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agency and the public. And so the public will come up after the agency officials are done testifying, and then, other than that, you need the stay at your seat and be ready to answer questions if there's any questions from the members of the committee. And you, also, again, listen for the bell for when you're three minutes are up, because I then will be asking you to summarize. So, again, thank you all for being here, and Victoria Hackett has gladly said that she would wait in terms of her turn on the list and move someone else, so she graciously has consented to that. So I will be calling Lee Hoffman on the first bill, please.

SB 23

LEE HOFFMAN: Thank you. My name is Lee Hoffman. I'm an attorney at the Hartford office of Pullman & Comley and served as a member of Governor Malloy's Two Storm Panel. As you may recall, Governor Malloy formed a Storm Irene panel after Tropical Storm Irene left a record number of Connecticut residents without power, more than were even impacted by Hurricane Gloria. That record was soon however by the October Nor'easter, sometimes referred to as Winter Storm Alfred, which broke the record set by Irene only months before. The two storms that beset our state last year were not overly powerful, certainly, not in the realm of a Category 3 hurricane, such as those that have previously come onto Connecticut shores. Damage could have been far worse if the storms were stronger or if the weather in which they occurred in been more severe, such as the winter cold of February, rather than relatively minor temperatures. Recognizing this, Governor Malloy increased the scope of our group and tasked us with evaluating the responses made by federal, state, local authorities, first responders, volunteers, and

the business community in response to both storms in order to better understand the strengths and weaknesses of the response effort and to suggest what improvements could be made.

Our panel was drawn from a wide variety of sectors, including municipal leaders, the military, the business community, first responders, volunteer organizations -- and dare I say it, even a lawyer. We spent literally hundreds of hours listening to testimony, reading thousands of pages of documents and obtaining information from nationally recognized experts in storm response. This culminated in our panel issuing a report to Governor Malloy, which contained 82 recommendations related to storm response. These recommendations were far ranging. They included, state response, utility issues, effects on municipalities, the healthcare community, GIS improvements, and general improvement of the communication between all responders to emergencies. The recommendations encompassed in the report involve multiple constituencies, not just the state, and therefore, are best treated broadly. Only by proceeding in such a fashion will stay be best prepared for the next emergency it may face. I am gratified that this committee is now evaluating legislation which will assist the state in strengthening itself for response to the next emergency.

The Two Storm Panel did its best to make our recommendations that could be implemented within the existing framework of various state, municipal, and private entities to play a role in emergency response. Put another way, the recommendations we made were ones that were designed the implementable within

the current structures wherever possible, so as to allow the State to get to work on preparing for the next emergency. One excellent example of this is Governor Malloy's directive to William Hackett, the state emergency management director, to update and improve the State's master plan for improving emergency response. Doing so will better ensure unified response by state municipalities, utilities, and others who must respond when disaster strikes.

SB 23 cleanly addresses the three recommendations made by the Two Storm Panel that could not otherwise be easily addressed without legislation. It allows for the development of regional performance standards for utility recovery after storms, something that no other state has done. It provides for participation in emergency exercises by the utilities, perhaps, one most crucial recommendations we made. And it creates a micro-group pilot program that will assist in hardening our infrastructure. Many of the other recommendations found in our report can and in many cases are already being addressed by various state agencies who have the authority to implement these recommendations.

In conclusion, the approach already taken by Governor Malloy and further articulated in SB 23, addresses not only the responses to the two storms we faced last year but responses to future unforeseen emergencies. This approach, along with the work currently done with the State, provides Connecticut with the best assurance that they will have a plan in place for emergency response.

Thank you for your time. If the committee has any questions I'd be happy to answer them.

REP. NARDELLO: Thank you, Mr. Hoffman, for your testimony, and I just want you to send back to Mr. McGee and the rest of the panel members the fact that we thank you for serving on this and for all the work that you did.

I do have a couple of questions for you. Your storm panel recommendations were much more specific than the language that's in the bill. How do you feel that the -- that will be integrated into the final decision-making and what we do over at a Public Utility Regulatory Authority, seeing that you gave a document with many specifics, and yet the language of the bill is not quite as specific. Can you speak to that?

LEE HOFFMAN: Absolutely. The reality is, Madam Chairwoman, I went to law school because I'm terrible at math, and a lot of the recommendations that we made are going to have to be implemented by engineers and technical professionals, people who really understand this industry, understand the Connecticut is actually out in the lead on this. Florida had done a yeoman's work on crafting storm response in the wake of being hit with ten hurricanes towards the turn-of-the-century, but the reality is Connecticut's now out in front. There aren't any standards that are being made that are implementable currently. We looked for them everywhere. And I think the work is best left to the technical subject experts at the PURA, within emergency management, et cetera, et cetera. And my concern is that overly specific legislation winds up resulting in cutting off certain avenues for those subject matter experts. For example, if you have legislation that addresses only what the electric and

telecommunications utilities have to do, there may be problems that pop up with water utilities and emergency planning. And if you craft the legislation broadly, so that the subject matter experts can do their jobs within the State, then you allow them to do their jobs. Is just a question of doing the best you can with the resources you have.

REP. NARDELLO: And my second question is that in your recommendations you have called for an enforcement and compliance division, which doesn't appear in this bill. I believe that I would like your comment as to whether you think it should be included as we go forward and the importance of it.

LEE HOFFMAN: Well, there is an enforcement mechanism in SB 23. The enforcement mechanism there links back to 16-41, which is the PURA's inherent enforcement. There is a -- there is a second question more broadly as to whether or not you should have enforcement authority and enforcement office more broadly within the PURA and, perhaps, at the Siting Council. I understand that those recommendations were in the report. But I also think that that might be a longer-term solution in a year or two, after you take a look at how the PURA and DEEP have integrated. I recognize that that system has only really been in place and functioning for about six months. And so the likelihood is we don't know exactly how they're all working together and, I guess, for my money -- speaking only for me and not on behalf of the storm panel -- I think that if we wait and see how that coalesces and we get some more experience around that that might be something to revisit next term, but it's certainly not something that needs to be revisited at this time.

REP. NARDELLO: So wouldn't it be a problem if indeed you're not able to clearly enforce orders, and -- and you have the storm in between the time. Don't you feel that might be difficult and that you don't have an enforcement and compliance mechanism in place that would be able to react relatively quickly.

LEE HOFFMAN: The enforcement mechanisms already on the books. It says that in the 16 -- I think it's 16-41. I'm working from memory, but that enforcement mechanism already exists. It's a question of staffing, potentially. But the reality is the enforcement mechanism is there. SB 23 beefs up that enforcement mechanism so that were now talking about potential fines of millions of dollars, and I think that's sufficiently robust to get every regulated utility's attention.

REP. NARDELLO: Thank you, Mr. Hoffman.

Are there questions from the members committee? Thank you for your testimony --

Oh, I'm sorry. Senator Fonfara.

SENATOR FONFARA: Thank you, Madam Chair.

Good morning Mr. Hoffman. Can you tell me in your plan, do you speak to tree cutting at all?

LEE HOFFMAN: Yes, we do.

SENATOR FONFARA: Can you tell me where that is in the bill itself actually?

LEE HOFFMAN: Oh, no not in the bill itself; in the Two Storm Panel report, yes.

SENATOR FONFARA: Why would you leave out tree trimming or tree cutting, or system hardening with respect to wires since it's -- I think it's common knowledge that that -- trees are where the biggest, by far, issue that caused the outages that Connecticut suffered in both storms?

LEE HOFFMAN: Agreed. That was the case, and indeed, Connecticut has the largest density of forest and people interfacing out of any state in the union. But the reality is, is that actually the merger of the former DPUC and the former DEP into the DEEP allows the Forestry Service of DEEP and the PURA to already work together to develop tree trimming plans. That's fully within the authority of the PURA to issue those orders to the electric utilities, to the telephone companies, and any other -- I think those would be the only utilities that would be impacted by those kinds of tree-wire interactions. But the reality is that authority already exists and my concern is if the PURA wants to go more broadly or slightly more narrowly and that DEP -- DEEP's Forestry Service concurs with that, I think that those are decisions that are best left for the subject matter experts. And I see nothing in SB 23 that curtails their ability to do that. It already exists.

