

**Proposed Substitute
Bill No. 7155**

LCO No. 6171

**AN ACT CONCERNING CONSUMER PROTECTIONS FOR
CUSTOMERS OF ELECTRIC SUPPLIERS.**

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

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2 repealed and the following is substituted in lieu thereof (*Effective from*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

4 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a
5 and 245b shall be construed as follows, unless another meaning is
6 expressed or is clearly apparent from the language or context:

7 (1) "Authority" means the Public Utilities Regulatory Authority and
8 "department" means the Department of Energy and Environmental
9 Protection;

10 (2) "Utility commissioner" means a member of the Public Utilities
11 Regulatory Authority;

12 (3) "Public service company" includes electric distribution, gas,
13 telephone, pipeline, sewage, water and community antenna television
14 companies and holders of a certificate of cable franchise authority,
15 owning, leasing, maintaining, operating, managing or controlling
16 plants or parts of plants or equipment, but shall not include towns,
17 cities, boroughs, any municipal corporation or department thereof,
18 whether separately incorporated or not, a private power producer, as
19 defined in section 16-243b, or an exempt wholesale generator, as
20 defined in 15 USC 79z-5a;

21 (4) "Plant" includes all real estate, buildings, tracks, pipes, mains,
22 poles, wires and other fixed or stationary construction and equipment,
23 wherever located, used in the conduct of the business of the company;

24 (5) "Gas company" includes every person owning, leasing,
25 maintaining, operating, managing or controlling mains, pipes or other
26 fixtures, in public highways or streets, for the transmission or
27 distribution of gas for sale for heat or power within this state, or
28 engaged in the manufacture of gas to be so transmitted or distributed
29 for such purpose, but shall not include (A) a person manufacturing gas
30 through the use of a biomass gasification plant provided such person
31 does not own, lease, maintain, operate, manage or control mains, pipes
32 or other fixtures in public highways or streets, (B) a municipal gas
33 utility established under chapter 101 or any other gas utility owned,
34 leased, maintained, operated, managed or controlled by any unit of
35 local government under any general statute or any public or special
36 act, or (C) an entity approved to submeter pursuant to section 16-19ff;

37 (6) "Water company" includes every person owning, leasing,
38 maintaining, operating, managing or controlling any pond, lake,
39 reservoir, stream, well or distributing plant or system employed for
40 the purpose of supplying water to fifty or more consumers. A water
41 company does not include homeowners, condominium associations
42 providing water only to their members, homeowners associations
43 providing water to customers at least eighty per cent of whom are
44 members of such associations, a municipal waterworks system
45 established under chapter 102, a district, metropolitan district,
46 municipal district or special services district established under chapter
47 105, chapter 105a or any other general statute or any public or special
48 act which is authorized to supply water, or any other waterworks
49 system owned, leased, maintained, operated, managed or controlled
50 by any unit of local government under any general statute or any
51 public or special act;

52 (7) "Consumer" means any private dwelling, boardinghouse,
53 apartment, store, office building, institution, mechanical or

54 manufacturing establishment or other place of business or industry to
55 which water is supplied by a water company;

56 (8) "Sewage company" includes every person owning, leasing,
57 maintaining, operating, managing or controlling, for general use in any
58 town, city or borough, or portion thereof, in this state, sewage disposal
59 facilities which discharge treated effluent into any waterway of this
60 state;

61 (9) "Pipeline company" includes every person owning, leasing,
62 maintaining, operating, managing or controlling mains, pipes or other
63 fixtures through, over, across or under any public land, water,
64 parkways, highways, parks or public grounds for the transportation,
65 transmission or distribution of petroleum products for hire within this
66 state;

67 (10) "Community antenna television company" includes every
68 person owning, leasing, maintaining, operating, managing or
69 controlling a community antenna television system, in, under or over
70 any public street or highway, for the purpose of providing community
71 antenna television service for hire and shall include any municipality
72 which owns or operates one or more plants for the manufacture or
73 distribution of electricity pursuant to section 7-213 or any special act
74 and seeks to obtain or obtains a certificate of public convenience and
75 necessity to construct or operate a community antenna television
76 system pursuant to section 16-331 or a certificate of cable franchise
77 authority pursuant to section 16-331q. "Community antenna television
78 company" does not include a certified competitive video service
79 provider;

