



House of Representatives

General Assembly

File No. 439

February Session, 2026

Substitute House Bill No. 5551

House of Representatives, April 7, 2026

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING PROCEEDINGS OF THE SITING COUNCIL
AND OTHER REQUIREMENTS CONCERNING CERTAIN UTILITY
EXPENDITURES.***

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

1 Section 1. Section 16-50j of the 2026 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2026*):

4 (a) There is established the Connecticut Siting Council, hereinafter
5 referred to in this chapter as the "council", which shall be within the
6 Department of Energy and Environmental Protection for administrative
7 purposes only.

8 (b) (1) Except as provided in subsection (c) of this section, the council
9 shall consist of: [(1)] (A) The Commissioner of Energy and
10 Environmental Protection, or the commissioner's designee; [(2)] (B) the
11 chairperson of the Public Utilities Regulatory Authority, or the
12 chairperson's designee; [(3)] (C) one designee of the speaker of the

13 House [and] of Representatives; (D) one designee of the president pro
14 tempore of the Senate; and [(4)] (E) five public members, to be appointed
15 by the Governor, [at least] two or more of whom shall be experienced in
16 the field of ecology, and all five of whom shall, consistent with the
17 provisions of section 4-9a, have no substantial financial interest in, not
18 be employed in or by, and not be professionally affiliated with any [(A)]
19 (i) utility, [(B)] (ii) facility, [(C)] (iii) hazardous waste facility, as defined
20 in section 22a-115, or [(D)] (iv) ash residue disposal area, and shall have
21 had no professional affiliation with any such utility, facility, hazardous
22 waste facility or ash residue disposal area for three or more years
23 immediately preceding such public member's appointment to the
24 council.

25 (2) The council shall commence no proceeding, including any
26 meeting or public hearing of the council, without the participation of (A)
27 the Commissioner of Energy and Environmental Protection, the
28 commissioner's designee or an alternate designee of the commissioner,
29 and (B) the chairperson of the Public Utilities Regulatory Authority, the
30 chairperson's designee or an alternate designee of the chairperson.

31 (c) (1) For proceedings under chapter 445, the council shall consist of
32 [(1)] (A) the [Commissioners] Commissioner of Public Health, [and] or
33 the commissioner's designee; (B) the Commissioner of Emergency
34 Services and Public Protection, or [their designated representatives; (2)]
35 the commissioner's designee; (C) the designees of the speaker of the
36 House of Representatives and the president pro tempore of the Senate
37 as provided in subsection (b) of this section; [(3)] (D) the five public
38 members as provided in subsection (b) of this section; and [(4)] (E) four
39 ad hoc members, appointed by the chief elected official of the
40 municipality each such member represents, three of whom shall be
41 electors from the municipality in which the proposed facility is to be
42 located and one of whom shall be an elector from a neighboring
43 municipality likely to be most affected by the proposed facility.

44 (2) For all other proceedings, the council shall consist of one
45 additional ad hoc member appointed by the regional council of

46 governments for the planning region, as defined in section 4-124i, in
47 which the proposed facility is to be located.

48 (d) For the appointment of ad hoc members in accordance with
49 subdivision (1) of subsection (c) of this section, the municipality most
50 affected by the proposed facility shall be determined by the permanent
51 members of the council. If any one of the five public members or of the
52 designees of the speaker of the House of Representatives or the
53 president pro tempore of the Senate resides (1) in the municipality in
54 which a hazardous waste facility is proposed to be located for a
55 proceeding concerning a hazardous waste facility or in which a low-
56 level radioactive waste facility is proposed to be located for a proceeding
57 concerning a low-level radioactive waste facility, or (2) in the
58 neighboring municipality likely to be most affected by the proposed
59 facility, the appointing authority shall appoint a substitute member for
60 the proceedings on such proposal. If any [appointee] member appointed
61 to the council is unable to perform such [appointee's] member's duties
62 on the council due to illness, or has a substantial financial or
63 employment interest [which is in conflict] that conflicts with the proper
64 discharge of the [appointee's] member's duties under this chapter, the
65 appointing authority shall appoint a substitute member for proceedings
66 on such proposal. An [appointee] appointed member shall report any
67 substantial financial or employment interest [which] that might conflict
68 with the proper discharge of the [appointee's] member's duties under
69 this chapter to the appointing authority, [who] and the appointing
70 authority shall determine if any such conflict exists. If [any] a state
71 agency is the applicant, an [appointee] appointed member shall not be
72 deemed to have a substantial employment conflict of interest because of
73 employment with the state unless such [appointee] member is directly
74 employed by the state agency making the application. [Ad] Any ad hoc
75 [members] member appointed pursuant to the provisions of this section
76 shall continue their membership until the council issues a letter of
77 completion of the development and management plan to the applicant.

78 (e) The chairperson of the council shall be appointed by the Governor
79 from among the five public members appointed by the Governor, with

80 the advice and consent of the House or Senate, and shall serve as
81 chairperson at the pleasure of the Governor.

82 (f) The public members of the council, including the chairperson, the
83 members appointed by the speaker of the House and president pro
84 tempore of the Senate and the [four] ad hoc members specified in
85 subsection (c) of this section, shall be compensated for their attendance
86 at public hearings, executive sessions, or other council business as may
87 require their attendance at the rate of two hundred dollars, provided in
88 no case shall the daily compensation exceed two hundred dollars.

89 (g) The council shall employ such employees as may be necessary to
90 carry out the provisions of this chapter, and such employees shall, in the
91 aggregate, have sufficient expertise in engineering and financial
92 analysis to carry out the provisions of this chapter, provided the council
93 shall employ at least one employee dedicated to facilitating the
94 engagement of interested parties in a proceeding and providing a plain
95 language summary of proceedings.

96 (h) The council shall, in addition to its other duties prescribed in this
97 chapter, adopt, amend, or rescind [suitable] regulations, in accordance
98 with the provisions of chapter 54, to carry out the provisions of this
99 chapter and the policies and practices of the council in connection
100 therewith, and appoint and prescribe the duties of such staff as may be
101 necessary to carry out the provisions of this chapter. The chairperson of
102 the council, with the consent of five or more other members of the
103 council, may appoint an executive director, who shall be the chief
104 administrative officer of the Connecticut Siting Council. The executive
105 director shall be exempt from classified service.

106 (i) Prior to commencing any hearing pursuant to section 16-50m, the
107 council shall consult with and solicit written comments from (1) the
108 [Departments] Commissioners of Energy and Environmental
109 Protection, Public Health, Agriculture, Economic and Community
110 Development and Transportation and the Council on Environmental
111 Quality, the Public Utilities Regulatory Authority, the Secretary of the
112 Office of Policy and Management and the [Office of] Consumer Counsel,

113 and (2) in a hearing pursuant to section 16-50m, for a facility described
114 in subdivision (3) of subsection (a) of section 16-50i, the [Department]
115 Commissioner of Emergency Services and Public Protection, the
116 [Department] Commissioner of Administrative Services, the Labor
117 [Department] Commissioner and the [Office of] Consumer Counsel.
118 Copies of any such comments submitted pursuant to this subsection
119 shall be made available to all parties to the proceeding prior to the
120 commencement of the hearing. [Subsequent to] After the
121 commencement of the hearing, said [departments] commissioners,
122 [Council on Environmental Quality] council, authority, secretary and
123 [offices] counsel may file additional written comments with the
124 Connecticut Siting Council [within such period of time as the] not later
125 than a date set by the Connecticut Siting Council. [designates. All] Any
126 such written [comments] comment shall be made part of the record for
127 the proceeding, as provided in section 16-50o. Said [departments]
128 commissioners, [Council on Environmental Quality] council, authority,
129 secretary and [offices] counsel shall not enter any contract or agreement
130 with any party to [the proceedings] a proceeding or [hearings] hearing
131 described in this section or section 16-50p, as amended by this act, that
132 requires said [departments] commissioners, [Council on Environmental
133 Quality] council, authority, secretary or [offices] counsel to withhold or
134 retract comments, or refrain from participating in or withdraw from
135 [said proceedings] any such proceeding or [hearings] hearing.

