



General Assembly

January Session, 2025

Raised Bill No. 1354

LCO No. 5016



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT PROHIBITING MERGERS OF CERTAIN UTILITY COMPANIES.

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

1 Section 1. Subsection (d) of Section 16-47 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

4 (d) (1) (A) The Public Utilities Regulatory Authority shall investigate
5 and hold a public hearing on the question of granting its approval with
6 respect to any application made under subdivision (1) of subsection (b)
7 of this section or subdivision (1) of subsection (c) of this section and
8 thereafter may approve or disapprove any such application in whole or
9 in part and upon such terms and conditions as it deems necessary or
10 appropriate. In connection with its investigation, the authority may
11 request the views of the gas company, electric distribution company,
12 water company, telephone company, community antenna television
13 company or holding company which is the subject of the application
14 with respect to the proposed acquisition.

15 (B) After the filing of an application satisfying the requirements of

16 such regulations as the authority may adopt in accordance with the
17 provisions of chapter 54, but not later than thirty business days after the
18 filing of such application, the authority shall give prompt notice of the
19 public hearing to the [person required to file the application] applicant
20 and to the subject company or holding company. Such hearing shall be
21 commenced as promptly as practicable after the filing of the application,
22 but not later than sixty business days after [the] such filing.

23 (C) The authority shall make its determination as soon as practicable,
24 but not later than two hundred days after the filing of the application,
25 unless the [person required to file the application] applicant agrees to
26 an extension of time or the authority extends the time as provided in
27 this subsection. The authority may extend the time period for making
28 its determination by not more than thirty days if, before the end of such
29 time period, the authority notifies all parties and intervenors to the
30 proceedings of such extension.

31 (D) The authority may, in its discretion, grant the subject company,
32 certificate holder, provider or holding company the opportunity to
33 participate in the hearing by presenting evidence and oral and written
34 argument.

35 (E) If the authority fails to give notice of its determination to hold a
36 hearing, commence the hearing, or render its determination after the
37 hearing within the time limits specified in this subdivision, the
38 proposed acquisition shall be deemed approved, except no such
39 proposed acquisition shall be deemed approved pursuant to this
40 subparagraph if the applicant (i) seeks approval to control a gas
41 company or electric distribution company, or a holding company
42 thereof, and (ii) already controls a gas company or electric distribution
43 company, or a holding company thereof, in the state.

44 (F) In each proceeding on a written application submitted under said
45 subdivision (1) of subsection (b) of this section or subdivision (1) of
46 subsection (c) of this section, the authority shall, in a manner [which]

47 that treats all parties to the proceeding on an equal basis, take into
48 consideration [(1)] (i) the financial, technological and managerial
49 suitability and responsibility of the applicant, [(2)] (ii) the ability of the
50 gas company, electric distribution company, water company, telephone
51 company, community antenna television company or holding company
52 which is the subject of the application to provide safe, adequate and
53 reliable service to the public through the company's plant, equipment
54 and manner of operation if the application were to be approved, and
55 [(3)] (iii) for an application concerning a telephone company, the effect
56 of approval on the location and accessibility of management and
57 operations and on the proportion and number of state resident
58 employees.

59 (G) The authority shall only grant its approval of an application filed
60 on or after January 1, 2021, made under subdivision (1) of subsection (c)
61 of this section, if the holding company [effects] implements a change in
62 the composition of the board of directors to include a proportional
63 percentage of Connecticut-based directors equivalent to the percentage
64 that Connecticut service areas represent of the total service areas
65 covered by the holding company.

66 (H) On and after October 1, 2025, the authority shall not approve any
67 application made pursuant to subdivision (1) of subsection (c) of this
68 section if the applicant seeking approval to control a gas company or
69 electric distribution company, or a holding company thereof, already
70 controls a gas company or electric distribution company, or a holding
71 company thereof, in the state.

72 (2) (A) The Public Utilities Regulatory Authority shall investigate and
73 hold a public hearing on the question of granting its approval with
74 respect to any application made under subdivision (2) of subsection (b)
75 of this section or subdivision (2) of subsection (c) of this section and
76 thereafter may approve or disapprove any such application in whole or
77 in part and upon such terms and conditions as it deems necessary or
78 appropriate. In connection with its investigation, the authority may

79 request the views of the subject certificate holder, provider or holding
80 company which is the subject of the application with respect to the
81 proposed acquisition.

82 (B) After the filing of an application satisfying the requirements of
83 such regulations as the authority may adopt in accordance with the
84 provisions of chapter 54, but not later than thirty business days after the
85 filing of such application, the authority shall give prompt notice of the
86 public hearing to the [person required to file the application] applicant
87 and to the subject certificate holder, provider or holding company. Such
88 hearing shall be commenced as promptly as practicable after the filing
89 of the application, but not later than sixty business days after [the] such
90 filing. [, and the]

91 (C) The authority shall make its determination as soon as practicable,
92 but not later than one hundred eighty days after the filing of the
93 application [,] unless the [person required to file the application]
94 applicant agrees to an extension of time or the authority extends the time
95 as provided in this subsection. The authority may extend the time
96 period for making its determination by not more than thirty days if,
97 before the end of such period, the authority notifies all parties and
98 intervenors to the proceedings of such extension, provided only one
99 such extension may be noticed by the authority. [Such authority-noticed
100 extension may only occur once.]

101 (D) The authority shall, upon request of the certificate holder,
102 provider or holding company, grant the subject company or holding
103 company the opportunity to participate in the hearing by presenting
104 evidence and oral and written argument.

105 (E) If the authority fails to give notice of its determination to hold a
106 hearing, commence the hearing or render its determination after the
107 hearing within the time limits specified in this subdivision, the
108 proposed acquisition shall be deemed approved.

109 (F) In each proceeding on a written application submitted under said

110 subdivision (2) of subsection (b) of this section or subdivision (2) of
111 subsection (c) of this section, the scope of review for the authority shall
112 be limited to [(A)] (i) the financial, technological and managerial
113 suitability and responsibility of the applicant, and [(B)] (ii) the legal,
114 financial and technical ability of the holder of a certificate of cable
115 franchise authority pursuant to section 16-331p, certified
116 telecommunications provider, certified competitive video service
117 provider or holding company which is the subject of the application to
118 provide safe, adequate and reliable service subject to the authority's
119 regulation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	16-47(d)

Statement of Purpose:

To prohibit mergers of certain utility companies.

[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.]