SENATOR FONFARA: I'm not impressed with that comment, candidly. Of all the things that I think Connecticut can respond to, to address preparation response, clearly that something you've looked at. And we will engage the administration and DEEP on this issue, but preparation is something that -- we don't know

when the storm is going to hit. You know, it could be next week, it could be another 10 years.

LEE HOFFMAN: Agreed.

SENATOR FONFARA: But to not prepare, do our best to be ready in advance of the storm and try to minimize the damage and how we respond to the damage once it takes place is our responsibility, as well, and you put together proposals with respect to that. But to not put front and center in front of us a proposal to address preparation, I think misses the mark, and I'm disappointed that in -- in the translation from the report to putting it on paper for -- in terms of a proposal for the Legislature to consider that you haven't -- you haven't included something there. Can you tell us from your report, at least, what you recommended with respect to tree cutting in advance of storms, the preparation?

LEE HOFFMAN: Absolutely. It's on page 13 of the report. But the reality is -- is that there needs to be some integration and, frankly, I think that the utilities, the DEEP, the PURA, the Department of Transportation, and every municipality has to work together to craft tree trimming. There's needs to be a state vegetative management task force, but these are all things that can be accomplished within the Executive Branch, and go forward and implement these recommendations. There is really no need for legislation. And my only concern is that the more detailed and prescriptive one makes legislation, the more that one has already moved the ball several yards down the field in a particular direction from which it cannot be changed. And I think that SB 23 gives a lot broader discretion to

the regulatory agencies who have the authority and ability to impact this, and frankly, if they don't get it done this year, I have no doubt that this committee will be there, front and center, with an even more robust plan for how to get it done. But I think that our first step, to move quickly, is to have the regulatory agencies do what they're tasked to do in order and make sure this problem gets addressed.

I think we simply have a difference in philosophy as to how that happens. No one's suggesting that that it shouldn't be prepared for, certainly not me.

SENATOR FONFARA: I don't think we have a difference in philosophy. I mean, you clearly -- the administration's clearly felt that emergency preparedness -- it's in the title of the bill -- is important. And to not include tree -- what I think, just about everyone believes was the primary cause for the massive outages that the state incurred, that being trees, that we don't have before us a proposal. The fact that the -- the authority is there. It hasn't been utilized. It hasn't been a priority. The fact that we haven't seen a storm like this, in some cases maybe ever, might justify the fact that it hasn't been a priority. But we now know how critically important energy and electricity is in our lives. Far more so than any other point and to not have the Legislature speak to this, I think misses the mark.

And I would welcome your input. I think the committee will would welcome your input and the administration's input and including something in whatever moves forward out of this committee thank you.

Thank you, Madam Chair.

REP. NARDELLO: Thank you, Representative Lesser.

REP. LESSER: Thank you, Madam Chair.

And thank you for your work in preparing the panel recommendations and for testifying today. I wanted to just -- I had a couple questions. One was regarding your recommendations on the undergrounding and rejecting overall undergrounding plan and then -- and then, as well, recommending that localized plans be looked at, I guess, in terms of individual areas. Did you look at -- at any point the role of energy improvement districts in the undergrounding process?

LEE HOFFMAN: We looked at the role of energy improvement districts slightly. One of the problems is that's still a pretty nascent field as you well know, Representative Lesser. It's possible that energy improvement districts will very well form one of the vehicles by which micro-gridding can be accomplished. I think that that's entirely possible. But, to date, Connecticut's experience with the EIDs isn't all that robust and so not really sure how exactly that interplay would work with respect to undergrounding and infrastructure hardening at this time.

REP. LESSER: Thank you. And you mentioned micro-grids, now the language in the report was somewhat vague on micro-grids saying, I guess that they should be studied. And we have a pilot proposal in this legislation to do so. Is that something that you are involved in or

the panel was involved in creating or is that something that was really DEEP?

LEE HOFFMAN: No. That was something that the DEEP went forward and began to evaluate the possibilities of micro-grids, how they would work. The utilities have also been involved in fashioning ways that micro-grids might work. They present some physical and engineering challenges, as well as a few legal challenges, but I -- but everyone kind of settled -- my understanding, I did not have any role in it -- but my understanding was that everyone settled on the idea that we need to do a pilot program to figure out how this might work and how we best leverage those dollars so that we get the best bang for our buck on infrastructure hardening.

It should be important to note that when the utilities, at the last hearing of the Two Storm Panel -- the utilities came forward various infrastructure hardening proposals. They're all very expensive. They will all burden the ratepayer somewhat, and one of the things that's going to have to happen is a balancing of the policy of infrastructure hardening and making sure that our facilities are relatively safe from harm during an emergency, and also the cost that the ratepayer is going to bear for something that happens, admittedly, once every ten to 20 years. And so there is a bit of a yin and yang that goes with that, the cost versus the benefits, which is what you're all familiar with being in government service.

REP. LESSER: I guess this was, sort of, following up on some of the questions of, actually, both of the co-chairs, but in terms of the specificity of the language. You know, you

mentioned a few of the legal hurdles and -- and engineering hurdles associated with micro-grids. The legislation before us is generally silent on those aspects. And I -- do you anticipate that DEEP will be able to resolve this without having permissive language, specifically, giving authority to deal with some of these hurdles. Specifically regarding, for example, the issue of utility rights-of-way, for example, where, you know, that's just not present in the bill.

LEE HOFFMAN: I can say without equivocation that DEEP has far more gifted engineers than I will ever be. So I have no doubt that they can solve the engineering issues. With respect to the legal issues, there is also a plethora of legal talent there that I can believe can resolve that, and also I think depending on what kind of micro-grid you have and what kind of micro-grid the pilot program works out, I think that if there are legal issues that need to be resolved through legislative action at that time, it's better that we know what those legal issues are rather than trying to deal with them the abstract, because right now, frankly, there's too many variables to figure that out, I believe.

REP. LESSER: Okay. Well, thank you very much.

REP. NARDELLO: Further questions from members of the committee?

Thank you, Mr. Hoffman, for your testimony.

LEE HOFFMAN: Thank you very much.

REP. NARDELLO: Next we'll have Cathy Osten.

CATHY OSTEN: Good morning everybody. My name is Cathy Osten. I'm the first selectman in the Town of Sprague. I was also honored to be on the Two Storm Panel representing small towns and other municipalities in the area. And I want thank you for allowing me today to speak in support of the Governor's Bill, SB 23, House Bill Number 5544 and Senate Bill Number 450.

You already heard about the Two Storm Panel's actions and I'm certain or -- at least, I hope you read some of our 82 recommendations. I'd like today to say that we consider the work that you do here today to be important to implement some of the recommendations in the Governor's bill, in particular, revolving around training and emergency management. I would ask that you pay particular attention to the integration of DEMHS into the Department of State Police and Protection because that, in and of itself, will make sure will either -- will either allow for implementation of emergency preparedness or stymie that preparedness, quite frankly.

I do think that if you look on -- I believe it's Raised Bill Number 5544, it talks to some of the concerns about tree trimming. I think that that's where you see some of your answers and as Lee already told you everything that we did on the panel, I'd be happy to entertain any questions revolving around our experiences or the experiences of a small town in regards to both storms and what happened within the context.

REP. NARDELLO: Thank you, Cathy, for your testimony.

Are there questions from members of committee?

Seeing none, thank you for your --

Oh, I'm sorry, Representative Green.

REP. GREENE Thank you, Madam Chair.

Thank you for your testimony. I actually -- as a member of the Two Storm Panel and, actually, also as the first selectwoman of a small town, I'm kind of interested in what you're perspective is on one particular segment of Senate Bill 23. I don't know if you've actually seen the language of that bill, but --

CATHY OSTEN: I have it right here.