136 Sec. 2. Section 16-50l of the 2026 supplement to the general statutes is
137 repealed and the following is substituted in lieu thereof (*Effective October*
138 *1, 2026*):

139 (a) To initiate a certification proceeding, an applicant for a certificate
140 shall file with the council an application, in such form as the council may
141 prescribe, accompanied by a filing fee of not more than twenty-five
142 thousand dollars, which fee shall be established in accordance with
143 section 16-50t, and a municipal participation fee of forty thousand
144 dollars, or, if the proposed location of the facility is in more than one
145 municipality, eighty thousand dollars, to be deposited in the account
146 established pursuant to section 16-50bb, except that an application for a

147 facility described in subdivision (5) or (6) of subsection (a) of section 16-
148 50i shall [not] pay no such municipal participation fee. An [application
149 shall contain such] applicant shall submit any information [as the
150 applicant may consider] that the applicant deems relevant to the
151 application, [such] any information that the council or any department
152 or agency of the state exercising environmental [controls] regulatory
153 power may by regulation require, and the following information:

154 (1) In the case of [facilities] a facility described in subdivisions (1), (2)
155 and (4) of subsection (a) of section 16-50i: (A) A description, including
156 estimated costs [,] of the proposed transmission line, substation or
157 switchyard, [covering, where applicable underground] and, as
158 applicable: (i) Underground cable sizes and specifications, (ii) overhead
159 tower design, [and] appearance and heights, [if any,] (iii) conductor
160 sizes, and (iv) initial and ultimate voltages and capacities; (B) a
161 statement and full explanation of why the proposed transmission line,
162 substation or switchyard is necessary and how the facility conforms to
163 a long-range plan for expansion of the electric power grid serving the
164 state and interconnected utility systems, that will serve the public need
165 for adequate, reliable and economic service; (C) a map of suitable scale
166 of the proposed routing or site, showing details of the rights-of-way or
167 site in the vicinity of settled areas, parks, recreational areas and scenic
168 areas, residential areas, private or public schools, child care centers, as
169 described in section 19a-77, group child care homes, as described in
170 section 19a-77, family child care homes, as described in section 19a-77,
171 licensed youth camps, and public playgrounds and showing existing
172 transmission lines within one mile of the proposed route or site; (D) a
173 justification for adoption of the route or site selected, including
174 comparison with alternative routes or sites which are environmentally,
175 technically and economically practical, and, in the case of a proposed
176 repair, upgrade, replacement or enhancement, detailed studies of
177 alternative solutions to repairing existing electric transmission lines; (E)
178 a description of the effect of the proposed transmission line, substation
179 or switchyard on the environment, ecology, and scenic, historic and
180 recreational values; (F) a justification for overhead portions, if any,
181 including life-cycle cost studies comparing overhead alternatives with

182 underground alternatives, and effects described in subparagraph (E) of
183 this subdivision of undergrounding; (G) a schedule of dates showing
184 the proposed program of right-of-way or property acquisition,
185 construction, completion and operation and, in the case of any facility
186 described in subdivision (1) of subsection (a) of section 16-50i, or any
187 modification of such a facility, (i) any appraisal completed by an
188 independent appraiser on behalf of the applicant concerning fair
189 compensation that is to be provided to an owner of real property in
190 connection with the necessity of entering a right-of-way, including any
191 easements or land acquisition, and (ii) for property that the applicant
192 does not own, lease or otherwise have access to, the applicant shall
193 exercise due diligence to seek permission to gain access to such
194 property. [Evidence] An applicant may provide evidence of due
195 diligence [shall be established by the submission of] by submitting: (I)
196 [Certified mail,] A certified letter, with return receipt requested, [letters]
197 sent by the applicant to the owner or owners of record of such property
198 requesting access to the property; and (II) an affidavit from the applicant
199 stating that the applicant was not provided access to the property and,
200 in the absence of permission to access the property, the applicant made
201 visual inspections of the property to document existing conditions from
202 public rights-of-way, existing utility rights-of-way or other accessible
203 properties within or surrounding the proposed facility site; (H) an
204 identification of each federal, state, regional, district and municipal
205 agency with which proposed route or site reviews have been
206 undertaken, including a copy of each written agency position on such
207 route or site; [and] (I) an assessment of the impact of any
208 electromagnetic fields to be produced by the proposed transmission
209 line; (J) data for the preceding two years, by quarter, regarding the
210 earned and authorized return on equity on related projects subject to the
211 jurisdiction of the council; (K) an estimate of the return on investment
212 for the proposed facility that is the subject of such application; and (L)
213 an estimate of the impact of the proposed transmission line, substation
214 or switchyard on regional network service and local network service
215 rates for electric distribution companies, and accompanying
216 calculations, including any underlying assumptions for such estimate .

217 The information provided under subparagraphs (J) to (L), inclusive, of
218 this subdivision shall be used by the council in determining the cost-
219 effectiveness of the project under the provisions of this chapter;

220 (2) In the case of [facilities] a facility described in subdivision (3) of
221 subsection (a) of section 16-50i: (A) A description of the proposed
222 electric generating or storage facility; (B) a statement and full
223 explanation of why the proposed facility is necessary; (C) a statement of
224 forecasted loads and resources, as described in section 16-50r; (D) safety
225 and reliability information, including planned provisions for emergency
226 operations, [and] shutdowns and emergency responses; (E) estimated
227 cost information, including [plant] facility costs, fuel costs, [plant]
228 facility service life and capacity factor, and total generating cost per
229 kilowatt-hour, both at the [plant] facility and related transmission
230 infrastructure, and the comparative costs of [alternatives] generating
231 sources or configurations considered; (F) a schedule showing the
232 program for design, material acquisition, construction and testing, and
233 operating dates; (G) available site information, including maps and
234 description and present and proposed development, and geological,
235 scenic, ecological, seismic, biological, water supply, population and load
236 center data; (H) justification for adoption of the site selected, including
237 a comparison with alternative sites; (I) design information, including a
238 description of facilities, [plant] generating source efficiencies, [electrical]
239 connections to the electrical transmission or distribution system, and
240 control systems; (J) a description of provisions, including devices and
241 operations, for mitigation of the effect of the operation of the facility on
242 air and water quality, for waste disposal, and for noise abatement [.] and
243 information on other environmental aspects of the proposed facility;
244 and (K) a listing of federal, state, regional, district and municipal
245 agencies from which approvals either have been obtained by the
246 applicant or will be sought covering the proposed facility, including
247 copies of approvals received and the planned schedule for obtaining
248 those approvals not yet received; and

249 (3) In addition to the requirements of subdivisions (1) and (2) of this
250 subsection, in the case of [any] a facility described in subdivision (1) of

251 subsection (a) of section 16-50i, or any modification of such a facility: (A)
252 A description of the estimated initial and life-cycle costs for the facility
253 or modification, as applicable, and for each feasible and practical
254 alternative; (B) an estimate of the regionalized and localized costs for the
255 facility or modification, as applicable, and for each feasible and practical
256 alternative, in accordance with the regional independent system
257 operator's procedure for pool-supported pool transmission facilities
258 cost review, or a successor procedure; (C) for any difference between the
259 estimated total costs and estimated localized costs, an analysis of the
260 benefits associated with such cost difference; (D) not later than thirty
261 days after the filing of the application, unless such thirty-day
262 requirement is extended by the council for a showing of good cause by
263 the applicant, a detailed analysis from an independent engineer selected
264 by the council, of any nontransmission alternatives, as defined in section
265 16-50mm, to the proposed facility or proposed modification, as
266 applicable; and (E) (i) for the ten-year period preceding the date of the
267 application, the actual electric loads for existing transmission lines in the
268 area where the proposed [transmission line] facility is to be located, (ii)
269 for the ten-year period following the date of the application, the
270 projected electric load for any proposed transmission line, (iii) for the
271 ten-year period preceding the date of application, the performance of all
272 electric circuits for existing transmission lines in the area where the
273 proposed transmission line is to be located, including a description of
274 all service outages or disruptions, any cause for such outage or
275 disruption and the time required to restore service following such
276 outages or disruptions, and (iv) a statement of electric loads and
277 resources, as described in subsection (a) of section 16-50r, and all
278 planning studies conducted by the regional independent system
279 operator or the applicant associated with the proposed facility.

