effective July 1, 2024).

Program Fuel Prices and Study

The legislature made a change to the state’s energy assistance program and directed DSS to study related topics. The new law requires the DSS commissioner to set new pricing standards for deliverable fuel in the Connecticut Energy Assistance Program, which is funded by the federal Low Income Home Energy Assistance Program (LIHEAP). It also requires DSS to (1) convene a working group to study best practices used in other states’ energy assistance programs to fairly compensate deliverable fuel vendors while maximizing the amount of funding to benefit energy assistance recipients and (2) study the feasibility of developing a common application and benefit portal for applicants for LIHEAP and Operation Fuel ([PA 24-145](#), effective July 1, 2024, except the study requirements are effective upon passage).

Supplemental LIHEAP Benefits

For FY 24, the legislature allocated from federal American Rescue Plan Act (ARPA) funds (1) \$13.5 million to DSS for supplemental benefits for LIHEAP participants who heat primarily with deliverable fuel and have exhausted their benefits and (2) \$3.5 million to Operation Fuel, Inc. to provide supplemental benefits in the program it administers. The act correspondingly reduces the allocation of ARPA for COVID response measures by \$17 million ([SA 24-1](#), effective upon passage).

The Green Bank

Green Bank C-PACE Project Requirements

The Green Bank’s Commercial Property Assessed Clean Energy Program (C-PACE) finances certain energy improvement projects, repaid through an assessment on the property, backed by a lien. In most cases, projects must meet certain standards that compare the project’s anticipated costs with its energy savings and other associated savings over the project’s useful life. A new law exempts

from these standards projects that expand or upgrade an existing renewable energy system ([PA 24-31](#), § 4, effective October 1, 2024).

Renewable Energy and Efficiency Energy Finance Account (REEEFA)

This year, the legislature eliminated REEEFA, which, under prior law, was a separate, nonlapsing account within the Green Bank's Clean Energy Fund. In practice, authorization for bond funding for this account was cancelled in 2016. The act also eliminates a related reporting requirement ([PA 24-31](#), § 7, effective October 1, 2024).

Hydropower

Run-of-the-River Hydropower Solicitation

A new law authorizes the DEEP commissioner to solicit proposals from instantaneous run-of-the-river hydropower providers for hydropower interconnected to the electric distribution system. The act authorizes the DEEP commissioner to select proposals by December 31, 2025, for projects with up to 20 megawatts of nameplate capacity in the aggregate. The DEEP commissioner may direct the electric distribution companies (EDCs, i.e., Eversource and United Illuminating) to enter into agreements for selected projects for up to 20 years ([PA 24-38](#), § 4, effective July 1, 2024).

Upper Farmington River Water Resources

The legislature passed a new law that requires the DEEP commissioner to make Colebrook River Lake Dam release and holdback requests to the U.S. Army Corps of Engineers, as needed, to achieve an optimum flow in the Farmington River for fish and wildlife, recreation, river health, flood risk reduction, tourism, hydropower, and safety. The commissioner must consult with the Metropolitan District Commission (MDC) when doing this. The new law also requires MDC to release from the Goodwin Dam any amount of water released from the Colebrook Dam based on the commissioner's requests. Lastly, the act requires the commissioner to report to the Environment Committee by January 1, 2025, on recommended ways for the state to manage Colebrook River Lake waters between the levels of 701 and 641 feet if the federal government releases MDC from its responsibility for these waters ([PA 24-13](#), effective upon passage).

Nuclear Energy

Coordinated Solicitation for Nuclear

A new law requires DEEP to coordinate with other New England states when soliciting proposals for up to 12 million megawatt-hours of energy annually from nuclear facilities, starting July 1, 2024. The act requires DEEP to direct the EDCs to enter into agreements to purchase energy, capacity,

and environmental attributes under the selected proposals. Agreements are generally subject to approval by the Public Utilities Regulatory Authority (PURA) and certain officials in at least two other states ([PA 24-38](#), § 1, effective upon passage).