80 (11) "Community antenna television service" means (A) the one-way
81 transmission to subscribers of video programming or information that
82 a community antenna television company makes available to all
83 subscribers generally, and subscriber interaction, if any, which is
84 required for the selection of such video programming or information,
85 and (B) noncable communications service. "Community antenna
86 television service" does not include video service provided by a

87 certified competitive video service provider;

88 (12) "Community antenna television system" means a facility,
89 consisting of a set of closed transmission paths and associated signal
90 generation, reception and control equipment that is designed to
91 provide community antenna television service which includes video
92 programming and which is provided in, under or over any public
93 street or highway, for hire, to multiple subscribers within a franchise,
94 but such term does not include (A) a facility that serves only to
95 retransmit the television signals of one or more television broadcast
96 stations; (B) a facility that serves only subscribers in one or more
97 multiple unit dwellings under common ownership, control or
98 management, unless such facility is located in, under or over a public
99 street or highway; (C) a facility of a common carrier which is subject, in
100 whole or in part, to the provisions of Subchapter II of Chapter 5 of the
101 Communications Act of 1934, 47 USC 201 et seq., as amended, except
102 that such facility shall be considered a community antenna television
103 system and the carrier shall be considered a public service company to
104 the extent such facility is used in the transmission of video
105 programming directly to subscribers; or (D) a facility of an electric
106 distribution company which is used solely for operating its electric
107 distribution company systems. "Community antenna television
108 system" does not include a facility used by a certified competitive
109 video service provider to provide video service;

110 (13) "Video programming" means programming provided by, or
111 generally considered comparable to programming provided by, a
112 television broadcast station;

113 (14) "Noncable communications service" means any
114 telecommunications service, as defined in section 16-247a, and which is
115 not included in the definition of "cable service" in the Communications
116 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall
117 be construed to affect service which is both authorized and preempted
118 pursuant to federal law;

119 (15) "Cogeneration technology" means the use for the generation of

120 electricity of exhaust steam, waste steam, heat or resultant energy from
121 an industrial, commercial or manufacturing plant or process, or the use
122 of exhaust steam, waste steam or heat from a thermal power plant for
123 an industrial, commercial or manufacturing plant or process, but shall
124 not include steam or heat developed solely for electrical power
125 generation;

126 (16) "Renewable fuel resources" means energy sources described in
127 subdivisions (20) and (21) of this subsection;

128 (17) "Telephone company" means a telecommunications company
129 that provides one or more noncompetitive or emerging competitive
130 services, as defined in section 16-247a;

131 (18) "Domestic telephone company" includes any telephone
132 company which has been chartered by or organized or constituted
133 within or under the laws of this state;

134 (19) "Telecommunications company" means a person that provides
135 telecommunications service, as defined in section 16-247a, within the
136 state, but shall not mean a person that provides only (A) private
137 telecommunications service, as defined in section 16-247a, (B) the one-
138 way transmission of video programming or other programming
139 services to subscribers, (C) subscriber interaction, if any, which is
140 required for the selection of such video programming or other
141 programming services, (D) the two-way transmission of educational or
142 instructional programming to a public or private elementary or
143 secondary school, or a public or independent institution of higher
144 education, as required by the authority pursuant to a community
145 antenna television company franchise agreement, or provided
146 pursuant to a contract with such a school or institution which contract
147 has been filed with the authority, or (E) a combination of the services
148 set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

149 (20) "Class I renewable energy source" means (A) electricity derived
150 from (i) solar power, (ii) wind power, (iii) a fuel cell, (iv) geothermal,
151 (v) landfill methane gas, anaerobic digestion or other biogas derived