280 (b) Each application for a certificate pursuant to this section shall be
281 accompanied by proof of service of a copy of such application on: (1)
282 Each municipality in which any portion of such facility is to be located,
283 both as primarily proposed and in the alternative locations listed, and
284 any adjoining municipality having a boundary not more than two
285 thousand five hundred feet from such facility, [which copy] provided

286 such copy shall (A) be served on the chief executive officer of each such
287 municipality, and [shall] (B) include notice of the date on or about which
288 the application [is to] will be filed; [, and] (2) the zoning [commissions]
289 commission, planning [commissions,] commission, or combined
290 planning and zoning [commissions] commission, conservation
291 [commissions] commission and inland wetlands [agencies] agency of
292 each such municipality; [, and] (3) the regional [councils] council of
293 governments [which encompass] for the planning region in which each
294 such municipality is located; [(2)] (4) the Attorney General; [(3)] (5) each
295 member of the legislature in whose assembly or senate district the
296 facility or any alternative location listed in the application is to be
297 located; [(4)] (6) any agency, department or instrumentality of the
298 federal government that has jurisdiction, whether concurrent with the
299 state or otherwise, over any matter that would be affected by such
300 facility; [(5)] (7) each state department and agency named in subsection
301 (i) of section 16-50j, as amended by this act; and [(6)] (8) such other state
302 and municipal bodies as the council may by regulation designate. A
303 notice of such application shall be given to the general public, in
304 [municipalities] any municipality entitled to receive notice under
305 subdivision (1) of this subsection, by the publication of a summary of
306 such application and the date on or about which [it] such application
307 will be filed. Such notice shall be published [under] in compliance with
308 the regulations [to be promulgated] adopted by the council, in such
309 form and in such newspapers as will serve substantially to inform the
310 public of such application and to afford interested persons sufficient
311 time to prepare for and to be heard at the hearing prescribed in section
312 16-50m. Such notice shall be published in not less than ten-point type. A
313 notice of such an application for a certificate for a facility described in
314 subdivision (3), (4), (5) or (6) of subsection (a) of section 16-50i shall also
315 be sent, by certified or registered mail, to each person appearing of
316 record as an owner of property which abuts the proposed primary or
317 alternative sites on which the facility would be located. Such notice shall
318 be sent at the same time that notice of such application is given to the
319 general public. [Notice] The council shall take no action on an
320 application made pursuant to this section unless the applicant has

321 strictly complied with the requirements of this subsection and
322 subsections (c) and (d) of this section, as applicable.

323 (c) In addition to the requirements of subsection (b) of this section,
324 notice of an application for a certificate for a facility described in
325 subdivision (1) of subsection (a) of section 16-50i shall [also] be provided
326 to each customer of an electric distribution company [customer] who
327 resides in the municipality where the facility is proposed to be placed.
328 Such notice shall [(A)] (1) be provided on a separate enclosure with each
329 customer's monthly bill for one or more months, [(B)] (2) be provided
330 by the electric distribution company not earlier than sixty days prior to
331 filing the application with the council, but not later than the date that
332 the application is filed with the council, and [(C)] (3) include: A brief
333 description of the project, including its location relative to the affected
334 municipality and adjacent streets; a brief technical description of the
335 project including its proposed length, voltage, and type and range of
336 heights of support structures or underground configuration; the reason
337 for the project; the address and a toll-free telephone number of the
338 applicant by which additional information about the project can be
339 obtained; and a statement in print no smaller than twenty-four-point
340 type size stating "NOTICE OF PROPOSED CONSTRUCTION OF A
341 HIGH VOLTAGE ELECTRIC TRANSMISSION LINE".

342 [(c)] (d) For a facility described in subdivision (3) of subsection (a) of
343 section 16-50i that is a solar photovoltaic facility, the applicant shall also
344 provide notice by certified or registered mail of each proposed site
345 configuration change that occurs after the filing of the application but
346 prior to the granting of a certificate for such facility, that is a material
347 change, as determined by the council, to each person appearing of
348 record as an owner of property that abuts the proposed primary or
349 alternative sites on which the facility would be located.

350 [(d)] (e) An application for a certificate shall contain information on
351 the extent to which the proposed facility has been identified in, and is
352 consistent with, the annual forecast reports and life-cycle cost analysis
353 required by section 16-50r and other advance planning that has been

354 carried out, and shall include an explanation for any failure of the
355 facility to conform with such information.

356 [(e)] (f) [An amendment proceeding may be initiated by an
357 application] The holder of a certificate issued pursuant to this section
358 may apply for an amendment of [a] such certificate, [filed with the
359 council by the holder of the certificate] or such certificate may be
360 amended by [a] resolution of the council. An amendment application by
361 a certificate holder shall be in such form and contain such information
362 as the council shall prescribe. The council may, by resolution, amend a
363 certificate issued pursuant to this section if the council finds the
364 existence of conditions or events that could not have been reasonably
365 known or foreseen at the time such certificate was issued. A resolution
366 for amendment by the council shall identify the design, location or
367 [route of] address of the facility, or the portion of [a certificated] the
368 facility, described in subdivisions (1) or (2) of subsection (a) of section
369 16-50i, for which a certificate was issued that is subject to [modification
370 on the basis of stated conditions or events which could not reasonably
371 have been known or foreseen prior to the issuance of the certificate]
372 amendment. No such resolution for amendment of a certificate shall be
373 adopted after the commencement of site preparation or construction of
374 the [certificated] facility for which a certificate was issued or, in the case
375 of a facility for which approval by the council of a right-of-way
376 development and management plan or other detailed construction plan
377 is a condition of the certificate, after approval of that part of the plan
378 which includes the portion of the facility proposed for modification. A
379 copy and notice of each amendment application shall be given by the
380 holder of the certificate in the manner set forth in subsection (b) of this
381 section. A copy and notice of each resolution for amendment shall be
382 given by the council in the manner set forth in subsection (b) of this
383 section. The council shall also provide the certificate holder with a copy
384 of such resolution. The certificate holder and the council shall not be
385 required to give such copy and notice to municipalities and the
386 commissions and agencies of such municipalities other than those in
387 which the modified portion of the facility would be located.