REP. GREENE Lines 106 through 109, specifically detail the establishment of the micro-grid pilot program. And there's a -- there's a provision that specifically says any -- you know, if we must include the town of greater than 45,000 residents, but there's nothing in there that specifically says we have to include a small town, as well. Do you see that as being problematic or not giving us the right amount of perspective with regards to this type of a pilot program? Are the small towns going to be left out of it?

CATHY OSTEN: Well, quite frankly, small towns are going to be left right out of it at this moment. If you're going to see if the micro-grids are going to work in areas, we have to get the best bang for our buck, and I think that any small town will tell you to take that into consideration for an experimental program such as this.

After the experimental program is completed, we'd like to see it come out to the small towns. I was -- I have a couple of companies in my town that employ 250 and 150 people, respectively, that could take advantage of a micro-grid and certainly have the need for the power necessary to make a micro-grid successful. I have 3,000 people that live in the town of Sprague and if you want to put a micro-grid in our town, they could impact those 3,000 people, but let's talk about the reality of the dollars and cents of things, and I think we have to look at those dollars and cents first. I don't like to say that as first selectman in my town, but we have to look at this comprehensively and see where we can spend our dollars.

Now, if you want send me more money than I can spend on tree trimming because when they talk about tree trimming earlier, they talked about the combination of the access between electric utilities, telephones, DOT, and municipalities. Quite frankly, my budget, until I became first selectman, was $800 for tree trimming. I spent $12,000 now. That's a large dollar amount for me, but it's not near enough. I can take care of one -- about a quarter of a mile on any given time frame. It will take me 20 years to take care of the town with that dollar amount. Now, if you want to give me some money for additional tree trimming, I'd be happy to take that.

REP. GREENE I appreciate hearing that from, like I said, the first selectman of a town -- a small town, having that perspective is very helpful. Thank you very much.

REP. NARDELLO: Representative Ritter.

Thank you, Representative Ritter.

In that case, are there other questions from members of the committee? Then, thank you for your testimony.

CATHY OSTEN: Thank you very much. Have a nice day.

REP. NARDELLO: Next, we'll have Jessie Stratton.

JESSIE STRATTON: With the committee's indulgence, I am joined by the head of PURA, Kevin DelGobbo. My name is Jessie Stratton, I am director of policy at the Department of Energy and Environmental Protection, and we are here jointly to testify on several bills before the committee, first being Senate Bill 23, of which I will incorporate some comments on House Bill 5544, since they cover many of the same subject areas. SB450

I think Senate Bill 23, as has been well summarized, is a very important and much-needed response to the experience the State went through this ball with the two storms. It has primarily three components to it and I think I would like to spend just a very brief time on each of them as was just addressed by the previous speaker, the scope of what is covered by the Department of Emergency Management and Homeland Security seems at the absolute minimum response to how we proceed to develop emergency preparedness plans going forward.

The performance standard issue, which you have already addressed to some degree with questions, I do believe that the language in Senate Bill 23 will accomplish what you're seeking to accomplish, Representative

Nardello, and actually to the issue being discussed by John Fonfara, I think that we could also look at Senate Bill 450 and include in the provisions in this bill on Section 3, you know, a list of some of the things you want to assure are covered in that proceeding at PURA. But I would agree very strongly that is the technical expertise that whether what the tree trimming guidelines are, et cetera, that's really not very well-suited to statutory language. Again, it may changed over a period of time through experience but to ensure that those things are addressing process, would seem a very appropriate addition to Section 3 of Senate Bill 23.

The other -- and I think if there was any -- and there certainly wasn't given the economic and human cost of the storms hitting Connecticut, if there was a silver lining, it is really embraced in the latter parts of this bill. The opportunity that has really given us, as a state, to pursue -- to really reassess our whole electric system. It is a system that's been in existence for more than 100 years and has basically not change during that period of time. And so with the need to ensure that the State does not have quite the hit that it did in these two storms going forward, the adoption or development of a different approach to ensure that emergency-critical facilities are operational during such events in future is embraced in the development of distributed generation and micro-grids.

And I would distinguish and encourage others to distinguish between the generation portion of this and the micro-grid part of it. They have different needs, and I think in some of the other bills here, they're addressed almost

interchangeably and I would encourage us not to do that. But the bottom line really is that pursuing that course, I think we have a lot of potential benefit to the state. It's really an opportunity to take what was a disaster to the state and turn it into something that will improve the resiliency of our electric system going forward, will provide economic benefit to the state, because many of the producers, as you well know, of some of the generation types that would be utilized in this are Connecticut-based. It will increase public safety and, certainly, has a environmental benefit if we switch to non-emitting sources or lower emitting sources for that generation.

Very briefly, let me also let me just comment on just a few things in Senate Bill 450. We have testified before with this committee that we fully support and propose lifting the cap on oil conservation Home Energy Solutions audits for at least a year, while we work on a more permanent source of funding. Whether that is appropriately what's suggested in the Senate Bill 450 or something else, I would really ask that we have the opportunity to work with the committee and representatives of that industry in determining how we proceed with oil conservation, but in the interim, while we're doing that, to at least allow current programs to go forward on an equal basis.

The Department is very interested in promoting natural gas vehicles and so the pilot in here is of interest. However, we think that the July 1, 2013, date will not allow us to develop the kind of program that is envisioned in the legislation and would, respectfully, ask that we expended somewhat.

And last, but not least, the CHP provisions in this bill that increase the megawatts size to 5 megawatts. We are very supportive of. We would, however, propose that rather than raising the kilowatt charge through a $500 kilowatt subsidy, keep it at 350. Raise it from 250 to 350, and that will make it conform to the one that was in 11-84 (inaudible) to administer. And with that, I'm going to turn it over to my colleague.

DIRECTOR KEVIN DELGOBBO: Thank you. Kevin DelGobbo, Chairman of the Public Utilities Regulatory Authority, for purposes of efficiency, Jessie and I have sort of divided up the bills that we submitted testimony on. Ms. Stratton has identified some of those. PURA's offered testimony on 5542, 447, and 448. I know this is going to be a long day so I will rather than describe them -- those propositions are pretty straightforward, but I wanted to make myself available for questions on any of the bills today. Thank you.

REP. NARDELLO: Thank you.

Yes, my question to you is, it is common legislative practice that when we prescribe something in law that we might say that we would like a particular agency to look at certain -- certain parameters, such as in tree trimming or any of the other things that were talking about, so they are to look at them, use them as a basis for -- for whatever docket they're doing, be it DEEP, whatever investigation they're doing. And we often put the language "including but not limited to."

SB23

DIRECTOR KEVIN DELGOBBO: Right.

REP. NARDELLO: It doesn't say that you have to do it. It just shows you what the concerns of the Legislative Branch are in terms of what's been expressed to us here in this building. So why would you feel that that would be difficult in crafting language that gives you direction, asks you to respond to it and doesn't limit you to that. I guess I need to have an answer on that because I'm actually quite concerned about that because it is very common practice.

DIRECTOR KEVIN DELGOBBO: I agree with you, Madam Chairwoman. I think one way to look at this, stepping back -- and I, personally, am excited that the, obviously, the Legislature is taking this very seriously, the Governor, the public at large. This is an opportunity for us to move forward and do the right thing, but in doing that -- this is so many balls in the air at the same time and it's trying to find a way to rationalizing a process so we come to the best outcome. And so with regard to the question on tree trimming, as an example, one of the other recommendations that came out of the Two Storm Panel that the Governor had directed to be done is a tree trimming proceeding at PURA. And that's happening sequentially, where the commissioner of DEEP has convened a tree trimming task force to evaluate all the issues, across the environmental concerns versus how would you in a regulatory perspective. That will then inform a docket. But you're right. I think, by having the language the way it's laid out in Senate Bill 23 that describes broad objectives and they could include, you know, an objective of tree trimming, but that's not specifically the issue. The issue is that there's a broad objective outlined that I think gives the appropriate direction to PURA,

presumably, and what's adopted by the Legislature, of the kind of outcome you want. And as Lee Hoffman mentioned, what's going to happen here is, is it's going to take very serious thought and a lot of stakeholder input to figure out what those precisely correct things to do. So, as an example, across the country, regulatory bodies of states have begun to think about different ways of establishing storm standards. I don't know that all of them are quite so pleased with the outcome, because in some cases, they were very prescriptive. You know, and some said, well, were just going to say the statute, you know, 95 percent restoration has to happen within 48 hours. Well, that's one way of setting a standard. Another way might be the duration, set a standard based on the average duration of outages. There's a number of ways to -- to come to, quote/unquote, establishing standards. I think our most responsible course is -- is authorizing the PURA to specifically be able to do this as a matter of law, establishing the kinds of penalties that utilities would be subject to and then let a proceeding take place to figure out the specifics.

