

Legislative History for Connecticut Act

PA 17-35

SB899

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Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2017**

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4475 – 4935**

nh
HOUSE OF REPRESENTATIVES

27
May 25, 2017

Senate Bill 906, as amended by Senate "A" in
concurrence with the Senate.

Total number Voting	141
Necessary for Passage	71
Those voting Yea	130
Those voting Nay	11
Those absent and not Voting	10

DEPUTY SPEAKER MORRIS (140TH):

The bill as amended is passed in concurrence
with the Senate is passed. (Gavel) Will the clerk
please call Calendar No. 474?

CLERK:

On Page 31, Calendar 474, Senate Bill No. 899,
AN ACT CONCERNING PUBLIC UTILITIES REGULATORY
AUTHORITY ADMINISTRATIVE HEARINGS FOR PURCHASED GAS
ADJUSTMENTS, ENERGY ADJUSTMENT CHARGES OR CREDITS
AND TRANSMISSION RATES. Favorable report of the
Joint Standing Committee on Energy and Technology.

DEPUTY SPEAKER MORRIS (140TH):

Representative Reed of the 102nd.

REP. REED (102ND):

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Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's favorable report in concurrence with the Senate and passage of the bill.
DEPUTY SPEAKER MORRIS (140TH):

The question before the Chamber is on acceptance of the Joint Committee's favorable report and passage of the bill. Representative Reed, you have the floor madam.

REP. REED (102ND):

Thank you, Mr. Speaker. The clerk has in his possession an amendment, LCO 6248, Senate "A". I request that he be asked to call it and that I'd be allowed to summarize.

DEPUTY SPEAKER MORRIS (140TH):

We don't have a Senate amendment on that? Do we have a House amendment? House to stand at ease.

REP. REED (102ND):

Mr. Speaker, I stand corrected. Apparently, there was no amendment.

DEPUTY SPEAKER MORRIS (140TH):

Excuse me, madam. The House will come back to order. Madam, you may proceed.

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REP. REED (102ND):

Thank you, Mr. Speaker. So, I stand corrected. Apparently, there was no amendment. So, I request permission to summarize?

DEPUTY SPEAKER MORRIS (140TH):

So, what you mean, madam, is there is no called amendment?

REP. REED (102ND):

Correct.

DEPUTY SPEAKER MORRIS (140TH):

Correct.

REP. REED (102ND):

So, I'm going to summarize the bill if that meets with your approval Mr. Speaker.

DEPUTY SPEAKER MORRIS (140TH):

Thank you, madam.

REP. REED (102ND):

Thank you. So essentially this bill is part of Pure's efforts to streamline the processes, their processes, to save money for rate payers. This particular one involves a periodic rate review process. It usually involves implementing

adjustments that have already been reviewed, and what they want to is instead of doing a full-on public hearing and mandating that, they want that to be discretionary for non-contested issues. It's costly and time consuming. It clearly is a use of staffs that could apply elsewhere. You know, all the things that we're trying to do to streamline our agencies and to make them more productive for everyone, and essentially that's what this bill does, and I move adoption for passage.

DEPUTY SPEAKER MORRIS (140TH):

Thank you, madam. Will you remark further on this bill? Representative Hoydick of the 120th district.

REP. HOYDICK (120TH):

Thank you, Mr. Speaker. I concur with the gentle chairwoman of energy that this is a good bill. It's a consumer protection bill, and as my colleagues were commenting actually the name of the bill is exactly what it does which is fairly unusual for us in this Chamber, but what this bill will do is it will save rate payers money. It will reduce

administrative expenses and time and be more efficient. If something is questioned or there is a hearing that is necessary, Pure will call it, otherwise they will go through the administrative process.

I urge my colleagues to support this. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORRIS (140TH):

Thank you, madam. Will you remark further on this bill? Will you remark further on this bill? If not, will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open. (Ringing)

CLERK:

The House of Representatives is voting by roll.

Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER MORRIS (140TH):

Have all the members voted? Have all the members voted? Will the members please check--one more, okay. Will the members please check the board

to determine if your vote has been properly cast?

If all the members have voted, the machine will be locked and the clerk will take a tally. The clerk will please announce the tally.

CLERK:

Senate Bill 899.

Total number Voting	144
Necessary for Passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not Voting	7

DEPUTY SPEAKER MORRIS (140TH):

The bill passes. (Gavel) Will the clerk please call Calendar No. 524? Clerk, please hold a moment. Representative Srinivasan, for what purpose do you rise sir?

REP. SRINIVASAN (31ST):

Thank you, Mr. Speaker. I rise for the purpose of requesting my vote to be counted in the affirmative on Senate Bill 906.