388 [(f)] (g) At least sixty days, or, in the case of a facility described in
389 subdivision (1) of subsection (a) of section 16-50i, ninety days prior to
390 the filing of an application with the council, the applicant shall consult
391 with the municipality in which the facility may be located and with any
392 other municipality required to be served with a copy of the application
393 under subdivision (1) of subsection (b) of this section concerning the
394 proposed and alternative sites of the facility. Such consultation with the
395 municipality shall include, but not be limited to, good faith efforts to
396 meet with the chief elected official of the municipality, or such official's
397 designee, the legislative body of the municipality and each member of
398 the legislature in whose assembly or senate district the facility or any
399 alternative location listed in the application is to be located. At the time
400 of the consultation, the applicant shall provide the chief elected official,
401 or such official's designee, the legislative body of the municipality and
402 each member of the legislature in whose assembly or senate district the
403 facility or any alternative location listed in the application is to be
404 located with any technical reports concerning the public need, the site
405 selection process and the environmental effects of the proposed facility.
406 In the case of a proposed transmission line, at the time of the
407 consultation, the applicant shall provide the chief elected official, or
408 such official's designee, the legislative body of the municipality and
409 each member of the legislature in whose assembly or senate district the
410 facility or any alternative location listed in the application is to be
411 located with a report that includes a summary of the status of any
412 negotiation with the owners of real property concerning any required
413 right-of-way access, easements or land acquisition. Any such summary
414 shall not include any confidential or proprietary information. The
415 municipality may conduct public hearings and meetings as it deems
416 necessary [for it] to advise the applicant of [its] the municipality's
417 recommendations concerning the proposed facility. Not later than sixty
418 days after the initial consultation, the municipality shall issue its
419 recommendations to the applicant. Not later than fifteen days after
420 submitting an application to the council, the applicant shall provide to
421 the council all materials provided to such chief elected official of the
422 municipality, such official's designee, such legislative body of the

423 municipality or any such member of the legislature, a summary of the
424 consultations with the municipality, including any meetings with such
425 chief elected official, such official's designee, such legislative body of the
426 municipality and any such member of the legislature and any
427 recommendations issued by the municipality.

428 ~~[(g)]~~ (h) (1) For a facility described in subdivision (6) of subsection (a)
429 of section 16-50i, at least ninety days before filing an application with
430 the council, the applicant shall consult with the municipality in which
431 the facility is proposed to be located and with any other municipality
432 required to be served with a copy of the application under subdivision
433 (1) of subsection (b) of this section. Consultation with such municipality
434 shall include, but not be limited to, good-faith efforts to meet with the
435 chief elected official of the municipality or such official's designee. At
436 the time of the consultation, the applicant shall provide the municipality
437 with any technical reports concerning the need for the facility, including
438 a map indicating the area of need, the location of existing surrounding
439 facilities, a detailed description of the proposed and any alternate sites
440 under consideration, a listing of other sites or areas considered and
441 rejected, the location of all schools near the proposed facility, an analysis
442 of the potential aesthetic impacts of the facility on said schools, as well
443 as a discussion of efforts or measures to be taken to mitigate such
444 aesthetic impacts, a description of the site selection process undertaken
445 by the prospective applicant and the potential environmental effects of
446 the proposed facility. The applicant shall also provide copies of such
447 technical reports to such municipality's planning commission, zoning
448 commission or combined planning and zoning commission and inland
449 wetland agency.

450 (2) Not later than sixty days after the initial municipal consultation
451 meeting, the municipality, in cooperation with the applicant, ~~[may]~~ shall
452 hold a public information meeting. ~~[If the municipality decides to hold~~
453 ~~a public information meeting]~~ Not less than fifteen days before such
454 public information meeting, the applicant shall ~~[be responsible for~~
455 ~~sending]~~ send notice of such meeting to each person appearing of record
456 as an owner of property which abuts the proposed or alternate facility

457 locations and [for publishing] publish notice of such meeting in a
458 newspaper of general circulation in the municipality. [at least fifteen
459 days before the date of the public information meeting.] Such applicant
460 shall pay [all] any administrative expenses associated with such public
461 information meeting.

462 (3) [The] Not later than thirty days after the initial consultation
463 meeting, the municipality shall present the applicant with any
464 [proposed] alternative sites [, which may include municipal parcels]
465 proposed by the municipality, including any land owned by the
466 municipality, for [its] the applicant's consideration. [not later than thirty
467 days after the initial consultation meeting.] The applicant shall evaluate
468 [these] such alternate sites [presented as part of the municipal
469 consultation process] proposed by the municipality and include the
470 results of [its evaluations] the applicant's evaluation of such sites in its
471 application to the council. The applicant may present any such
472 [alternatives] alternate sites to the council [in its application] for formal
473 consideration by the council.

474 [(h)] (i) Any applicant who submits an initial application under this
475 section for a facility described in subdivision (1) of subsection (a) of
476 section 16-50i where the applicant intends to submit one or more
477 additional applications under this section within five years of the date
478 of the initial application for additional facilities described in said
479 subdivision that will either be physically connected to the facility
480 included in the initial application or located within five miles of such
481 facility shall indicate any such intention that is foreseeable in the initial
482 application, and provide any information regarding such additional
483 facilities required by the council.

484 (j) For any application concerning a facility located on prime
485 farmland, as described in 7 CFR 657, as amended from time to time, or
486 land that is a core forest, as defined in section 16a-3k, the Commissioner
487 of Energy and Environmental Protection shall submit a written opinion
488 concerning the impacts of such facility on such land. The council shall
489 issue no certificate or approve any application to amend a certificate

490 pursuant to this section without considering such written opinion.

491 (k) Any applicant who submits an initial application under this
492 section for a facility described in subsection (a) of section 16-50i that
493 retains a communicator lobbyist, as defined in section 1-91, for purposes
494 of influencing the public or interested parties concerning such
495 application, shall immediately provide electronic notice of such retainer
496 to (1) the council; (2) the Attorney General; (3) each member of the
497 legislature in whose assembly or senate district the facility or any
498 alternative location listed in the application is to be located; and (4) the
499 chief elected official of the municipality in which any portion of such
500 facility is to be located, both as primarily proposed and in the alternative
501 locations listed, and any adjoining municipality having a boundary not
502 more than two thousand five hundred feet from such facility.

503 Sec. 3. Section 16-50n of the general statutes is repealed and the
504 following is substituted in lieu thereof (*Effective October 1, 2026*):

505 (a) The parties to a certification or amendment proceeding or to a
506 declaratory ruling proceeding shall include: (1) The applicant, certificate
507 holder, or petitioner; (2) each person entitled to receive a copy of the
508 application or resolution under section 16-50l, as amended by this act, if
509 such person has filed with the council a notice of intent to be a party; (3)
510 any domestic or qualified nonprofit corporation or association formed
511 in whole or in part to promote conservation or natural beauty, to protect
512 the environment, personal health or biological values, to preserve
513 historical sites, to promote consumer interests, to represent commercial
514 and industrial groups or to promote the orderly development of the
515 areas in which the facility is to be located, if it has filed with the council
516 a notice of intent to be a party; [and] (4) such other persons as the council
517 may at any time deem appropriate; and (5) the Consumer Counsel, as
518 provided in subsection (b) of this section.

519 (b) The council may permit any person to participate as an intervenor,
520 in accordance with the provisions of section 4-177a, in a certification or
521 amendment proceeding or a declaratory ruling proceeding.
522 Notwithstanding the provisions of section 4-177a, for any proceeding

523 pursuant to section 16-50k, as amended by this act, concerning a facility
524 described in subdivision (1) of subsection (a) of section 16-50i, the
525 council shall grant any person status as an intervenor in such
526 proceeding if such person: (1) Submits a written petition to the council;
527 and (2) is the owner of any property that abuts the proposed facility, or
528 that abuts a right-of-way in which the proposed facility is to be located.
529 The council shall grant party status to the Consumer Counsel in any
530 proceeding of the council that the Consumer Counsel has determined
531 may significantly impact electric rates, upon the request of the
532 Consumer Counsel to participate.

533 (c) The council in its discretion may provide for the grouping of
534 parties and intervenors with the same interests. If such a group does not
535 designate an agent for the service of notice and documents, the council
536 shall designate such an agent, and notice and documents need be served
537 only on the designated agent. Notwithstanding the provisions of this
538 subsection, any party or intervenor who has been included in a group
539 may, at any time by oral or written notice to the council, elect not to be
540 a member of the group to the extent specified in such notice.

541 (d) The Attorney General shall appoint an assistant attorney general
542 or a special assistant attorney general to act as counsel for the
543 Connecticut Siting Council.