REP. NARDELLO: Beg my indulgence, but the question that I asked you --

DIRECTOR KEVIN DELGOBBO: Yeah.

REP. NARDELLO: Okay -- was not exactly what was answered. Okay. What I asked you was, if we write language, as we often do in this building that gives you direction on what you are to look at, okay, and what you are to consider based on concerns that were expressed in the legislative branch, "including but not limited to," but know that you have looked at

them. How does that hamper your ability to go forward in this process? We're expressing the views of the Legislative Branch and what they have heard in this building of concerns regarding storm preparation and development of benchmarks. So in crafting language that gives you specifics to consider, does not limit you to the specifics but asks you to consider them. How does that make your job difficult?

DIRECTOR KEVIN DELGOBBO: It all depends on how the question is phrased. If the question is tree trimming as a parameter, generally, I think that's completely fair. I've seen different discussions -- and maybe even language that gave specific parameters of what represents the -- you know, how trees are cut in legislation, those kind of parameters or maybe even miles, things of that sort at, I think, legislatively might be -- I won't say inappropriate because legislature can establish what it wishes, but just the broad parameter of tree trimming, I, frankly, from my perspective, was presumed to be an issue on setting standards, undeniably. And so including that then as a broad parameter from a regulatory perspective, I do not think is inappropriate. I think that's fine.

REP. NARDELLO: And one last question. There are, I believe, a number of investigations going on, through PURA, in terms of storm response and gathering information for the development of benchmarks. Can you just state for the record, what they are, when they'll be completed, and how they'll intersect with all of this.

DIRECTOR KEVIN DELGOBBO: As I said, it's sort of an interesting process that's going on. We've

had a number of the preliminary reports, you know, the previous evaluations being put out. The Authority, as we speak, is undergoing, as a matter of fact, Vice Chairman Betkowski is today going through continuing hearings. That's -- those hearings cover a very broad range. Right now are going through cable and telecom providers, getting into electric distribution system, other utilities. We expect a preliminary report April 15th with regards to the electric distribution elements. This will conclude, ultimately, with the final decision by July 1st by the Authority.

REP. NARDELLO: So how many -- you have one that is due April 15th. Have you started a management audit and --

DIRECTOR KEVIN DELGOBBO: Yes.

REP. NARDELLO: -- is that in its best -- I'm trying to get you to tell me --

DIRECTOR KEVIN DELGOBBO: Oh, yes.

REP. NARDELLO: -- for the record --

DIRECTOR KEVIN DELGOBBO: Yes.

REP. NARDELLO: -- what it is that's in process.

DIRECTOR KEVIN DELGOBBO: All the sequence -- so we have -- we have the overall proceeding, which is already -- it's got to be in the thousands of filings to it between the hundreds upon hundreds of discovery requests that have been going on for months. There -- that's going on literally now until the close of the record. There's the consultant and the audit and the independent management audit, both of which are ongoing right now. The -- and the final

decision, pulling all of these things together, will take place by July 1st.

REP. NARDELLO: Thank you.

Are there other questions from members of committee?

Oh, we see lots of hands going up. Okay. So we are going to start with Representative Greene since he was the quickest and followed by Representative Backer and then followed by Representative Miller so, hopefully, you'll all remember your place in line.

REP. GREENE: Thank you, Madam Chairman.

A VOICE: (Inaudible.)

REP. GREENE: Thank you for your testimony. I was reading through this bill, and I think it's pretty clear -- I don't know if you'd agree with this, it's pretty clear. This is -- intent of this bill is a very large public safety driver behind this bill. Am I correct in that assumption?

JESSIE STRATTON: You mean Senate Bill 23?

REP. GREENE: Yes -- I'm sorry -- Senate Bill 23.

JESSIE STRATTON: Yes.

REP. GREENE: Given that this is intended to help protect the public in the case of a catastrophic emergency, say, we get that Category 3 hurricane or something like that. What is the impetus behind limiting our micro-grids to Class I renewables only?

JESSIE STRATTON: We are not proposing that.

REP. GREENE: It's not. According to -- I mean maybe I'm misreading this, but lines 92 through 94 specify the renewable distributive energy generation means energy produced from Class I. I'm a lawyer so maybe I'm misreading this. But it would seem that that's what the intent is.

JESSIE STRATTON: Renewable distributive generation would be renewable distributive generation. There are situations where we would envision that you might have a gas micro-turbine, but this is sort of self-explanatory. We certainly anticipate that the vast majority of the system would be fuel cells, which are Class I renewables. But you have situations in the state where we do not have natural gas available to power those, and there may be other situations where putting a -- something that is propane powered, a variety -- and even where there is natural gas available, it may be more cost-effective to put in a conventional gas generator or a turbine or something.

REP. GREENE: Okay. So maybe I just misinterpreted it or whatnot but what you're saying basically is this won't prevent us from creating micro-grids for, you know -- for public safety purposes, it won't prevent us from developing micro-grids in various communities, you know, using alternative -- other types of generation.

JESSIE STRATTON: Correct. Actually, we envision maybe anaerobic digestion in some places and things of that sort.

REP. GREENE: Okay. Thank you very much.

REP. NARDELLO: Thank you.

Representative Backer.

REP. BACKER: Thank you, Madam Chair.

And then we are kind of moving around here little bit. I know you're going to take them one by one, but Jesse Stratton had briefly made an excursion into some other issues, which I think are very important. I'd like to start out by saying that we talk a lot about the term "tree trimming." Well, I don't know how many people on the committees or on the storm committees had have ever actually done any tree trimming or how many have ever actually done any line work. Well, I've done both and it's kind of interesting on any given day of summertime and other times, you can find contractors trimming lines.

What took down a lot of our power -- most of the line trimming is done to keep branches from growing into the wires and to keep -- keep other branches from falling onto them, getting you a short or a closure blowing, but things of that nature. What we're really talking about here is not tree trimming. It's actually the wrong terminology. When I went out and looked at the damage after both storms, and I was out for a week and a half at my 85-year-old mom's house where I went up and hung out with her to make sure everything was going well. And as I walked around, I would see leaders, this big around, which would normally not be taken off with tree trimming, a hundred feet long, sheared off a tulip tree taking down five sections from the primary all the way to the cable television, snapping the polls. And as the line crews would come up, they'd look down the road, they couldn't get

the trucks down because the number of trees down, not trimming. A lot of those trees coming down off the town's right of ways, that the town's might have some responsibility for when the first selectman was a pure talking about her tree trimming crews. I was saying, well, actually, the trimming is the responsibility -- in my mind, the trimming is the responsibility of the utility, not of the town, but perhaps she was speaking to removing dangerous town trees along the right-of-ways. And as I started thinking about this, I started to think how you cannot build in enough surge capacity for an unknown event of an unknown magnitude. You can't build enough surge capacity to respond to it because, in doing so, you siphon off your capital, your -- your human capital and your dollar capital to prepare for an unknown event of an unknown magnitude at some time. As most of the trimming we have done -- that we do a routine basis is for interference and for storms of a lesser nature.