152 from biological sources, (vi) thermal electric direct energy conversion
153 from a certified Class I renewable energy source, (vii) ocean thermal
154 power, (viii) wave or tidal power, (ix) low emission advanced
155 renewable energy conversion technologies, including, but not limited
156 to, zero emission low grade heat power generation systems based on
157 organic oil free rankine, kalina or other similar nonsteam cycles that
158 use waste heat from an industrial or commercial process that does not
159 generate electricity, (x) (I) a run-of-the-river hydropower facility that
160 began operation after July 1, 2003, and has a generating capacity of not
161 more than thirty megawatts, or (II) a run-of-the-river hydropower
162 facility that received a new license after January 1, 2018, under the
163 Federal Energy Regulatory Commission rules pursuant to 18 CFR 16,
164 as amended from time to time, and provided a facility that applies for
165 certification under this clause after January 1, 2013, shall not be based
166 on a new dam or a dam identified by the commissioner as a candidate
167 for removal, and shall meet applicable state and federal requirements,
168 including applicable site-specific standards for water quality and fish
169 passage, or (xi) a biomass facility that uses sustainable biomass fuel
170 and has an average emission rate of equal to or less than .075 pounds
171 of nitrogen oxides per million BTU of heat input for the previous
172 calendar quarter, except that energy derived from a biomass facility
173 with a capacity of less than five hundred kilowatts that began
174 construction before July 1, 2003, may be considered a Class I renewable
175 energy source, or (B) any electrical generation, including distributed
176 generation, generated from a Class I renewable energy source,
177 provided, on and after January 1, 2014, any megawatt hours of
178 electricity from a renewable energy source described under this
179 subparagraph that are claimed or counted by a load-serving entity,
180 province or state toward compliance with renewable portfolio
181 standards or renewable energy policy goals in another province or
182 state, other than the state of Connecticut, shall not be eligible for
183 compliance with the renewable portfolio standards established
184 pursuant to section 16-245a;

185 (21) "Class II renewable energy source" means electricity derived
186 from a trash-to-energy facility that has obtained a permit pursuant to

187 section 22a-208a and section 22a-174-33 of the regulations of
188 Connecticut state agencies;

189 (22) "Electric distribution services" means the owning, leasing,
190 maintaining, operating, managing or controlling of poles, wires,
191 conduits or other fixtures along public highways or streets for the
192 distribution of electricity, or electric distribution-related services;

193 (23) "Electric distribution company" or "distribution company"
194 means any person providing electric transmission or distribution
195 services within the state, but does not include: (A) A private power
196 producer, as defined in section 16-243b; (B) a municipal electric utility
197 established under chapter 101, other than a participating municipal
198 electric utility; (C) a municipal electric energy cooperative established
199 under chapter 101a; (D) an electric cooperative established under
200 chapter 597; (E) any other electric utility owned, leased, maintained,
201 operated, managed or controlled by any unit of local government
202 under any general statute or special act; (F) an electric supplier; (G) an
203 entity approved to submeter pursuant to section 16-19ff; or (H) a
204 municipality, state or federal governmental entity authorized to
205 distribute electricity across a public highway or street pursuant to
206 section 16-243aa;

207 (24) "Electric supplier" means any person, including an electric
208 aggregator or participating municipal electric utility that is licensed by
209 the Public Utilities Regulatory Authority in accordance with section
210 16-245, that provides electric generation services to end use customers
211 in the state using the transmission or distribution facilities of an
212 electric distribution company, regardless of whether or not such
213 person takes title to such generation services, but does not include: (A)
214 A municipal electric utility established under chapter 101, other than a
215 participating municipal electric utility; (B) a municipal electric energy
216 cooperative established under chapter 101a; (C) an electric cooperative
217 established under chapter 597; or (D) any other electric utility owned,
218 leased, maintained, operated, managed or controlled by any unit of
219 local government under any general statute or special act;

220 (25) "Electric aggregator" means (A) a person, municipality or
221 regional water authority that gathers together electric customers for
222 the purpose of negotiating the purchase of electric generation services
223 from an electric supplier, or (B) the Materials Innovation and Recycling
224 Authority, if it gathers together electric customers for the purpose of
225 negotiating the purchase of electric generation services from an electric
226 supplier, provided such person, municipality or authority is not
227 engaged in the purchase or resale of electric generation services, and
228 provided further such customers contract for electric generation
229 services directly with an electric supplier, and may include an electric
230 cooperative established pursuant to chapter 597;

231 (26) "Electric generation services" means electric energy, electric
232 capacity or generation-related services;

233 (27) "Electric transmission services" means electric transmission or
234 transmission-related services;

235 (28) "Generation entity or affiliate" means a corporate affiliate or a
236 separate division of an electric distribution company that provides
237 electric generation services;