544 (e) Upon receipt of the application, the council may employ one or
545 more independent consultants, at the applicant's expense, to study and
546 measure the consequences of the proposed facility on the environment.
547 The council shall direct such consultant or consultants to study any
548 matter that the council deems important to an adequate appraisal of the
549 application. Any such study and any report issued as a result thereof
550 shall be part of the record of the proceeding.

551 (f) Any person may make a limited appearance at a hearing held
552 pursuant to the provisions of section 16-50m, prior thereto or within
553 thirty days thereafter, entitling such person to file a statement in writing.
554 At the discretion of the council any person may make a limited
555 appearance at any such hearing to present an oral statement under oath.

556 All papers and matters filed by a person making a limited appearance
557 shall become part of the record. No person making a limited
558 appearance, and not otherwise entitled to be a party, shall be a party or
559 shall have the right to cross-examine witnesses, parties or intervenors.

560 Sec. 4. Subsection (a) of section 16-2a of the 2026 supplement to the
561 general statutes is repealed and the following is substituted in lieu
562 thereof (*Effective October 1, 2026*):

563 (a) There shall be an independent Office of Consumer Counsel,
564 within the Department of Energy and Environmental Protection, for
565 administrative purposes only, to act as the advocate for consumer
566 interests in all matters which may affect consumers in the state with
567 respect to public service companies, electric suppliers and certified
568 telecommunications providers, including, but not limited to, rates and
569 related issues, ratepayer-funded programs and matters concerning the
570 reliability, maintenance, operations, infrastructure and quality of
571 service of such companies, suppliers and providers. The Office of
572 Consumer Counsel is authorized to appear in and participate in any
573 regulatory or judicial proceedings, federal or state, in which such
574 interests of consumers in the state may be involved, or in which matters
575 affecting utility services rendered or to be rendered in this state may be
576 involved. The Office of Consumer Counsel shall be a party to each
577 contested case before the Public Utilities Regulatory Authority and any
578 proceeding of the Connecticut Siting Council, as described in subsection
579 (b) of section 16-50n, as amended by this act, and shall participate in any
580 such contested case to the extent the Office of Consumer Counsel deems
581 necessary. The Office of Consumer Counsel may appeal from a decision,
582 order or authorization in any such state regulatory proceeding
583 regardless of whether the Office of Consumer Counsel appeared or
584 participated in such proceeding.

585 Sec. 5. Section 16-19d of the general statutes is repealed and the
586 following is substituted in lieu thereof (*Effective October 1, 2026*):

587 (a) As used in this section:

588 (1) "Advertising" means the commercial use of any media including,
589 but not limited to, newspaper and all other forms of print, radio, [and]
590 television and Internet, in order to transmit a message to a substantial
591 number of members of the public or customers of a public service
592 company;

593 (2) "Political advertising" means any advertising for the purpose of
594 influencing public opinion with respect to any legislative,
595 administrative or electoral decision or with respect to any controversial
596 issue of public importance;

597 (3) "Institutional advertising" means any advertising which is
598 designed to create, enhance or sustain a public service company's image
599 or good will with regard to the general public or its customers;

600 (4) "Promotional advertising" means any advertising that has the
601 purpose of inducing the public to select or use the service or additional
602 service of a public service company or select or install any appliance or
603 equipment designed to use such service, provided such advertising
604 shall not include advertising authorized by order or regulation of the
605 Public Utilities Regulatory Authority.

606 (b) The cost of political, institutional or promotional advertising of
607 any gas company or electric distribution company and the cost of
608 political or institutional advertising of any telephone company shall not
609 be deemed to be an operating expense in any rate schedule proceedings
610 held pursuant to section 16-19. For the purposes of this section, political,
611 institutional or promotional advertising shall not be deemed to include
612 reasonable expenditures for (1) the publication or distribution of
613 existing or proposed tariffs or rate schedules; (2) notices required by law
614 or regulation; (3) public information regarding service interruptions,
615 safety measures, emergency conditions, employment opportunities or
616 the means by which customers can conserve energy or make efficient
617 and economical use of service; (4) the promotion or marketing of
618 efficient gas and electric equipment which the Public Utilities
619 Regulatory Authority determines: (A) Is consistent with the state's
620 energy policy; (B) is consistent with integrated resource planning

621 principles; (C) provides net economic benefit to such company's
622 customers; and (D) shall not have the primary purpose of promoting
623 one fuel over another; or (5) advertising by a gas company that is
624 necessary as a result of competition created by actions and decisions of
625 the Federal Energy Regulatory Commission and the Public Utilities
626 Regulatory Authority. Such advertising shall be limited to the express
627 purpose of promoting gas companies in competition with other
628 providers and marketers of natural gas. Such advertising shall not
629 include any promotions, cash, equipment, installation or service
630 subsidies for the conversion to natural gas from any other energy
631 source.

632 (c) A public service company shall [make application] apply to the
633 authority for determination that equipment meets the requirements of
634 subdivision (4) of subsection (b) of this section. The authority shall, to
635 the extent practicable, make such determination within one hundred
636 twenty days of such filing. All reasonable and proper expenses, required
637 by the authority and the Office of Consumer Counsel, including, but not
638 limited to, the costs associated with analysis, testing, evaluation and
639 testimony at a public hearing or other proceeding, shall be borne by the
640 company and shall be paid by the company at such times and in such
641 manner as the authority directs.

642 (d) The authority shall not allocate any expenditures made by a gas
643 company pursuant to subdivision (5) of subsection (b) of this section to
644 residential customers in any rate schedule proceedings held pursuant to
645 section 16-19 unless the authority finds that effective competition in the
646 residential gas market already exists.

647 (e) The authority shall adopt regulations to carry out the purposes of
648 subsections (a) and (b) of this section.

649 (f) Each gas or electric distribution company shall conspicuously
650 indicate in all of its advertising whether the costs of the advertising are
651 being paid for by the company's shareholders, its customers or both.

652 Sec. 6. Section 16-243gg of the general statutes is repealed and the

653 following is substituted in lieu thereof (*Effective October 1, 2026*):

654 (a) No electric distribution company, gas company, pipeline
655 company or water company [, as such terms are defined in section 16-
656 1,] shall recover through rates any direct or indirect cost associated with
657 membership, dues, sponsorships or contributions to a business or
658 industry trade association, group or related entity incorporated under
659 Section 501 of the Internal Revenue Code of 1986, or any subsequent
660 corresponding internal revenue code of the United States, as amended
661 from time to time.

662 (b) No electric distribution company, gas company, pipeline
663 company or water company [, as such terms are defined in section 16-
664 1,] shall recover through rates any direct or indirect cost associated with
665 lobbying or legislative action, as such terms are defined in section 1-91.

666 (c) No electric distribution company, gas company, pipeline
667 company or water company [, as such terms are defined in section 16-
668 1,] shall recover through rates any direct or indirect cost associated with
669 advertising, marketing, communications that seek to influence public
670 opinion or any other related costs identified by the authority, unless
671 such marketing, advertising, communications or related costs are
672 specifically approved or ordered by the authority or the Department of
673 Energy and Environmental Protection.

674 (d) No electric distribution company, gas company, pipeline
675 company or water company [, as such terms are defined in section 16-
676 1,] shall recover through rates any direct or indirect cost associated with
677 (1) travel, lodging or food and beverage expenses for such company's
678 board of directors and officers or the board of directors and officers of
679 such company's parent company; (2) entertainment or gifts; (3) any
680 owned, leased or chartered aircraft for such company's board of
681 directors and officers or the board of directors and officers of such
682 company's parent company; or (4) investor relations.

683 (e) No electric distribution company shall recover through rates any
684 direct or indirect cost associated with (1) promoting the company's

685 application before the Connecticut Siting Council, including, but not
686 limited to, consulting, data and analytics, franking, fundraising, market
687 research, community engagement and Internet web site development,
688 or (2) preparing for a proceeding before the Connecticut Siting Council,
689 including any appeal from a proceeding of the council, unless such
690 recovery is required under federal law.