I'll use this example, if I could, and I hope everyone in the room will indulge me to kind of jump out here. I don't know what we have -- 30 hospitals, 33 some-odd hospitals in the state of Connecticut. And if we were to look at them, how many life-saving type respirators would they have in those hospitals? One, two -- now, let's kick it up to four. Let's say we have a couple hundred respirators in the state. Well, if we had an outbreak of SARS or one of the pandemic flus that are floating around in places like Lagos and Delhi and some other parts of the world, and China . If we ever had them here, we would need thousands of respirators. God forbid we don't -- we don't ever have it here. But, you know, it is a projectable event. You could project that it

would happen at some point. We couldn't keep enough of the respirators in storehouses because they would need -- all our capital would have to go to them. And we would need the ability to maintain them. They couldn't just sit there.

So to have the type of capacity to respond to storms of the magnitude and nature of the two were discussing now -- and by the way, I heard people say Cat. 3, Cat. 4. The states are match sticks by then, you know, go take a look at the places where those come to shore, you're going to be looking at matchsticks not, so I shudder to think about that.

My sense is that the concept of preparing the facilities for -- hardening them and preparing them in different ways rather than have to respond to all of them and keep enough surge capacity, which would siphon away our capabilities to provide what we need to provide now to any great extent. So my concern is as I look around, and sometimes I see a tree wire up, and triplex tree wire up. And in other parts of the place, I see the (inaudible) that's probably been up there 80 years. Some of it has to do with reconductoring. I know in my front yard I'm constantly picking up old cloth insulation that falls off there. To kind of get out ahead of this and harden the system, as I've heard, maybe the only thing we could actually do that makes any sense.

And then the next piece would be in terms of -- of people and people in their homes, is what type of preparedness can they have. How well can they be prepared? Well, in the dead of winter you can't be prepared for a two-week outage without any heat. Not everybody can

have a generator. I think that the focus on preparing it for -- preparing the grid and preparing the cables and upgrading equipment is about the best you could hope for, but even good tree wire is not going to take 150-foot oak tree going through them.

REP. NARDELLO: Representative Backer.

REP. BACKER: Yeah, I hear you.

REP. NARDELLO: No, please understand. Okay. If you have a question for the panel. I want you to ask the question. We have a very long hearing with very many bills.

REP. BACKER: Okay. All right. I'm going to shorten it right now.

REP. NARDELLO: That's all I'm asking so that -- in fairness to everybody else.

REP. BACKER: Okay. In courtesy to everybody else, I hope that I gave you a little bit of information that you might not have known. I apologize for going on.

SB450

Jesse, we passed the bill my first year here, when you were chair of the Environment Committee, what happened to it on -- on natural gas fired -- powered state vehicles? That's a question.

JESSIE STRATTON: That experience is very much in my mind and memory, Representative Backer, because both you and I were very frustrated when we had the state pay and exorbitant amount of extra money for vehicles that were dual fueled and then never run on natural gas. It is one of our concerns that we focus any natural gas vehicle program on the uses that

we really do need to be very careful to prioritize the most efficient use, which is really fleet vehicles and trucks, like dump trucks and things that municipalities would own because the cost savings there, because of the fuel difference, the price of the fuel, make those make sense and then you would do a fueling station there.

REP. MILLER: I remember reading an article where they said that if the county wanted to go for gas-powered automobiles, the infrastructure might be several hundred billion dollars to put the infrastructure in place.

JESSIE STRATTON: I think that's an accurate statement.

REP. MILLER: So I get that it's costly. Again, by the time they put this infrastructure up, will there be enough cars that are powered by gas, to buy gas. I thank you very much.

JESSIE STRATTON: Thank you.

REP. NARDELLO: Thank you.

Are there further questions from members of the committee?

Seeing none, thank you for your testimony.

Next, we'll have Victoria Hackett.

VICTORIA HACKETT: Good afternoon, Chairwoman Nardello, Chairman Fonfara, and members of the committee. I'm Victoria Hackett from the Office of Consumer Counsel and with me is Richard Sobolewski, also from the Office of Consumer Counsel. Consumer Counsel Elin Katz would've liked very much to be here today. SB23 HB5544

She had a family emergency and was called out of town unexpectedly yesterday, so we are here on her behalf.

I guess I'd like to start by just referring to Senate Bill 23, as well as HB 5544, and to the extent that these bills have overlapping provisions, some may be more specific than others, we look forward to working with the committee and with all parties to -- to achieve the goals in both of these bills. We agree that performance standards need to be put in place. We are currently very actively involved in the storm docket that Director DelGobbo referred to at the PURA. We've issued hundreds of interrogatory requests and have been receiving discovery responses. And with respect to tree trimming, in particular, we've actually hired a very well-known and respected expert in that field who is working with our team to develop OCC's position on tree trimming. And we think, you know, we would agree that deferring on actual parameters of tree trimming for now would -- would be the best way to go while we investigate, with the use of expert testimony and analysis, what the best parameters would be.

But we do agree that the burden for -- for objecting to any tree trimming should shift to the customer and that with proper notice from the utilities, that there will be tree trimming at a property owner's residence or business, that the burden should be with the property owner to respond, but we think -- and object if they have an objection. But we think that we have to make sure that there is adequate notice on that respect and that that notice should include a mailed notice and that there should be adequate time for them to

respond and request a hearing if they have an objection.

With respect to House Bill 5542, AN ACT CONCERNING CONSUMER PROTECTION FOR UTILITY CUSTOMERS, OCC very much supports the concept in this bill. We've provided some suggested changes in our written testimony. I want to highlight here our suggestions for Section 2, which would provide for a bill reimbursement for limited income lecture customers force food spoilage following an outage. The bill, as written, provides for up to $400 for spoiled food recovery per customer. OCC believes that this should be limited to $150 for food, but that the Committee should consider allowing up to $200 for reimbursement for prescription medication that must be refrigerated, such as insulin, because replacing these could be quite costly for limited-income customers.

OCC also believes that we should take a cue from the similar program at ConEdison in New York and consider putting a cap on the total amount that could be spent on such reimbursements for each storm. I believe for ConEd, it's 15 million, but that covers all of their ratepayers, not just limited income. But we'd be happy to discuss what an appropriate cap per storm might be for that.

With respect to SB 450, OCC believes that many of the goals of this bill are laudable, including the funding of the Fuel Oil Conservation Board and the development of plans for improvements for utility reliability. OCC is concerned, however, that various programs and initiatives in this bill have as their funding source utility customers, when those initiatives are not

clearance zone has been trimmed, they may have an objection to that.

OCC is also concerned about Section 14 of SB 450 insofar as it requires us to meet 25 percent Class I and II RECs with power generated from micro-grids. You know, we're not sure what the near-term costs for ratepayers for this proposal will be. We're concerned that there may be unanticipated near-term costs for standard service suppliers who have already bid in through 2012 and that this could cause them to increase their risk premium in their future bids. So we think that something that requires more study before it goes forward, and we be happy to participate in any further discussions on that.

In order to promote micro-grids, OCC does prefer the approach in SB 23 and HB 5544, which uses the request for proposals approach and is capped at $5 million.

With respect to section 21, the removal of the cap for subsidization of oil heat customers by electric customers for the Home Energy Solutions program. OCC understands the concern that fuel oil customers are not able to participate in the HES energy efficiency residential program at the same level as a gas and electric heat customers if the cap is kept in place; however, OCC believes that the solution to this is to have fuel oil customers contribute to the HES program at the same proportional rate that gas electric customers contribute to the program. Gas and electric heat customers pay a higher amount on their bills for their heat use in order to benefit from the weatherization and heating upgrades in this program. Oil customers, currently,

don't and they only contribute to the program based on their non-heat electric use. Approximately, 50 percent of homes in Connecticut use oil heat. It's only fair and equitable for them to contribute through a levy on their heating use if they want to participate in heating and weatherization efficiency programs, instead of having the other 50 percent of ratepayers who use electric and gas heat pay their way.

And to be sure, fuel oil customers are also electric customers, and they do contribute to the energy efficiency fund through their non-heat electric use, OCC does feel strongly that fuel oil customers should be able to participate in HES to reduce their electric use and save money on their electric bill. OCC notes that many fuel oil customers could achieve significant savings by changing out their lighting, their air conditioning, electric hot water heaters, and appliances to more efficient models. And that they should be able to participate in HES to achieve the savings. OCC would submit that if they want to further participate in the HES program's weatherization and heating upgrades, they should be asked to contribute to those programs on an equitable basis.