Offshore Wind

Offshore Wind Solicitations and Contracts

This year, the legislature added requirements to the existing offshore wind procurement authorization. Starting July 1, 2024, DEEP must require selected bidders to use best efforts to award certain contracts or employment to state commercial fishing licensees when all other factors are equal. Under the act, fishermen providing support services must meet certain training and certification requirements and be inspected before providing the services. The act also allows the DEEP commissioner to direct the EDCs to enter into agreements for terms up to 30 years, rather than 20 years, if the solicitation is coordinated with at least one other state and officials from that state select a proposal ([PA 24-38](#), § 2, effective upon passage).

Renewable Energy Tariffs

Existing Renewable Energy Tariff Study

A new law requires the PURA chairperson to study existing renewable energy tariff programs (i.e., the Nonresidential Renewable Energy Solutions (NRES) program, Residential Renewable Energy Solutions (RRES) program, and Shared Clean Energy Facilities (SCEF) program). These programs govern how customers are compensated for the energy and other products produced by renewable energy facilities. Among other things, the study must examine whether to extend the existing tariff programs beyond their current timeframe and potential successor programs. The PURA chairperson must report her recommendations to the Energy and Technology Committee by January 15, 2026 ([PA 24-31](#), § 2, effective upon passage).

PURA Program Implementation

A new law authorizes PURA to select any combination of the Connecticut Green Bank, DEEP, the EDCs, or a third party PURA deems appropriate to implement (1) the NRES program; (2) the RRES program; (3) the SCEF program; or (4) a light-duty or medium- to heavy-duty electric vehicle (EV) charging program established in a PURA proceeding (e.g., the EV charging program established under Docket 17-12-03RE04) ([PA 24-38](#), § 8, effective July 1, 2024).

Renewable Energy Tariff for Solar in Schools

This year, the legislature required PURA to initiate a docket by January 1, 2025, to develop a program to encourage solar facility and energy storage system installation at public schools. PURA must incorporate the program into existing renewable energy tariffs and may (1) establish a separate tariff for projects selected under this program and (2) limit the program's size by implementing a cap of up to 25 megawatts per year on the generating capacity of selected projects, though PURA must allow unused allowances under the cap in any given year to accrue (i.e., be available in subsequent years). This program is separate from and not counted toward separate caps in existing renewable energy tariffs or energy storage programs ([PA 24-151](#), §§ 173-175, effective July 1, 2024).

Shared Clean Energy Facility Natural Gas Rebates

Generally, a SCEF allows people to subscribe for energy or renewable energy credits from a Class I facility (e.g., wind, solar, or fuel cells) that is not on the subscriber's premises. A new law requires each gas company to institute a program to give rebates to gas customers who use natural gas for a SCEF (e.g., a fuel cell facility). The rebate is equal to the retail delivery charge to transport natural gas to the SCEF ([PA 24-38](#), § 5, effective upon passage).

Tariff Caps and SCEF Program Extension

Existing law caps the amount of energy and related products that may be procured through the SCEF and NRES programs. A new law allows PURA to exceed NRES and SCEF program caps for procurement and tariff years starting January 1, 2025, as long as the aggregate dollar amounts for selected projects do not exceed amounts for projects selected in 2024. The act also extends the SCEF program for two years, aligning its termination with the NRES program, so that both programs end in calendar year 2027 ([PA 24-31](#), § 6, effective July 1, 2024).

Siting Energy Projects

IRP Provision on Solar Siting

By law, DEEP must develop an Integrated Resources Plan (IRP) every two years, in consultation with the EDCs, to review and plan for the state's energy needs. A new law requires the DEEP commissioner to submit information on the potential siting of solar projects in the state as part of the IRP. The act requires the commissioner to submit the information in a format that can be overlaid onto the EDC's existing grid interconnection maps by May 21, 2025 ([PA 24-31](#), § 5, effective upon passage).