238 (29) "Participating municipal electric utility" means a municipal
239 electric utility established under chapter 101 or any other electric
240 utility owned, leased, maintained, operated, managed or controlled by
241 any unit of local government under any general statute or any public
242 or special act, that is authorized by the authority in accordance with
243 section 16-245c to provide electric generation services to end use
244 customers outside its service area, as defined in section 16-245c;

245 (30) "Person" means an individual, business, firm, corporation,
246 association, joint stock association, trust, partnership or limited
247 liability company;

248 (31) "Regional independent system operator" means the "ISO - New
249 England, Inc.", or its successor organization as approved by the
250 Federal Energy Regulatory Commission;

251 (32) "Certified telecommunications provider" means a person
252 certified by the authority to provide intrastate telecommunications
253 services, as defined in section 16-247a, pursuant to sections 16-247f to
254 16-247h, inclusive;

255 (33) "Gas registrant" means a person registered to sell natural gas
256 pursuant to section 16-258a;

257 (34) "Customer-side distributed resources" means (A) the generation
258 of electricity from a unit with a rating of not more than sixty-five
259 megawatts on the premises of a retail end user within the transmission
260 and distribution system including, but not limited to, fuel cells,
261 photovoltaic systems or small wind turbines, or (B) a reduction in the
262 demand for electricity on the premises of a retail end user in the
263 distribution system through methods of conservation and load
264 management, including, but not limited to, peak reduction systems
265 and demand response systems;

266 (35) "Federally mandated congestion charges" means any cost
267 approved by the Federal Energy Regulatory Commission as part of
268 New England Standard Market Design including, but not limited to,
269 locational marginal pricing, locational installed capacity payments, any
270 cost approved by the Public Utilities Regulatory Authority to reduce
271 federally mandated congestion charges in accordance with section 7-
272 233y, this section, sections 16-32f, 16-50i, 16-50k, 16-50x, 16-243i to 16-
273 243q, inclusive, 16-244c, 16-245m, 16-245n and 16-245z, section 21 of
274 public act 05-1 of the June special session, subsection (f) of section 16a-
275 3j and reliability must run contracts;

276 (36) "Combined heat and power system" means a system that
277 produces, from a single source, both electric power and thermal energy
278 used in any process that results in an aggregate reduction in electricity
279 use;

280 (37) "Grid-side distributed resources" means the generation of
281 electricity from a unit with a rating of not more than sixty-five
282 megawatts that is connected to the transmission or distribution system,

283 which units may include, but are not limited to, units used primarily to
284 generate electricity to meet peak demand;

285 (38) "Class III source" means the electricity output from combined
286 heat and power systems with an operating efficiency level of no less
287 than fifty per cent that are part of customer-side distributed resources
288 developed at commercial and industrial facilities in this state on or
289 after January 1, 2006, a waste heat recovery system installed on or after
290 April 1, 2007, that produces electrical or thermal energy by capturing
291 preexisting waste heat or pressure from industrial or commercial
292 processes, or the electricity savings created in this state from
293 conservation and load management programs begun on or after
294 January 1, 2006, provided on and after January 1, 2014, no such
295 programs supported by ratepayers, including programs overseen by
296 the Energy Conservation Management Board or third-party programs
297 pursuant to section 16-245m, shall be considered a Class III source,
298 except that any demand-side management project awarded a contract
299 pursuant to section 16-243m shall remain eligible as a Class III source
300 for the term of such contract;

301 (39) "Sustainable biomass fuel" means biomass that is cultivated and
302 harvested in a sustainable manner. "Sustainable biomass fuel" does not
303 mean construction and demolition waste, as defined in section 22a-
304 208x, finished biomass products from sawmills, paper mills or stud
305 mills, organic refuse fuel derived separately from municipal solid
306 waste, or biomass from old growth timber stands, except where (A)
307 such biomass is used in a biomass gasification plant that received
308 funding prior to May 1, 2006, from the Clean Energy Fund established
309 pursuant to section 16-245n, or (B) the energy derived from such
310 biomass is subject to a long-term power purchase contract pursuant to
311 subdivision (2) of subsection (j) of section 16-244c entered into prior to
312 May 1, 2006;