And finally, with respect to SB 23, OCC again we support the provisions in SB 23, with respect to emergency preparedness, restoration of service, creating a micro-grid pilot program. We would suggest that with respect to -- since PURA regulates utilities, that PURA should be involved in those aspects of the development of the comprehensive plan and program for civil preparedness that relates to public service company obligations. And that's all for today.

REP. NARDELLO: Thank you.

VICTORIA HACKETT: I'd be happy to take any questions.

REP. NARDELLO: Yes. Thank you for your testimony.

I'm just going to ask you for the record the same thing that I asked PURA, and that is, you have ongoing processes by which you are determining what would be best to include in performance standards and review of storm response that are going on now. And if they're going on, when will they -- will we have the information so that we can utilize in our decision making?

VICTORIA HACKETT: As far as performance standards are concerned, I think that within the storm docket that's going on right now, were looking more at the -- at the performance as it has already occurred in these storms, and I think legislation of the kind in SB 23 and HB 5544 will be helpful to establish performance, more specific performance standards going forward, but I think we can use the lessons that we've learned from the storm docket to instruct the development of those standards. And I do anticipate, as Director DelGobbo said, the final decision that will be due -- is currently due July 1st. We will be submitting testimony at some point in that docket. I would anticipate the end of this month or the beginning of next month, that may be helpful to you as well, and we'd be happy to provide copies of that.

REP. NARDELLO: But, specifically, have you engaged a consultant who will then make recommendations based on this, through the

storm docket, that once those recommendations made, that those would be public that could help guide us in our decision making?

VICTORIA HACKETT: Absolutely.

REP. NARDELLO: Do you know when that report will come forward, is what I'm trying to get?

VICTORIA HACKETT: Yeah. That would be the testimony that I discussed, that I would anticipate will come out towards the end of this month or the beginning of next month, of April.

REP. NARDELLO: Thank you. Thank you very much.

VICTORIA HACKETT: You're welcome.

REP. NARDELLO: Senator Fonfara.

SENATOR FONFARA: Thank you, Madam Chair.

Good afternoon.

VICTORIA HACKETT: Good afternoon.

SENATOR FONFARA: Can you, to the best of your ability, provide for the committee what you believe the role of the Office of Consumer Counsel is?

VICTORIA HACKETT: Our role is to represent ratepayers in utility matters before the DPUC -- I'm sorry -- before the PURA -- old habits die hard -- before FERC, before DEEP now, as the hold proceedings that affect utility ratepayers.

SENATOR FONFARA: And how do you define "utility matters"?

VICTORIA HACKETT: I would define that as any matters affecting public service companies.

SENATOR FONFARA: And do you believe that -- that responsibility extends to how utilities manager the -- in the case of electrical, electrical systems.

VICTORIA HACKETT: Absolutely, yes.

SENATOR FONFARA: But you did not testify to that today.

VICTORIA HACKETT: To which?

SENATOR FONFARA: To that responsibility with respect to the storm response legislation that's before us.

VICTORIA HACKETT: Which aspect of it? Because I believe I did say that we support 5544 and Governor's Bill 23, so I would be happy to add to that testimony. I guess I'm wondering which specific aspect you would like me to do address.

SENATOR FONFARA: What -- I'm interested in knowing what you believe your role is with respect to overseeing -- to protect the consumers' interests with respect to the maintenance of the electrical system.

VICTORIA HACKETT: I believe our role is to make sure, to the best of our ability, to participate in dockets that come before PURA, to participate in legislation before you all in creating legislation that will protect ratepayers and provide safe, reliable, clean utility service and to participate in any way

that will help guide, both, policy and just as practical implementation.

SENATOR FONFARA: Your office has been on record of opposing, on a number of occasions, efforts on the part by the utilities to strengthen the maintenance of the electrical system, including additional tree trimming and other activities, such as that that may have ameliorated some of the damage that was done during the storm.

VICTORIA HACKETT: Actually, I would say that our record with respect to tree trimming is that we have requested that the utilities provided more specific plan with respect to tree trimming. A plan that -- and I'll ask Mr. Sobolewski to assist in this response -- but we -- what my recollection is, what we requested, was a plan that would be -- would be guided by the types of trees that are being trimmed, because some trees grow slowly, some trees grow more quickly and there tends to be a policy to just go in and cut everything at the same level. And what we like to see and what we will be developing with the tree trimming expert that we're currently working with on the storm docket, is a policy that is guided by the types of trees that we actually have in Connecticut and how best to trim them.

And I'll ask Mr. Sobolewski to respond to that, as well.

RICHARD SOBOLEWSKI: In CL&P's last proceeding, we didn't oppose the proposed level of tree trimming, but we had advocated for, as Attorney Hackett stated, was that the plan that was adopted by CL&P should be more geared to results oriented, where we saw improved SAIDI and SAIFI characteristics, where we had

shorter outages and shorter length of outages. So we want to tie to that type of performance rather than just say cut more off and then spend more money. We wanted it tied to areas where we -- we trimmed trees that grew quickly, much more like what UI had proposed in their rate preceding. So it wasn't just a blanket, spend more money.

And in the past when we had taken issue with expenditures, it was because the companies had asked for more money and weren't necessarily spending the money as they were allowed in prior rate proceedings. So, back in, say, about 10 years ago, some of the companies weren't spending the money tree trimming and they had asked for, so when they had asked for an increase, we basically said you didn't spend the money in the last rate proceeding so why should we expend it even higher than what you asked for.

SENATOR FONFARA: Do you believe that given the result of the two storms and the impact of trees in causing outages that -- that the current practice is sufficient?

RICHARD SOBOLEWSKI: I think the company has already expanded -- taken a more active role on tree trimming.

SENATOR FONFARA: Well, as a consumer advocate on utility issues, the office that is charged with this responsibility, do you believe that the number of outages that were caused by trees was an acceptable number?

RICHARD SOBOLEWSKI: I think -- that's a two-part question in that if it was a result of trees that fell from the normal tree zone or trees that fell outside the normal trim zone. And I

think that the companies have presented that a lot of the trees that did fall were trees that were outside the trim zone, and I know that some of the companies, at least CL&P, is expanding its -- what they call its enhanced tree trimming program where they're looking at trees that are larger, that are damaged, and they're looking to go outside the normal right-of-way to trim trees.

We support that and we think a lot of those initiatives have started, and we support continuing those types of initiatives. So in the past, maybe some things -- trees weren't trimmed as often. And I think you've heard our office endorse putting the burden on the individual customer to oppose tree trimming rather than getting specific approval to trim a tree, so I think you've heard our office be upfront in endorsing a change in how we trimmed trees and a more aggressive tree trimming approach.

SENATOR FONFARA: There is no mention of a -- requiring the establishment of a policy for tree trimming in SB 23. Do you believe that's an oversight?

VICTORIA HACKETT: We believe that -- that there should be a legislative change to, as we said, to shift the burden for responding to notices of tree trimming so that the customer has to actually object to the tree trimming.

SENATOR FONFARA: Do you believe there should be -- do believe there should be a formal plan established --

VICTORIA HACKETT: A formal plan --

SENATOR FONFARA: -- by PURA that is directed in legislation to address enhanced tree trimming in Connecticut?

VICTORIA HACKETT: I believe that the plans should be established by PURA. I believe that if legislation was enacted to instruct PURA to establish such a plan that OCC would support that. I do believe the very specifics of the plan as far as number of feet, and so forth, should be left to PURA review, and we would be very active in that review.

SENATOR FONFARA: And lastly, do you believe -- right now in -- in statute, your charge is more general in terms of being the advocate for ratepayers. Would you support inclusion of language that would be more specific as in respect to going beyond the cost of rates, but to include the maintenance of the system, whether it be in any area that you're overseeing, not just electrical.

VICTORIA HACKETT: Oh, sure. We don't see our only obligation as keeping costs down. Reliable provision of utility service to ratepayers is also squarely within our obligations.

