



General Assembly

January Session, 2023

Raised Bill No. 1100

LCO No. 4164



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING TECHNICAL REVISIONS TO THE ENERGY STATUTES.

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

1 Section 1. Subsection (k) of section 16-245 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2023*):

4 (k) Any licensee who fails to comply with a license condition or who
5 violates any provision of this section, except for the renewable portfolio
6 standards contained in subsection (g) of this section, shall be subject to
7 civil penalties by the Public Utilities Regulatory Authority in accordance
8 with section 16-41, including direction that a portion of the civil penalty
9 be paid to a nonprofit agency engaged in energy assistance programs
10 named by the authority in its decision or notice of violation, the
11 suspension or revocation of such license and a prohibition on accepting
12 new customers following a hearing that is conducted as a contested case
13 in accordance with chapter 54. Notwithstanding the provisions of
14 subsection (b) of section 16-244c regarding an alternative transitional
15 standard offer option or an alternative standard service option, the

16 authority shall require a payment by a licensee that fails to comply with
17 the renewable portfolio standards in accordance with subdivision (4) of
18 subsection (g) of this section in the amount of: (1) For calendar years up
19 to and including calendar year 2017, five and one-half cents per kilowatt
20 hour, (2) for calendar years commencing on January 1, 2018, and up to
21 and including the calendar year commencing on January 1, 2020, five
22 and one-half cents per kilowatt hour if the licensee fails to comply with
23 the renewable portfolio standards during the subject annual period for
24 Class I renewable energy sources, and two and one-half cents per
25 kilowatt hour if the licensee fails to comply with the renewable portfolio
26 standards during the subject annual period for Class II renewable
27 energy sources, and (3) for calendar years commencing on and after
28 January 1, 2021, four cents per kilowatt hour if the licensee fails to
29 comply with the renewable portfolio standards during the subject
30 annual period for Class I renewable energy sources, and two and one-
31 half cents per kilowatt hour if the licensee fails to comply with the
32 renewable portfolio standards during the subject annual period for
33 Class II renewable energy sources. On or before December 31, 2013, the
34 authority shall issue a decision, following an uncontested proceeding,
35 on whether any licensee has failed to comply with the renewable
36 portfolio standards for calendar years up to and including 2012, for
37 which a decision has not already been issued. On and after June 5, 2013,
38 the Public Utilities Regulatory Authority shall annually conduct an
39 uncontested proceeding in order to determine whether any licensee has
40 failed to comply with the renewable portfolio standards during the
41 preceding year. Not later than December 31, 2014, and annually
42 thereafter, the authority shall, following such proceeding, issue a
43 decision as to whether the licensee has failed to comply with the
44 renewable portfolio standards during the preceding year. The authority
45 shall allocate such payment to the Clean Energy Fund for the
46 development of Class I renewable energy sources, provided, on and
47 after June 5, 2013, any such payment shall be refunded to ratepayers by
48 using such payment to offset the costs to all customers of electric
49 distribution companies of the costs of contracts and tariffs entered into
50 pursuant to sections 16-244r, 16-244t and [section] 16-244z, except that,

51 on and after January 1, 2023, any such payment that is attributable to a
52 failure to comply with the Class II renewable portfolio standards shall
53 be deposited in the sustainable materials management account
54 established pursuant to section 16-244bb. Any excess amount remaining
55 from such payment shall be applied to reduce the costs of contracts
56 entered into pursuant to subdivision (2) of subsection (j) of section 16-
57 244c, and if any excess amount remains, such amount shall be applied
58 to reduce costs collected through nonbypassable, federally mandated
59 congestion charges, as defined in section 16-1.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	16-245(k)

Statement of Purpose:

To make technical corrections to statutory provisions concerning energy.

[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.]