DEPUTY SPEAKER MORRIS (140TH):

The transcript will be so noted.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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Senate

May 3, 2017

to be certified by the Department of Public Health. It also makes a number of other changes regarding lead and asbestos. The Department of Public Health came to our Committee asking for these changes, mainly because there was not and is not currently but hopefully, this bill will correct that consistency in the quality and also in the certification of these kinds of providers. Very often, they will prey on people, explain that they are certified or have other qualifications. The department realized that there is a need for consistency here and to upgrade and make appropriate the regulation oversight that they have on these particular providers. I urge the Chamber to adopt and vote passage of the bill. Thank you.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? I'm seeing none, Senator Gerratana.

SENATOR GERRATANA (6TH):

Madam President, if there is no objection, I would like this item placed on our Consent Calendar.

THE CHAIR:

I'm seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

On page 16, Calendar 180, Senate Bill No. 899, AN ACT CONCERNING PUBLIC UTILITIES REGULATORY AUTHORITY ADMINISTRATIVE HEARINGS FOR PURCHASED GAS

aa
Senate

May 3, 2017

ADJUSTMENTS, ENERGY ADJUSTMENT CHARGES, OR CREDITS
AND TRANSMISSION RATES.

THE CHAIR:

Senator Winfield. Good afternoon again, sir.

SENATOR WINFIELD (10TH):

Yes, thank you and good afternoon, Madam President.
I move acceptance of the Joint Committee's favorable
report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you
remark, sir?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. This is a bill
that comes to us through the Energy and Technology
Committee. It comes to us on a 24-0 vote. What the
bill does is it takes the process the [inaudible -
00:51:34.6] it currently goes through that's
mandatory in terms of its hearings when there's a
rate adjustment and it makes that a process that is
not mandatory, although it also adds into the bill
that upon request of anyone the hearings would
happen it reduces cost and streamlines the process,
and I urge passage.

THE CHAIR:

Thank you. Will you remark further? Senator
Formica. Good afternoon, sir.

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SENATOR FORMICA (20TH):

I rise in support of the bill. It's a good bill and makes a great adjustment to the process. Thank you.

THE CHAIR:

Will you remark further? Will you remark further?
If not, Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you again, Madam President. If there's no objection, I ask that this be placed on the Consent Calendar.

THE CHAIR:

I'm seeing no objections, so ordered, sir. Mr. Clerk.

THE CLERK:

Page 16, Calendar 181, Substitute for Senate Bill No. 900, AN ACT CONCERNING MINOR REVISIONS TO ELECTRIC SUPPLIER COMPLIANCE REQUIREMENTS REGARDING ENVIRONMENTAL LAWS, RENEWABLE PORTFOLIO STANDARDS, AND ADVERTISING AND CONTRACT PROVISIONS, AND THE PUBLIC UTILITIES REGULATORY AUTHORITY'S REPORTING OF ELECTRIC RATES.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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May 3, 2017

Thank you, Madam President. Madam President, that is our last bill for the moment. If the clerk can call the bills for a vote on the Consent Calendar please?

THE CHAIR:

Mr. Clerk. Clerk, first we're gonna call a list of bills on the Consent Calendar and then a vote please.

THE CLERK:

Page 2, Calendar 80, Senate Bill 804. Page 3, Calendar 88, Senate Bill 548. Page 5, Calendar 100, Senate Bill 616. Page 13, Calendar 166, Senate Bill No. 908. Page 14, Calendar 172, Senate Bill 937. Page 16, Calendar 180, Senate Bill 899. Page 16, Calendar 181, Senate Bill 900. Page 17, Calendar 192, Senate Bill 936. Page 26, Calendar 248, Senate Bill 844. Page 29, Calendar 275, Senate Bill 910. Page 30, Calendar 279, Senate Bill 953. Page 37, Calendar 320, Senate Bill 976. Also, on page 37, Calendar 321, Senate Bill 993. On page 38, Calendar 330, Senate Bill 444. Page 40, Calendar 337, Senate Bill 888. Page 40, Calendar 338, Senate Bill 930. Also, on page 40, Calendar 339, Senate Bill 982. On 41, Calendar 341, Senate Bill 1032. On page 44, Calendar 358, Senate Bill 1003 and on page 45, Calendar 365, House Bill 7254.

THE CHAIR:

Mr. Clerk, will you please call for a roll call vote on the Consent Calendar?

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THE CLERK:

Immediate roll call has been ordered in the Senate on today's Consent Calendar. Immediate roll call on today's Consent Calendar has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk, will you please call the tally?

THE CLERK:

On today's Consent Calendar.

Total number Voting	34
Those voting Yea	34
Those voting Nay	0
Absent not Voting	2

THE CHAIR:

Consent Calendar is adopted. (Gavel).