691 [(e)] (f) On or before January 15, 2024, and annually thereafter, each
692 electric distribution company, gas company, pipeline company or water
693 company [, as such terms are defined in section 16-1,] with more than
694 seventy-five thousand customers shall report to the authority an
695 itemized list of costs associated with the activities described in this
696 section and subsection (b) of section 16-243p in a form prescribed by the
697 authority. Such report shall include, but need not be limited to: (1) Any
698 costs spent by the parent company or affiliates of the public service
699 company directly billed or allocated to the public service company; (2)
700 a list of the title, job description and salary of any employees of the
701 public service company who performed work associated with the
702 activities described in this section or in subsection (b) of section 16-243p
703 and the hours attributed to such work; (3) a list of the title, job
704 description and salary of any employees of the parent company or
705 affiliate who performed work associated with the activities described in
706 this section or in subsection (b) of section 16-243p and the hours
707 attributed to such work that were directly billed or allocated to the
708 public service company; (4) an itemized list of costs that the public
709 service company made to all third-party vendors for any expenses
710 associated with the activities described in this section or in subsection
711 (b) of section 16-243p including unredacted billing amounts, billing
712 dates, payees and explanation of the expenditure in detail sufficient to
713 describe the purpose of the cost; and (5) any other itemized information
714 deemed relevant by the authority. No electric distribution company, gas
715 company, pipeline company or water company [, as such terms are
716 defined in section 16-1,] shall recover through rates any costs associated
717 with the preparation of such report.

718 Sec. 7. Section 16-48a of the general statutes is repealed and the

719 following is substituted in lieu thereof (*Effective October 1, 2026*):

720 There is established a fund to be known as the "Consumer Counsel
721 and Public Utility Control Fund". The fund may contain any moneys
722 required by law to be deposited in the fund and shall be held by the
723 Treasurer separate and apart from all other moneys, funds and
724 accounts. The interest derived from the investment of the fund shall be
725 credited to the fund. Amounts in the fund may be expended only (1)
726 pursuant to appropriation by the General Assembly, or (2) by the
727 Treasurer to the Office of the Consumer Counsel for costs associated
728 with hiring employees to enable the office to participate in proceedings
729 of the Connecticut Siting Council that the Consumer Counsel has
730 determined may significantly impact electric rates. Any balance
731 remaining in the fund at the end of any fiscal year shall be carried
732 forward in the fund for the fiscal year next succeeding.

733 Sec. 8. Subsection (e) of section 16-2a of the 2026 supplement to the
734 general statutes is repealed and the following is substituted in lieu
735 thereof (*Effective October 1, 2026*):

736 (e) The Consumer Counsel shall hire such staff as necessary to
737 perform the duties of the Office of Consumer Counsel and may retain
738 from time to time outside consultants knowledgeable in utilities
739 regulation, including, but not limited to, economists, capital cost
740 experts, rate design experts, [and] engineers, a public utilities examiner,
741 a staff attorney and a communications and outreach associate. Any staff
742 hired or consultant employed to perform the duties associated with the
743 Consumer Counsel's party status to certain proceedings of the
744 Connecticut Siting Council shall be funded under the Consumer
745 Counsel and Public Utility Control Fund pursuant to section 16-48a, as
746 amended by this act. The salaries and qualifications of the staff so hired
747 shall be determined by the Commissioner of Administrative Services
748 pursuant to section 4-40.

749 Sec. 9. Section 16-50p of the general statutes is amended by adding
750 subsection (k) as follows (*Effective October 1, 2026*):

751 (NEW) (k) In deciding whether to issue a certificate for a solar
752 photovoltaic facility that has a generating capacity greater than one
753 megawatt of electricity that is proposed to be located in a municipality
754 in which a solar photovoltaic facility that has a generating capacity
755 greater than one hundred megawatts is located, or in any municipality
756 abutting such existing facility, the council shall be bound by the
757 approval, disapproval or conditions concerning such proposed facility
758 that the chief executive officer or legislative body of the municipality in
759 which such facility is proposed to be located or such abutting
760 municipality submits to the council, provided the chief executive officer
761 or legislative body submits notice of such approval, disapproval or
762 conditions to the council not later than thirty days after such
763 municipality is served a copy of the application for such certificate
764 pursuant to subsection (b) of section 16-50l, as amended by this act.

765 Sec. 10. Subsection (a) of section 16-50k of the 2026 supplement to the
766 general statutes is repealed and the following is substituted in lieu
767 thereof (*Effective October 1, 2026*):

768 (a) Except as provided in subsection (b) of section 16-50z, no person
769 shall exercise any right of eminent domain in contemplation of,
770 commence the preparation of the site for, commence the construction or
771 supplying of a facility, or commence any modification of a facility, that
772 may, as determined by the council, have a substantial adverse
773 environmental effect in the state without having first obtained a
774 certificate of environmental compatibility and public need, hereinafter
775 referred to as a "certificate", issued with respect to such facility or
776 modification by the council. Certificates shall not be required for (1) fuel
777 cells built within the state with a generating capacity of two hundred
778 fifty kilowatts or less, or (2) fuel cells built out of state with a generating
779 capacity of ten kilowatts or less. Any facility with respect to which a
780 certificate is required shall thereafter be built, maintained and operated
781 in conformity with such certificate and any terms, limitations or
782 conditions contained therein. Notwithstanding the provisions of this
783 chapter or title 16a, the council shall, in the exercise of its jurisdiction
784 over the siting of generating facilities, approve by declaratory ruling (A)

785 the construction of a facility solely for the purpose of generating
786 electricity, other than an electric generating facility that uses nuclear
787 materials or coal as fuel, at a site where an electric generating facility
788 operated prior to July 1, 2004, and (B) the construction or location of any
789 fuel cell, unless the council finds a substantial adverse environmental
790 effect, or of any customer-side distributed resources project or facility or
791 grid-side distributed resources project or facility with a capacity of not
792 more than sixty-five megawatts, as long as: (i) Such project meets air and
793 water quality standards of the Department of Energy and
794 Environmental Protection, (ii) the council does not find a substantial
795 adverse environmental effect, and (iii) for a solar photovoltaic facility
796 [with a capacity of two or more megawatts,] to be located on prime
797 farmland or forestland, excluding any such facility that was selected by
798 the Department of Energy and Environmental Protection in any
799 solicitation issued prior to July 1, 2017, pursuant to section 16a-3f, 16a-
800 3g or 16a-3j, the Department of Agriculture represents, in writing, to the
801 council that such project will not materially affect the status of such land
802 as prime farmland or the Department of Energy and Environmental
803 Protection represents, in writing, to the council that such project will not
804 materially affect the status of such land as core forest. In conducting an
805 evaluation of a project for purposes of subparagraph (B)(iii) of this
806 subdivision, the Departments of Agriculture and Energy and
807 Environmental Protection may consult with the United States
808 Department of Agriculture and soil and water conservation districts. In
809 addition to all other requirements for the issuance of a certificate, the
810 council shall not issue a certificate for a facility described in
811 subparagraph (B)(iii) of this subdivision unless the applicant for such
812 certificate furnishes a bond to cover all costs associated with the
813 decommissioning of such facility and the restoration of such prime
814 farmland, including, but not limited to, an inspection by a qualified soil
815 scientist or other agricultural soils professional to assess and assure that
816 the soils of such prime farmland are restored and will be suitable for
817 farming. Such an assessment shall include, but need not be limited to,
818 consideration of topsoil and subsoil depths, soil compaction, alteration
819 in surface and subsurface drainage, erosion and sedimentation control

820 measures and soil fertility. Such decommissioning bond requirement
821 shall also apply to any such two-megawatt or more solar photovoltaic
822 facility that is approved by declaratory ruling.