313 (40) "Video service" means video programming services provided
314 through wireline facilities, a portion of which are located in the public
315 right-of-way, without regard to delivery technology, including Internet

316 protocol technology. "Video service" does not include any video
317 programming provided by a commercial mobile service provider, as
318 defined in 47 USC 332(d), any video programming provided as part of
319 community antenna television service in a franchise area as of October
320 1, 2007, any video programming provided as part of and via a service
321 that enables users to access content, information, electronic mail or
322 other services over the public Internet;

323 (41) "Certified competitive video service provider" means an entity
324 providing video service pursuant to a certificate of video franchise
325 authority issued by the authority in accordance with section 16-331e.
326 "Certified competitive video service provider" does not mean an entity
327 issued a certificate of public convenience and necessity in accordance
328 with section 16-331 or the affiliates, successors and assigns of such
329 entity or an entity issued a certificate of cable franchise authority in
330 accordance with section 16-331p or the affiliates, successors and
331 assignees of such entity;

332 (42) "Certificate of video franchise authority" means an
333 authorization issued by the Public Utilities Regulatory Authority
334 conferring the right to an entity or person to own, lease, maintain,
335 operate, manage or control facilities in, under or over any public
336 highway to offer video service to any subscribers in the state;

337 (43) "Certificate of cable franchise authority" means an authorization
338 issued by the Public Utilities Regulatory Authority pursuant to section
339 16-331q conferring the right to a community antenna television
340 company to own, lease, maintain, operate, manage or control a
341 community antenna television system in, under or over any public
342 highway to (A) offer community antenna television service in a
343 community antenna television company's designated franchise area, or
344 (B) use the public rights-of-way to offer video service in a designated
345 franchise area. The certificate of cable franchise authority shall be
346 issued as an alternative to a certificate of public convenience and
347 necessity pursuant to section 16-331 and shall only be available to a
348 community antenna television company under the terms specified in

349 sections 16-331q to 16-331aa, inclusive;

350 (44) "Thermal energy transportation company" means any person
351 authorized under any provision of the general statutes or special act to
352 furnish heat or air conditioning or both, by means of steam, heated or
353 chilled water or other medium, to lay and maintain mains, pipes or
354 other conduits, and to erect such other fixtures necessary or convenient
355 in and on the streets, highways and public grounds of any
356 municipality to carry steam, heated or chilled water or other medium
357 from such plant to the location to be served and to return the same;

358 (45) "The Connecticut Television Network" means the General
359 Assembly's state-wide twenty-four-hour state public affairs
360 programming service, separate and distinct from community access
361 channels;

362 (46) "Commissioner of Energy and Environmental Protection"
363 means the Commissioner of Energy and Environmental Protection
364 appointed pursuant to title 4, or the commissioner's designee;

365 (47) "Large-scale hydropower" means any hydropower facility that
366 (A) began operation on or after January 1, 2003, (B) is located in the
367 New England Power Pool Generation Information System geographic
368 eligibility area in accordance with Rule 2.3 of said system or an area
369 abutting the northern boundary of the New England Power Pool
370 Generation Information System geographic eligibility area that is not
371 interconnected with any other control area that is not a part of the New
372 England Power Pool Generation Information System geographic
373 eligibility area, (C) delivers power into such geographic eligibility area,
374 and (D) has a generating capacity of more than thirty megawatts;

375 (48) "Energy storage system" means any commercially available
376 technology that is capable of absorbing energy, storing it for a period
377 of time and thereafter dispatching the energy, and that is capable of
378 either: (A) Using mechanical, chemical or thermal processes to store
379 electricity that is generated at one time for use at a later time; (B)
380 storing thermal energy for direct use for heating or cooling at a later

381 time in a manner that avoids the need to use electricity at a later time;
382 (C) using mechanical, chemical or thermal processes to store electricity
383 generated from renewable energy sources for use at a later time; or (D)
384 using mechanical, chemical or thermal processes to capture or harness
385 waste electricity and to store such electricity generated from
386 mechanical processes for delivery at a later time;

387 (49) "Distributed energy resource" means any (A) customer-side
388 distributed resource or grid-side distributed resource that generates
389 electricity from a Class I renewable energy source or Class III source,
390 and (B) customer-side distributed resource that reduces demand for
391 electricity through conservation and load management, energy storage
392 system which is located on the customer-side of the meter or is
393 connected to the distribution system or microgrid; [and]