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for the purposes of a marking please?

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

**JOINT
STANDING
COMMITTEE
HEARINGS**

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stakeholder process to amend or expand renewable energy opportunities while maintaining the appropriate balance between Connecticut's energy, environmental and economic goals.

Finally regarding proposed **SB 106, AN ACT CONCERNING ZERO-CARBON ELECTRIC GENERATING FACILITIES AND ACHIEVING CONNECTICUT'S GREENHOUSE GAS EMISSIONS MANDATED LEVELS**, UIL fully recognizes the value that zero-carbon electric generating facilities provide to our state and the region but is concerned with certain aspects of the proposed bill. It is indisputable that Millstone Power Station provides Connecticut with affordable and reliable power while helping to reduce greenhouse gas emissions. What isn't as clear is whether Millstone, or other existing facilities who are currently receiving revenues in the competitive markets, needs additional financial support. Consistent with our past position, UIL remains concerned about the impact that these above-market payments will have on ratepayers and the negative effects that a long term obligation and financial liability would have on the utility. UIL believes that if a mechanism to provide additional financial support for zero-carbon generating facilities is warranted, a rate mechanism or other regulatory solution can be utilized to achieve the goals of this proposed bill through a collaborative process involving UIL and other stakeholders.

Thank you for your consideration of this matter, I would be happy to answer any questions that you may have.



Testimony of Environment Connecticut State Director Chris Phelps
Before the Connecticut General Assembly Energy and Technology Committee

February 7, 2017

Opposing Proposed Senate Bill 412, AA RESTRICTING THE USE OF INCENTIVES FOR THE DEVELOPMENT OF SOLAR ARRAYS ON AGRICULTURAL LAND.

Senator Winfield, Senator Formica, Representative Reed, and members of the Energy & Technology Committee, my name is Chris Phelps and I am State Director for Environment Connecticut. We are a member-supported nonprofit advocate for clean air, clean water, and conservation of our natural landscapes. I thank you for the opportunity to submit these comments **opposing** Proposed Senate Bill 412.

Environment Connecticut opposes SB 412. While we appreciate that its proponents may be motivated by a well-intentioned desire to preserve farmland from development, by singling out solar power, but not other energy technologies or forms of development, for exclusion from development on agricultural land, the bill inappropriately hamstringing renewable energy development and could actually hinder a farmer's ability to continue working their land. This bill would prohibit solar development that received unspecified "incentives" from being built on agricultural land.

Connecticut policy makers have a bad habit of unnecessarily blocking development of renewable energy in reaction to concerns that could be addressed by more appropriate methods that allow for development of new renewable resources in a manner compatible with other policy goals. (Such as preservation of agricultural lands.) An example of such poorly-conceived policies happened a number of years ago when the legislature reacted to the first proposed utility-scale wind energy development in Connecticut by imposing a moratorium on new wind power in the state that remained in effect for a number of years.

Another example is the sorry saga of "shared" renewable energy policy in Connecticut. In 2015 the legislature enacted a bill directing the Department of Energy and Environmental Protection to establish a small, limited six megawatt capacity pilot program for shared (known in some jurisdictions as "community") renewable projects to incentivize development of larger scale renewable generation that could benefit those residential and commercial electric ratepayers who are otherwise unable to directly benefit from renewable technology such as rooftop solar. Unfortunately, the Department dragged its

feet and failed to implement the pilot program on the timeline established by the legislature. As a result, in 2016 the legislature enacted additional legislation once again directing DEEP to implement a shared renewable pilot program. Amazingly, just this past week, the DEEP once again failed to move forward with the shared renewable pilot and instead issued its third RFP for the program. As a result of this foot-dragging over the course of two years, Connecticut has failed to get even the very small-scale shared renewables program off the ground to help grow solar and other renewables in our state. Meanwhile, similar policies in other states have resulted in hundreds of megawatts of renewables, solar in particular, being built, creating jobs, cutting pollution, and providing affordable zero-carbon renewable energy to homeowners and businesses.

If enacted, the proposal in SB 412 would be another example of Connecticut policy makers allowing our state to fall behind in the race to achieve a clean, renewable, affordable energy future. It does so by discouraging solar energy, but not other forms of development, on "agricultural land."

Environment Connecticut does believe that Connecticut policy makers should look to establish policies that minimize loss of productive farmland to development. Often, owners of such land are faced with a dilemma in which it is no longer economically viable to farm the land. In many places around the country, farmers and ranchers are turning to partnerships with renewable energy developers to utilize a portion of their agricultural lands for renewable energy production, generating revenue for the landowner that enables them to continue working the remainder of their land. Such arrangements can be a win-win for both the goal of renewable energy development and farmland preservation. Unfortunately, SB 412 would hamstring the ability of landowners to adopt such strategies, and develop solar on even a portion of their land. The result could be to tilt the playing field towards further loss of Connecticut farmland to housing and commercial development.