SENATOR FONFARA: So you would not oppose legislation that would be more specific in that regard.

VICTORIA HACKETT: Well, I think he would depend on the type of specificity that -- that you're talking about. I think, you know, as Mr. Hoffman said earlier, there are engineers at PURA, who have expertise in these matters, and we can also bring in consultants who have expertise in these matters -- in engineering matters, who could probably better speak to actual numbers, and so forth.

SENATOR FONFARA: But greater identification of those responsibilities?

VICTORIA HACKETT: Sure.

SENATOR FONFARA: Thank you.

Thank you, Madam Chair.

VICTORIA HACKET: Thank you.

REP. NARDELLO: Questions from other members of committee?

Representative Miller.

REP. MILLER: Thank you, Madam Chair.

Good afternoon.

VICTORIA HACKETT: Good afternoon.

REP. MILLER: As far as micro-grids are concerned, there isn't a community in the state of Connecticut that's qualified or has any kind of expertise in this area? I'm opposed to it, obviously. But to -- let's say, take the City of Bridgeport -- and I don't mean to stomp on Bridgeport -- but if you people don't get the same newspapers here that we get in Fairfield County and they can't run their board of education. Their pension plans are one of the worst in the state. And, you know, we're going to ask them to operate a micro-grid? I just don't think that they are capable of doing that.

And secondly, they would establish such a bureaucracy. Everybody would have a job. So, you know, just from my standpoint, my opinion,

I don't think any of our communities should be operating with a micro-grid. I think the DPUC a number of years ago, took a program that was -- it's from NYSERDA in New York, the distributive generation program. And that's turned out to be a very successful program, and I think that's where we should be looking, never mind this business with micro-grids from municipalities. The DP -- DPUC program has been a success. And I know one company in Connecticut who had the highest cost in the country, have now reduced their cost, in general, to one the lowest costs in the country, as far as their parent company is concerned.

Secondly, as far as the energy audits go, we did this back in the 1980s, I guess it was when the first oil -- you know, and I can remember it -- first oil problems occurred and a lot of people went for the audits and they had them done, and they were reasonably inexpensive. But they couldn't afford to implement them. They had no money, so there was a lot of wasted time, you know, I don't know, maybe 10 percent, 15 percent, 20 percent of the people that had the audits did something about them, but most people just couldn't afford to do anything, at least in the Bridgeport area.

And I know that -- that they always put -- hold their hat on the fact that we can put this blower door in the house and find out where all the leaks are. For 500 bucks, you can buy a handheld machine and you can walk around the room and get it done in half the time, half the cost, and there's no ifs, ands, or buts. There's a spot there that's not working, or there's a spot there that's not working. So, you know, our energy audits,

I've had some experience in that area, and I can tell you, you know, when it comes to government, our energy audits are going to be very costly and were better off leaving it off over to the gas companies and the oil companies. They do energy efficiency tests and things like that. And I know that if I have two inches of insulation in my home, it's not enough. And I think the insulation industry, they're always talking and I've been hearing for about 10 years, 50 percent of all the buildings in this country are not effectively insulated properly, so there you go.

VICTORIA HACKETT: Thank you, Representative Miller and I will say that I agree with you a hundred percent on the insulation and -- and that the upfront cost is a barrier for achieving some of the deeper measures associated with the conservation programs. Fortunately, we have in the works, new financing programs for residential. They are already in place for small business, and I believe they're being put in place for commercial/industrial with low interest rate financing. And we are creating a revolving loan fund for residential financing where customers payments will be then put right back into the fund in order to keep interest rates low. And we're very hopeful that that will be helpful in achieving higher rates of adoption of measures, such as insulation and boiler and furnace upgrades where appropriate.

REP. MILLER: And lastly, I just converted to gas. What a great thing I did. Because I have a friend next to me over here, who's Brian Doyle, we talk about from time to time, what he spent on 200 gallons of oil, I was able to get two months of gas heating out of it.

But the point is I put these units, and they wanted $5000 more for me to put in the 95 percent efficiency units in, and I didn't feel it was really something that I would get my money back on, plus they'd have to do some modifications to my home. So I went with the 80 percent, 85 percent units, and but the point is that there's a lot of ways that people reduce their costs if they went to a condensing unit. Now, I have a different situation, but some homeowner with a, you know, fairly average home a couple -- maybe 1,000, or 2,000 dollars more per unit at 95 percent. That's almost emissions free. And that's what we're looking here at the Energy Committee. You know, we want to reduce the emissions coming out of chimneys and these 95 percent efficiency units are the way to go.

So, you know, the solar and the wind and all this stuff, you know, what's wrong with a 95 percent efficient heating system that's on the market and being sold today, maybe a little bit more in money, but it accomplishes exactly what we want to see happen. Reduce the emissions coming out of chimneys. I thank you for listening.

VICTORIA HACKETT: Thank you.

REP. NARDELLO: Are there further questions from members of the committee?

We are going to move on now to the public portion. And it's my understanding that three people testifying from IBEW who would like to come up together. Is that still the case?

A VOICE: (Inaudible.)

REP. NARDELLO: No. You're going to come up separately?

Okay. Then first we'll hear from Frank Cirillo.

A VOICE: (Inaudible.)

FRANK CIRILLO: Good afternoon, committee. I'm here today in support of committee bills, SB 23 and HB 5544. Recently, we have been very local about our staffing levels for Connecticut Light & Power Company. Our staffing levels have been dramatically reduced since the seventies, and our customer base has dramatically increased. The current staffing levels are inadequate, not just for storms, like Irene and Alfred, but for the various storms that affect the state of Connecticut throughout the year. For example, winter ice storms, particularly, in Northern Connecticut, the unpredictable New England winds and the pop-up thunderstorms that hit the state of Connecticut from April to October.

I represent the Connecticut Light & Power Company workers for the western part of the state of Connecticut. The work centers are Greenwich, Stamford, Norwalk, Newtown, New Milford, Falls Village, Torrington, Simsbury, and Waterbury. These work centers maintain not only these towns but the towns that surround each of these work centers. Even in emergencies, such as thunderstorms, broken poles from car accidents, equipment failures, can take three to five people off the daily work schedule per work center, because they worked all night. If a whole department works on a brief some thunderstorm, there could be nobody on the work platform the next day. This greatly hinders work for residential and

commercial customers. Average waiting time under ideal conditions for residential service could be up to three weeks. And for three-phase commercial, it could be up to nine to ten weeks, providing nobody is out sick, on Workers' Compensation, vacation, or rest time due to emergency work. This has a negative impact on Connecticut businesses.

I'm not suggesting that the company hired 2,000 line workers and support workers for big storms. I'm simply expressing the need for more workers for regular work, as well as minor emergency work, that we do on a weekly basis.

Currently, Connecticut Light & Power Company are pursuing the purchase of all of AT&T's poles and they have long-term plans for overhead and underground maintenance to strengthen our system. This work should be done by Connecticut Light & Power Company employees, not contractors, a large portion of whom are from out-of-state. In the past three years, Waterbury has lost 11 line mechanics and only four were replaced. All the other work centers that I've mentioned have similar problems. We have difficulty handling minor storms due to our low staffing levels. It is a great inconvenience to Connecticut's business and residential customers.

We are not just short of line mechanics. We are also in need of cable splicers, stock handlers, and service designers, electricians, service mechanics, et cetera. All these classifications are instrumental in storm restoration, as well. Cable departments have similar emergencies from week to week, much like the line departments. Some of our stock rooms only have one stock handler and some

have only two. Sometimes trying to get material from the storeroom is a lengthy process particularly, during major storms. It's like going shopping on Thanksgiving week at a major supermarket, and they only have one cashier.

The company is now in the process of hiring 10 account executives and five supervisors for the purpose of dealing with towns as liaisons. The towns will soon have somebody to complain to, but without the workforce, the people they complained to can do very little. Between Connecticut Light & Power Company, AT&T, and United Illuminating, over a thousand jobs could be created for Connecticut residents helping the people who graduate from state trade schools, community college and returning veterans.