394 (50) "Grid-side system enhancement" means an investment in
395 distribution system infrastructure, technology and systems designed to
396 enable the deployment of distributed energy resources and allow for
397 grid management and system balancing, including, but not limited to,
398 energy storage systems, distribution system automation and controls,
399 intelligent field systems, advanced distribution system metering, and
400 communication and systems that enable two-way power flow; [.] and

401 (51) "Telesales call" means any communication using a telephonic
402 device, including, but not limited to, land telephone lines and cellular
403 telephone lines, in which the purpose of the communication is to
404 inform a customer or potential customer about a product offering,
405 engage a customer or potential customer in a conversation that may
406 result in entering into a contract for services or discuss current or
407 future contract terms with a customer or potential customer.

408 Sec. 2. Section 16-245o of the general statutes is amended by adding
409 subsection (p) as follows (*Effective from passage*):

410 (NEW) (p) (1) Each electric supplier shall record the entirety of all
411 telesales calls with a potential residential customer, including, but not
412 limited to, all attempted and consummated sales, and retain such

413 telesales call recordings for two years after the date such recording was
414 made.

415 (2) Each electric supplier shall record the entirety of all face-to-face
416 marketing interactions with a potential residential customer, including,
417 but not limited to, all attempted and consummated sales, and retain
418 such recordings for two years after the date such recording was made.

419 (3) Each electric supplier shall conduct criminal background checks
420 on all door-to-door marketers prior to such marketer conducting
421 marketing on behalf of the electric supplier. Each electric supplier shall
422 conduct such criminal background checks at least once each year on all
423 marketers conducting door-to-door marketing on behalf of the electric
424 supplier.

425 (4) When conducting telesales calls or face-to-face marketing, each
426 electric supplier shall begin by immediately stating: (A) The name of
427 the electric supplier conducting the call; (B) that the electric supplier is
428 not affiliated with any state program and no state program encourages
429 Connecticut residents to obtain an electric supplier; (C) that the electric
430 supplier is calling the residential customer or potential residential
431 customer to market or sell electric supply service to the residential
432 customer or potential residential customer and if the residential
433 customer or potential residential customer assents, the telesales call or
434 face-to-face marketing will result in the residential customer or
435 potential residential customer immediately entering into a contract
436 with the electric supplier; (D) that such electric supplier does not
437 represent an electric distribution company and that electric
438 distribution companies do not encourage Connecticut residents to
439 obtain an electric supplier; and (E) what the standard service rate is on
440 the date of the telesales call or face-to-face marketing and that the
441 standard service rate is fixed, not variable.

442 (5) When conducting telesales calls or face-to-face marketing, no
443 electric supplier may request the account information from a potential
444 residential customer or request that a potential residential customer
445 retrieve account information or the potential residential customer's

446 electric distribution company bill prior to the residential customer or
447 potential residential customer affirmatively assenting to contract with
448 the electric supplier for a specified rate.

449 (6) Each electric supplier shall terminate any telesales call when a
450 residential customer or potential residential customer connects with
451 the third-party verification as described in subsection (b) of section 16-
452 234s of the general statutes and may not remain on the telephone line
453 while the residential customer or potential residential customer
454 participates in the third-party verification.

455 (7) Each electric supplier shall process a residential customer's
456 enrollment or reenrollment and submit such enrollment to the electric
457 distribution company within five calendar days of the residential
458 customer consenting to enroll. Enrollments processed and sent to the
459 electric distribution company after five calendar days shall be
460 considered invalid enrollments.