The Siting Council

A new law makes changes to the Public Utility Environmental Standards Act (PUESA), which governs the Connecticut Siting Council's authority and procedures and gives it jurisdiction over siting various energy facilities (e.g., generation and transmission projects). Among other things, the act (1) adds requirements to transmission line certificate applications, (2) requires the applicant to consult with state legislators and a municipality's legislative body for certain applications, (3) increases municipal participation account payments, and (4) requires the council to consider additional factors before approving an application for a transmission line or a solar facility. The new law also establishes new procedures for (1) violations, penalties, and enforcement of PUESA's provisions and certificate requirements and (2) property acquisitions through eminent domain. Additionally, it expands restrictions on council members' affiliations with utilities and facilities and requires the council to hire employees it needs to perform its duties ([PA 24-144](#), most provisions effective October 1, 2024).

Solar Energy

Solar Canopies

A solar canopy is an outdoor, shade-providing structure, like a carport, that hosts solar panels above a surface (e.g., a parking area or a pedestrian walkway) in a way that allows the area underneath the solar panels to be used. A new law allows municipalities to establish a simplified approval process for solar canopy applications and act on applications to build solar canopies within six months of their filing dates ([PA 24-31](#), § 3, as amended by [PA 24-151](#), § 113, effective July 1, 2024).

Solar Consumer Protection Task Force

This year, the legislature established a 17-member task force to examine and make recommendations on policy, regulations, and legislation to improve disclosure requirements and consumer protection for consumers who purchase, lease, or enter into power purchase agreements (PPAs) for solar facilities. The act requires the task force to report its recommendations to the Energy and Technology and General Law committees by January 1, 2025 ([PA 24-38](#), § 7, effective upon passage).

Solar Feasibility Study

Beginning July 1, 2025, new legislation requires school boards, before submitting a priority list application for a school building project grant, to have a solar feasibility assessment performed for the building that is considered in the application unless it already uses solar energy. Boards in different jurisdictions may coordinate with one another in providing the assessment.

The assessment must give a school board the information it needs to determine the feasibility of installing solar facilities on the school's premises, including the following:

1. the school's annual electric load during the most recent calendar year, if applicable;
2. the available area of rooftop space and impervious surface to host solar facilities;
3. available opportunities to interconnect with the electric distribution system; and
4. a description of anticipated costs, savings, and contractual terms for solar facilities, including interconnection costs and electric bill credits.

The new law allows the administrative services commissioner to reject a priority list application that does not have this assessment ([PA 24-151](#), §§ 154 & 176, effective July 1, 2024).

Uniform Capacity Tax Study

A new law requires DEEP to study the feasibility and potential cost impacts of establishing a uniform capacity tax for solar facilities in the state. Among other things, the study must examine the current statutory framework for property taxes on solar facilities and what tax amount per megawatt of capacity would fairly compensate municipalities without making projects unviable. The act requires DEEP to report its recommendations on establishing a uniform capacity tax to the Energy and Technology Committee by January 1, 2025 ([PA 24-31](#), § 1, effective upon passage).

Water and Sewer Utilities

MDC's Independent Consumer Advocate

MDC's independent consumer advocate is appointed by the state's consumer counsel to advocate for and represent MDC consumers in matters that may affect them, like rates and water quality and supply. This session, the legislature increased, from \$50,000 to \$70,000, the maximum annual amount that MDC must pay for the consumer advocate's costs (unless the advocate demonstrates substantial need for additional funds and MDC's board approves them).

The legislature also (1) expanded who can qualify as the consumer advocate to include a Connecticut attorney with legal experience in municipal, environmental, or public utility law and policy, rather than just one with private legal experience in public utility law and policy and (2) removed the requirement that the consumer counsel appoint the advocate by November in advance of the advocate's term. It also gave the consumer counsel discretion to change the advocate's term length, start date, and expiration date if there is a vacancy or it is in MDC's consumers' best interests ([PA 24-98](#), effective July 1, 2024).