823 Sec. 11. Subsection (d) of section 16-50p of the general statutes is
824 repealed and the following is substituted in lieu thereof (*Effective October*
825 *1, 2026*):

826 (d) If the council determines that the location of all or a part of the
827 proposed facility should be modified, it may condition the certificate
828 upon such modification, provided the municipalities affected by the
829 modification and the residents of such municipalities shall have had
830 notice of the application pursuant to [subsection (b)] subsections (b) and
831 (c) of section 16-50l, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	16-50j
Sec. 2	October 1, 2026	16-50l
Sec. 3	October 1, 2026	16-50n
Sec. 4	October 1, 2026	16-2a(a)
Sec. 5	October 1, 2026	16-19d
Sec. 6	October 1, 2026	16-243gg
Sec. 7	October 1, 2026	16-48a
Sec. 8	October 1, 2026	16-2a(e)
Sec. 9	October 1, 2026	16-50p(k)
Sec. 10	October 1, 2026	16-50k(a)
Sec. 11	October 1, 2026	16-50p(d)

Statement of Legislative Commissioners:

Section 1(b)(2), "of the commissioner" and "of the chairperson" were added for clarity, in Section 2(a)(1), Subpars. (J) to (L), inclusive, were reworded to avoid redundancy and Section 11 was added to make a conforming change to reflect the changes made in Section 2.

GAE Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
CT Siting Council	CC&PUCF - Cost	Potential	Potential
CT Siting Council ¹	CC&PUCF - Cost	326,962	326,962
Consumer Counsel ¹	CC&PUCF - Cost	524,140	524,140

Note: CC&PUCF=Consumer Counsel and Public Utility Control Fund

Municipal Impact: None

Explanation

The bill results in a cost to the state of \$851,102 in both FY 27 and FY 28 associated with new staff and consulting fees associated with several changes related to the proceedings of the Connecticut Siting Council (CSC). Additionally, the bill results in a potential cost to the CSC associated with new requirements for various meetings and public hearings.

Section 1 prohibits the CSC from starting any proceeding without the Department of Energy and Environmental Protection (DEEP) commissioner and Public Utilities Regulatory Authority (PURA) chairperson, or their designees. This could result in a cost of up to \$350,000 annually associated with the cancellation or postponement of

¹The fringe benefit costs for employees funded out of other appropriated funds are budgeted within the fringe benefit account of those funds, as opposed to the fringe benefit accounts within the Office of the State Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes for other appropriated fund employees is 85.92% of payroll in FY 27.

various meetings². The annual cost would depend on the number of meetings and public hearings without a DEEP or PURA designee in attendance.

Additionally, the bill requires the council to have an additional ad hoc member appointed by the applicable regional council of governments in which a proposed facility is located. Based on the number of meetings and hearings required, this is anticipated to result in a cost of \$20,000 per town (location). For every five towns where a facility is proposed, adding an ad hoc member will result in a cost of up to \$100,000.

The bill specifies that the council must employ at least one employee dedicated to providing a plain language summary of proceedings. This will result in an annual cost to the CSC of \$204,512 for an additional Siting Analyst, including a salary of \$110,000 and corresponding fringe benefits of \$94,512.

Section 2 expands the scope of various application and approval processes for projects related to certain electric transmission lines, fuel transmission facilities, or electric substations or switchyards. It is anticipated that the CSC will require a consultant with an estimated cost of \$122,450 (based on previous contracts) to meet the requirements contained within the bill. It is anticipated, given the expansion of the application and approval process and potential number of projects, the consulting fees would be an annual cost.

Sections 3, 4, 7 and 8 require the Siting Council to make the Office of Consumer Counsel (OCC) a party in certain Siting Council proceedings that the OCC determines may significantly impact electric rates and requires the consumer counsel's staff to include certain positions.

This results in a cost to OCC of \$524,140 annually. OCC will require three new full-time staff to complete the expanded duties within the bill.

² For FY 25 the CSC held 25 meetings with an average cost of \$4,000 for a total of \$100,000. Additionally, CSC held 25 public hearings with an average cost of \$10,000 for a total of \$250,000.

The new positions will include: a Utilities Examiner (annual salary of \$97,141), a Staff Attorney (annual salary of \$97,141), and a Utilities Engineer (annual salary of \$87,635). The corresponding fringe benefits associated with the new positions total \$242,223 annually.

The other sections of the bill are procedural, technical, or impact private entities, which do not result in a fiscal impact to the state.

Rate Payer Impact

The rate payer impact of the bill is indeterminate and will be dependent upon decisions made by electric distribution companies (EDC) outside of the immediate scope of the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the number of meetings and public hearings and the required number of ad hoc members.

OLR Bill Analysis**sHB 5551*****AN ACT CONCERNING PROCEEDINGS OF THE SITING COUNCIL AND OTHER REQUIREMENTS CONCERNING CERTAIN UTILITY EXPENDITURES.*****SUMMARY**

This bill makes various changes to the energy statutes, primarily related to the Connecticut Siting Council. Among other things, it generally:

1. prohibits the council from starting any proceeding without the Department of Energy and Environmental Protection (DEEP) commissioner and Public Utilities Regulatory Authority (PURA) chairperson, or their designees;
2. requires the council to have an additional ad hoc member appointed by the applicable regional council of governments for certain proceedings;
3. makes various changes to the council's application and approval process, such as (a) requiring applications for certain facilities to include additional information, (b) requiring (rather than allowing) municipalities to hold a public information meeting on proposed cell towers, and (c) requiring applicants to notify certain officials if they retain a lobbyist;
4. allows the consumer counsel to be a party in Siting Council proceedings that may significantly impact electric rates;
5. extends the prohibition on electric distribution company (EDC; Eversource or United Illuminating) or gas company rate recovery for certain advertising expenses to include Internet ads;

6. prohibits EDC rate recovery for the costs of promoting an application before the Siting Council and preparing for a council proceeding;
7. requires the consumer counsel's staff to have expertise in certain specified areas;
8. limits the Siting Council's ability to approve certain solar facilities in municipalities that already have a solar facility with a generating capacity greater than 100 megawatts; and
9. requires additional approval from the Department of Agriculture and DEEP when siting certain facilities on prime farmland or core forest.

The bill also makes numerous minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2026

§ 1 — SITING COUNCIL MEMBERSHIP & EMPLOYEES

By law, except for proceedings involving hazardous waste, the Siting Council consists of the following members: (1) the DEEP commissioner, or her designee; (2) the PURA chairperson, or his designee; (3) a designee from each of the House speaker and Senate president pro tempore; and (4) five members of the public, with certain qualifications, appointed by the governor.

The bill prohibits the council from beginning any proceeding, including any meeting or public hearing, without the DEEP commissioner and PURA chairperson, or their designees or alternate designees. (It is unclear, but it appears that this provision would prevent the council from beginning any proceedings involving a hazardous waste facility, as the DEEP commissioner and PURA chairperson do not sit on the council for these proceedings (see below).)

By law, for proceedings that involve a hazardous waste facility, the House speaker's, Senate president pro tempore's, and governor's

appointees remain on the council, but the public health and emergency services and public protection commissioners replace the DEEP commissioner and PURA chairperson. Four ad hoc members are also appointed to represent the municipality and neighboring municipality where the proposed facility will be located.

The bill specifies that for all other proceedings, the council must have one additional ad hoc member appointed by the regional council of governments for the planning region where the proposed facility will be located (it is unclear what “other proceedings” this requirement applies to).

Current law generally allows the Siting Council to employ any employees it needs to carry out its purposes. The bill further specifies that the council must employ at least one employee dedicated to facilitating the engagement of interested parties and providing a plain language summary of proceedings.