461 Sec. 3. Subsection (a) of section 16-41 of the general statutes is
462 repealed and the following is substituted in lieu thereof (*Effective from*
463 *passage*):

464 (a) Each (1) public service company and its officers, agents and
465 employees, (2) electric supplier or person providing electric generation
466 services without a license in violation of section 16-245, as amended by
467 this act, and its officers, agents and employees, (3) certified
468 telecommunications provider or person providing telecommunications
469 services without authorization pursuant to sections 16-247f to 16-247h,
470 inclusive, and its officers, agents and employees, (4) person, public
471 agency or public utility, as such terms are defined in section 16-345,
472 subject to the requirements of chapter 293, (5) person subject to the
473 registration requirements under section 16-258a, (6) cellular mobile
474 telephone carrier, as described in section 16-250b, (7) Connecticut
475 electric efficiency partner, as defined in section 16-243v, (8) company,
476 as defined in section 16-49, and (9) entity approved to submeter
477 pursuant to section 16-19ff shall obey, observe and comply with all
478 applicable provisions of this title and each applicable order made or

479 applicable regulations adopted by the Public Utilities Regulatory
480 Authority by virtue of this title as long as the same remains in force.
481 Any such company, electric supplier, certified telecommunications
482 provider, cellular mobile telephone carrier, Connecticut electric
483 efficiency partner, entity approved to submeter, person, any officer,
484 agent or employee thereof, public agency or public utility which the
485 authority finds has failed to obey or comply with any such provision of
486 this title, order or regulation shall be fined, ordered to pay restitution
487 to customers or ordered to pay a combination of a fine and restitution
488 by order of the authority in accordance with the penalty prescribed for
489 the violated provision of this title or, if no penalty is prescribed, not
490 more than ten thousand dollars for each offense, except that the
491 penalty shall be a fine, restitution to customers or a combination of a
492 fine and restitution of not more than forty thousand dollars for failure
493 to comply with an order of the authority made in accordance with the
494 provisions of section 16-19 or 16-247k or within thirty days of such
495 order or within any specific time period for compliance specified in
496 such order. Each distinct violation of any such provision of this title,
497 order or regulation shall be a separate offense and, in case of a
498 continued violation, each day thereof shall be deemed a separate
499 offense. Each such penalty and any interest charged pursuant to
500 subsection (g) or (h) of section 16-49 shall be excluded from operating
501 expenses for purposes of rate-making.

502 Sec. 4. Subsection (j) of section 16-245 of the general statutes is
503 repealed and the following is substituted in lieu thereof (*Effective from*
504 *passage*):

505 (j) No license may be transferred or customers assigned or
506 transferred without the prior approval of the authority. The authority
507 may assess additional licensing fees to pay the administrative costs of
508 reviewing a request for such transfer.

509 Sec. 5. Subdivision (8) of subsection (h) of section 16-245o of the
510 general statutes is repealed and the following is substituted in lieu
511 thereof (*Effective from passage*):

512 (8) An electric supplier shall not make a material change in the
513 terms or duration of any contract for the provision of electric
514 generation services by an electric supplier without the express consent
515 of the customer. (A) An electric supplier may renew a contract with a
516 residential customer, subject to the requirements of this subparagraph.
517 An electric supplier shall clearly inform a residential customer, in
518 writing, not less than thirty days or more than sixty days before the
519 renewal date, of the renewal terms, including a summary of any new
520 or altered terms, including, but not limited to, the current rate and the
521 new rate, and of the option not to accept the renewal offer. The
522 contract may only be renewed if the residential customer affirmatively
523 and expressly consents to the renewal by providing either a written or
524 electronic signature, provided no fee pursuant to subdivision (7) of this
525 subsection shall be charged to a residential customer who terminates
526 or cancels such renewal within the first two billing cycles of the
527 renewed contract. If the residential customer does not affirmatively
528 and expressly consent to the renewal by providing either a written or
529 electronic signature, the residential customer shall be placed on the
530 standard service provided pursuant to section 16-244c at the expiration
531 of the residential customer's current contract with an electric supplier
532 for the provision of electric generation services. (B) Nothing in this
533 subdivision shall restrict an electric supplier from renewing a contract
534 with a customer who is not a residential customer by clearly informing
535 the customer, in writing, not less than thirty days or more than sixty
536 days before the renewal date, of the renewal terms, including a
537 summary of any new or altered terms, and of the option not to accept
538 the renewal offer, provided no fee pursuant to subdivision (7) of this
539 subsection shall be charged to a customer who terminates or cancels
540 such renewal within the first two billing cycles of the renewed
541 contract.

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

Proposed Substitute Bill No. 7155

Sec. 3	<i>from passage</i>	16-41(a)
Sec. 4	<i>from passage</i>	16-245(j)
Sec. 5	<i>from passage</i>	16-245o(h)(8)