Sewer Grant Program for Hartford Residents

In 2023, the Hartford Sewerage System Repair and Improvement Fund program was established to give financial assistance to eligible Hartford residents and property owners for damages caused by flooding on or after January 1, 2021. This year, the legislature passed a law that, among other things, (1) caps grants for damage to property that an applicant used for business purposes at \$50,000; (2) generally limits grant eligibility to individuals who request a sewer backup prevention assessment from MDC by April 30, 2025; and (3) creates a process for judge trial referees (rather than the comptroller) to hear applicants' appeals of decisions about their eligibility for grants or their grant amounts ([PA 24-81](#), §§ 23 & 24, effective upon passage).

South Central Connecticut Water Authority (RWA) Charter Changes

This year, the legislature made various changes to RWA's governing charter to contemplate the acquisition of Aquarion Water Company or its subsidiaries, including giving RWA specific authority to borrow or bond for this purpose. Upon the acquisition, the law creates a state-chartered regional water authority and generally gives the new Aquarion Water Authority the same powers and structure as RWA, including giving both authorities the same governing board.

The legislature also made other changes to RWA's charter, which are not contingent upon the above-mentioned acquisition, including (1) expanding allowable noncore activities; (2) modifying how its governing boards operate (e.g., compensation, weighted votes, quorum, meeting frequency); (3) adjusting how bonding, delinquent assessments, and aggrievements are handled; and (4) requiring online posting of annual financial statements ([SA 24-7](#) and [SB 501, JSS](#), §§ 34-42, effective upon passage).

Miscellaneous

Additional Biomass Power Purchase Agreements

Existing law authorizes the DEEP commissioner to solicit proposals from providers of various energy sources, including biomass, and direct the EDCs to enter into agreements for selected proposals. A new law authorizes the DEEP commissioner to direct an EDC to enter into one or more additional biomass PPAs with certain facilities that have existing PPAs in effect as of January 1, 2024. Under the act, the additional biomass PPAs are for (1) a ten-year period and (2) the same fraction of energy, capacity, and environmental attributes as the existing biomass PPA ([PA 24-38](#), § 6, effective upon passage).

Class III Renewable Portfolio Standard (RPS)

The Class III RPS requires the EDCs and electric suppliers to obtain at least 5% of their total output from Class III sources (e.g., certain combined heat and power systems and waste heat recovery systems). This RPS requirement is subject to a sunset date that a new law delays by five years, from December 31, 2024, to December 31, 2029. For certain retail electric supply contracts entered into or renewed before July 1, 2024, the act temporarily reduces this RPS requirement to 4% of total electric output until the contract is renewed, or January 1, 2026, at the latest ([PA 24-38](#), § 3, effective July 1, 2024).

Energy Funds and School Construction Grants

Prior law required that any state funds received by a town for a school building project be subtracted from the total project costs before the state calculated the town's state reimbursement grant amount (i.e., the subtraction decreases the amount on which the grant is based). Starting July 1, 2024, a new law excludes funds or benefits received under the following energy-related initiatives from this subtraction requirement:

1. certain rate design standards for electric utilities;
2. DEEP's microgrid and resilience grant and loan program;
3. renewable energy tariffs;
4. conservation and load management programs; and
5. the Green Bank's Clean Energy Fund ([PA 24-151](#), § 160, effective July 1, 2024).

Housing Environmental Improvement Loan and Grant Fund and Retrofit Pilot Program

A new law expands DEEP's multi-family housing retrofit pilot program by allowing DEEP to provide grants in addition to loans under the program. By law, this program is designed to provide financing for qualifying retrofit projects (e.g., energy efficiency projects or projects to address health concerns) at multifamily homes located in environmental justice communities or alliance districts. The new law renames the program's fund the "Housing Environmental Improvement Revolving Loan and Grant Fund" and allows the department to contract with quasi-public agencies to administer the fund, in addition to nonprofits as existing law allows. It also delays, by one year, the date DEEP must start accepting applications for the program (from July 1, 2024, to July 1, 2025) ([PA 24-151](#), § 64, effective October 1, 2024).

MF:co