§ 2 — SITING COUNCIL APPLICATION & APPROVAL PROCESS

The law generally requires developers to obtain a certificate of environmental compatibility and public need from the Siting Council before they can build certain facilities (such as electric generation or transmission facilities or cell towers). The bill makes various changes to the application and approval process for these projects, including explicitly prohibiting the Siting Council from taking any action on an application unless the applicant strictly complied with the law’s provisions on applications and notifications.

Electric Transmission Lines, Fuel Transmission Facilities, and Electric Substations or Switchyards

The law requires applications to the Siting Council for certain electric transmission lines, fuel transmission facilities, or electric substations or switchyards to include certain information, such as their estimated costs, routing maps, and a description of their environmental effect. For those applications proposing a repair, upgrade, replacement, or enhancement, the bill expands the information required to include detailed studies of alternative solutions to repairing existing electric

transmission lines.

It also requires the applications to include the following information, which the council must use to determine the project's cost effectiveness:

1. quarterly data for the preceding two years on the earned and authorized return on equity of related projects subject to the council's jurisdiction (the bill does not further specify how to determine what is a "related project");
2. an estimate of the proposed facility's return on investment; and
3. an estimate of the proposed facility's impact on regional network service and local network service rates for EDCs, and accompanying calculations, including any underlying assumptions for the estimate.

Electric Generation or Storage Facilities

Current law requires applications to the Siting Council for electric generation or storage facilities to include, among other things, safety and reliability information including plans for emergency operations and shutdowns. The bill requires them to also include plans for emergency responses.

Current law also requires these applications to include the comparative costs of alternatives considered. The bill more specifically requires these to be comparative costs of generating sources or configurations considered.

Electric Transmission Lines

The law requires applications to the Siting Council for electric transmission lines to include certain information, which under current law includes a detailed analysis of any non-transmission alternatives to the proposed facility or modification. The bill further specifies that this analysis must be (1) from an independent engineer the Siting Council selects and (2) submitted within 30 days after filing the application.

Public Information Meeting on Cell Towers

For applications to site telecommunication towers, the law generally requires the applicant to consult with the municipality where the tower will be located. Current law allows the municipality, no later than 60 days after this consultation meeting, to hold a public information meeting on the application. The bill instead requires the municipality to hold a public information meeting during this period. As under current law, the applicant must issue certain notices about the meeting at least 15 days in advance and pay for the meeting's costs.

DEEP Input on Prime Farmland or Core Forest

Under the bill, for any application to site a facility on prime farmland or core forest, the DEEP commissioner must submit a written opinion on the facility's impacts on the land. The bill prohibits the Siting Council from issuing a certificate, or approving an amendment to one, without considering this opinion.

By law, "prime farmland" is generally land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses. "Core forest" is unfragmented forest land that is at least 300 feet from the boundary between forest land and non-forest land, as determined by DEEP commissioner.

Notice About Lobbyists

The bill creates a notice requirement for when an applicant who submits an initial application for a facility regulated by the Siting Council retains a communicator lobbyist to influence the public or interested parties about the application. It requires the applicant to immediately send electronic notice about the retainer to:

1. the council;
2. the attorney general;
3. each state legislator whose district includes the proposed facility's location, or an alternative location proposed in the application; and

4. the chief elected official of any municipality that (a) includes a portion of the proposed facility's primary or alternative location or (b) has a boundary within 2,500 feet from the proposed facility.

Under the bill, a "communicator lobbyist" is a lobbyist who communicates directly, or solicits others to communicate with, an official or the official's staff in the legislative or executive branch, or in a quasi-public agency, to influence legislative or administrative action.

§§ 3 & 4 — CONSUMER COUNSEL PARTY STATUS IN SITING COUNSEL PROCEEDINGS

The bill requires the Siting Council to grant party status to the consumer counsel, upon her request, in any certification, amendment, or declaratory ruling proceeding that she determines may significantly impact electric rates.

Under current law, when the Siting Council receives an application, it may hire independent consultants to study and measure a proposed facility's environmental consequences. The bill specifies that the applicant must pay for these consultants. Existing law, unchanged by the bill, already requires that the application fee be used to meet the council's expenses, including for these consultants, and also allows the council to assess the applicant during the proceeding as needed to meet its expenses (CGS § 16-50v).

§ 5 — INTERNET ADVERTISING

The law generally prohibits PURA from considering a gas, electric distribution, or telephone company's political, institutional, or promotional advertising as part of the company's operating expenses when setting rates (in effect, prohibiting these expenses from being recovered through the company's rates). The bill specifies that this includes Internet advertising. Current law covers advertising on any media, such as newspaper (and all other forms of print), radio, and television.

§ 6 — RATE RECOVERY FOR SITING COUNCIL PROCEEDINGS

The bill prohibits EDCs from recovering through their rates, unless

federal law requires it, any direct or indirect costs associated with (1) promoting the company's application before the Siting Council, including costs for consulting, data and analytics, franking, fundraising, market research, community engagement, and Internet website development, or (2) preparing for a Siting Council proceeding, including appeals.

(This provision could conflict with legal standards for utility cost recovery if it prohibits a company from recovering a cost incurred prudently, efficiently, and economically; for a clear public need and public necessity and convenience; and due to a statutory mandate (for example, see CGS §§ 16-19 & 16-19e).)

§§ 7 & 8 — CONSUMER COUNSEL STAFF AND COST RECOVERY

The bill requires the consumer counsel's staff to at least include a public utilities engineer, public utilities examiner, staff attorney, and communications and outreach associate. It also allows the consumer counsel to hire rate design engineers as consultants.

By law, unchanged by the bill, each PURA-regulated utility company is assessed an annual fee to pay for its share of PURA, Office of Consumer Counsel, and DEEP Bureau of Energy and Technology expenses, among others (CGS § 16-49). PURA must remit the collected fees to the Consumer Counsel and Public Utility Control Fund. The bill further specifies that (1) any staff or consultants hired by the consumer counsel for Siting Council proceedings must be funded through the fund and (2) the fund may be used for their costs.

§ 9 — LIMITS ON APPROVING CERTAIN SOLAR FACILITIES

The bill limits the Siting Council's ability to approve a solar photovoltaic facility with a generating capacity greater than one megawatt (MW) if it is proposed in a municipality where a solar photovoltaic facility with a generating capacity greater than 100 MW is located, or in any municipality abutting the existing facility. For these applications, the bill requires the council to be bound by the approval, disapproval, or conditions set for the proposed facility by the chief

executive officer (CEO) or legislative body of the municipality (or the abutting municipality). The CEO or legislative body must submit notice of the approval, disapproval, or conditions to the council within 30 days after the municipality is served a copy of the application as required by law.

§ 10 — DECLARATORY RULINGS FOR CERTAIN SOLAR FACILITIES

For customer-side distributed resource and grid-side distributed resource projects, current law requires the council to approve a certificate by declaratory ruling as long as the project meets DEEP's air and water quality standards. In addition, if the project is a solar photovoltaic facility with a generating capacity of at least two MW and will be located on prime farmland or forestland, the Department of Agriculture or DEEP must represent in writing that the project will not materially affect the land's status as prime farmland or core forest, respectively.

The bill removes the two MW capacity threshold, applying this requirement to all council-regulated solar facilities proposed for prime farmland or forestland. As under current law, however, the requirements do not apply to facilities that DEEP selected in certain solicitations issued before July 1, 2017.

BACKGROUND

Related Bills

SB 144 (File 47), reported favorably by the Environment Committee, requires the Siting Council's membership to include an elector from the municipality where the proposed facility would be located, in addition to the existing membership.

sSB 316, reported favorably by the Environment Committee, requires Siting Council applicants for a solar photovoltaic facility with a capacity of at least two MW to have soil tests done at the proposed location to determine the presence of certain contaminants.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 16 Nay 3 (03/23/2026)