Environment Connecticut urges the committee to reject Proposed Bill 412.

Sincerely,

Chris Phelps
Environment Connecticut State Director
2074 Park St. #210
Hartford, CT 06106
860-231-8842



78 Beaver Road, Suite 2A, Wethersfield CT
06109-2201

February 7, 2017

Submitted by: Henry N. Talmage, Executive Director, Connecticut Farm Bureau Association, a statewide nonprofit membership organization representing 4,000 families dedicated to farming and the future of Connecticut agriculture.

Senator Winfield, Senator Formica, Representative Reed and members of the Energy and Technology Committee,

Testimony in support of:

Proposed Senate Bill No. 412 AN ACT RESTRICTING THE USE OF INCENTIVES FOR THE DEVELOPMENT OF SOLAR ARRAYS ON AGRICULTURAL LAND.

The Connecticut Farm Bureau supports the intent of Senate Bill No. 412 AN ACT RESTRICTING THE USE OF INCENTIVES FOR THE DEVELOPMENT OF SOLAR ARRAYS ON AGRICULTURAL LAND. This is a complicated issue. On one hand the Connecticut Farm Bureau supports on-farm energy development and the use of agricultural virtual net metering to lower production costs and to provide additional revenue to operating farms. On the other hand we are concerned with the rate at which productive farmland is being converted to large-scale solar projects, often replacing farming operations. At the State Annual Meeting of the CT Farm Bureau in November our voting delegates passed a policy resolution containing the following language. "We do not support the use of economic incentives for the development of solar projects on prime and important farmland." Therefore we recommend Senate Bill No. 412 be amended to change "agricultural land" to "prime and important farmland as designated by the USDA Natural Resource Conservation Service". This change would remove incentives to convert our most productive farmland and allow solar projects on the less productive land contained on farms while still enabling many farmers to benefit from on-farm solar energy projects.

The Voice of Connecticut Agriculture

PUBLIC HEARING

Connecticut municipal electric utility companies including Norwich Public Utilities, Groton Utilities, Bozrah Light and Power, South Norwalk Electric and Water and the Third Taxing District of East Norwalk, and the Jewett City Department of Public Utilities. CMEEC has an estimated customer base of 70,000, many of which are distressed communities.

Over the last four months, over 100 articles have been written by the local papers who have uncovered details about the misuse of funds, lack of transparency, and the questionable conduct by CMEEC management and the board members that rises to the level of grave concern. Again, CMEEC is owned by the municipal electric utility companies and the board members are all from the utility companies.

Derbygate, as it has become known, involved the expenditure of hundreds of thousands of dollars through CMEEC for its staff, board members, friends, parents and others to attend what would be charitable to call a junket to the Kentucky Derby, to the Greenbrier Resort - a famous resort in Virginia. There is now an investigation by the FBI along with several ethic inquiries into this behavior. My concern, which I have raised with CMEEC officials, is the money used to fund these trips comes from what is called *Margin*. In this case, *Margin* is rate-payer dollars that has not been returned to the rate payers.

CMEEC has paid for four Derby trips and this last one included a chartered jet, first-class accommodations, food and beverages, box seats to watch the race; all under the notion of this being a business retreat, yet there is no evidence of any

business being occurred. No meeting, no agenda, and no minutes. And only eight of the nearly 44 people who attended had anything to do with CMEEC. The last trip cost nearly \$350,000 dollars. Thankfully, after the paper started their investigation, CMEEC cancelled their trip for 2017.

To most observers, this is an outrageous betrayal of the public trust. For better clarity, I've requested through an FOI submission to see CMEEC's budget from 2013 to present and I attached a 2013 ruling from the Attorney General, George Jepsen, stating that CMEEC was subject to FOI. In addition, I requested invoices from CMEEC to each member utility. To date, I have not received the budget from CMEEC and I have not received any of the invoices from CMEEC to the member utilities.

In a meeting with CMEEC, I was told I would get the budget but it would be redacted. Luckily for me, I was able to get my hands on the CMEEC budget through a municipality who had left CMEEC due to their high cost and overhead. Upon receipt and review of the CMEEC budget, it is clear that more questions come to light. One very interesting observation was noted on the invoices that I received. When asked about this charge, CMEEC confirmed it was a charge that was added under a new purchase-power agreement in 2013 that all members signed onto and thought it was a good idea.

This charge, which is listed as a, "supplier charge," adds one dollar to every megawatt to the member's bill. This money is then funneled into Margin and then distributed to the individual municipal electric utility companies. The municipal electric companies can choose where to put