Hopefully, we can have a bipartisan support of Connecticut legislators and cooperation from the CEOs, who would all like to become job creators. Connecticut Light & Power customers pay their monthly service charges and are promised safe, dependable, and reliable service. It's time to see that the company delivers on its promise. Thank you.

REP. NARDELLO: Thank you, Frank, for your testimony.

I have one question. With the idea that we would be hiring more individuals, what do you feel is the best way to train them, because obviously they can't just come in and go to work, they need to be trained. So can you just speak to the issue of training?

FRANK CIRILLO: Yeah. Connecticut Light & Power Company had and still does have a state-of-

the-art training center and we have our own apprenticeship programs. So between hiring qualified people and then bringing in apprentices, the apprentices can be trained right here at Connecticut Light & Power Company.

REP. NARDELLO: Other questions from members of the committee?

Senator Fonfara.

SENATOR FONFARA: Thank you, Madam Chair.

Good afternoon. Have you present your concerns to the PURA and prior to the PURA, to the DPUC, regarding staffing levels?

FRANK CIRILLO: Yes -- yes, sir, we did. In fact, if you recall in 2007, we testified before the very committee can be predicted Irene and Alfred and it happened. We came to you in 2007 and complained about a staffing levels, and the company said we were adequately staffed and we're not.

SENATOR FONFARA: I'm asking you have you brought these concerns to the regulatory authority?

FRANK CIRILLO: To the commissioner of SDS.

SENATOR FONFARA: I'm talking about PURA, or its predecessor, DPUC.

FRANK CIRILLO: Yes, we have.

SENATOR FONFARA: And has there been proceeding regarding that?

FRANK CIRILLO: From what I understand, it's going to be in April.

SENATOR FONFARA: But in -- I'm talking -- this is not a new concern of yours.

FRANK CIRILLO: No.

SENATOR FONFARA: So have you brought these concerns to the regulatory authority, let's say, in the last couple years?

FRANK CIRILLO: Oh, no, sir, no, sir.

SENATOR FONFARA: Why not?

FRANK CIRILLO: There hasn't been any real storms to impact anybody.

SENATOR FONFARA: But you believe there is -- so is your concern with respect to storms or is it ongoing --

FRANK CIRILLO: Well, it's an ongoing problem. It's an ongoing problem because our workforce is starting to age, and they call it the silver tsunami. Our membership has been -- went from, approximately, 1200 members to 700. A lot of line workers lost. Every time we talked, nobody seemed to listen because when things were going nice, nobody complains.

SENATOR FONFARA: Do you think 700 is inadequate?

FRANK CIRILLO: Oh, totally -- totally inadequate, totally inadequate. My counterpart is going to talk about those numbers exactly, but I'll throw this out. In 1975, we had approximately 431 line mechanics in Western Connecticut. Today were down 190. The customer base has increased and there's always plenty, plenty of contractors on the property. It's work that

Connecticut residents could do. It's work that we could do if we have the manpower.

SENATOR FONFARA: You represent the workers for United Illuminating, as well?

FRANK CIRILLO: No, sir.

SENATOR FONFARA: You don't?

FRANK CIRILLO: Just Connecticut Light & Power and Yankee Gas, FirstLight and NRG.

SENATOR FONFARA: And, if you know, in the UI service territory, your counterpart, do they have similar concerns?

FRANK CIRILLO: Yes, they do.

SENATOR FONFARA: And do they have similar concerns with the staffing levels there, if you know?

FRANK CIRILLO: From what I heard from Moses -- Moses Ramses is the name, the business manager for the Utility Workers of America. He express that they were already starting an apprentice program. They are working on their staffing levels. But their company's a lot different from ours. They're very concentrated, Bridgeport, New Haven. It's concentrated. But when you go from, like, Winsted to Norfolk, you go miles without houses but a lot of lines. The two companies are very different because of the terrain that we have. We're similar in nature in Waterbury and Hartford, but not out in the country.

For example, in Falls Village, we have four line mechanics, five -- excuse me -- we have five. One is out with a shoulder injury. They take care of Salisbury, Sharon,

Lakeville, Canaan, Norfolk. We used to have 10 down there. If a storm hits, those guys can't do anything until help arrives, and they were flying people in from Vancouver. They were bringing them up from Louisiana. Four people can handle that. And when you take the cities, like -- for example, United Illuminating has Bridgeport and New Haven. It's very concentrated. We are all over the place.

SENATOR FONFARA: Well, wouldn't it be based on the number linemen, if you want to use lineman as an example, to the number of miles that a utility covers?

FRANK CIRILLO: Could you clarify that question again? Because we have miles and miles of line that you don't need as many line workers for, or you might, if they all come not once. So it depends on the geography and the area work center itself. Each work center works separately and differently than the others because of the terrain and their customer base. You know, when you're in Kent and Cornwall, it's a lot different than working in Waterbury and Naugatuck, for example.

SENATOR FONFARA: I don't know. I guess, I would have to take you at your expertise on that issue. I don't know if a line is a line is a line. I recall during initial storm proceedings we had -- this committee had, that we inquired as to the number of linemen per mile.

FRANK CIRILLO: I believe we have that information for the Two Storm Panel. I don't recall. I don't have it today, but I can get that information for you.

SENATOR FONFARA: I do recall that there was a significant difference in terms of linemen per mile for the municipal utilities compared to United Illuminating, compared to CL&P, and it was the ratio was greater and greater as you went up from the municipal utilities to United Illuminating and then to CL&P. Now there may be justification for that --

FRANK CIRILLO: Well --

SENATOR FONFARA: -- but the numbers were significant enough to -- to get our attention. I can say that much.

FRANK CIRILLO: I don't work with municipalities. Our sister local does and they are testifying today. So they can better answer you, as far as municipalities go. I really can't speak on that.

SENATOR FONFARA: Thank you for your testimony.

FRANK CIRILLO: Thank you, sir.

REP. NARDELLO: Are there further questions from members of committee?

Frank, I have one more question. Okay. So that as I listen to your testimony, you know, we have had such a significant reduction in workers. So then, can you tell the committee what doesn't get done? Clearly, in my mind, if you now went from having 400 to 190, and then, you now got more customers, something isn't getting done. So what gets put to the bottom of the totem pole, so to speak?

FRANK CIRILLO: Businesses, customers. For example, if there's a folk thunderstorm tonight that hits Falls Village, Torrington,

Winsted, makes its way into Simsbury, Hartford, those work centers are going to be working storms.

Everything that was planned for the next day is put to the side. The other thing that you have to remember is when people are out of power for extended period, the people -- if we had more people working in these work centers, they could assess damage and hit the ground running right away. With less people, it takes even longer. So businesses are out longer and, of course, residential people are out longer.

As I stated, four people in Falls Village for six or seven towns, that's ridiculous. One example is, the first night of Alfred, we had one lineman, an apprentice, and a town crew in Bethlehem. Nobody else in the Torrington area was working up there. Some people went four or five days without restoring any power. So a lot of stuff gets put to the side because the locals aren't there. You got to remember, two of our linemen are worth five of an out-of-town linemen because we know the terrains; we know the circuits. So we are quicker and faster. We know where we are. We know where the bridges are we can't go under. We know how to move. We know the work. Out-of-towners don't. They need a guide, which cost even more money. I hope I answered your question.

REP. NARDELLO: You did, Frank. Thank you.

Are there other questions? Okay, thank you.

FRANK CIRILLO: Thank you.

REP. NARDELLO: Next we'll be John Unikas.

JOHN UNIKAS: I crossed out good morning. Thank God I can still keep good afternoon.

Good afternoon, distinguished members of the Energy and Technology Committee, my name is John K. Unikas. I'm the assistant business manager of Local 420, International Brotherhood of Electrical Workers. I represent the Connecticut Light & Power Company workers for the western portion of Connecticut. I'm here today to support Senate Bill 23 and House Bill 5544.

I was hired in 1971 as a line helper and progress to lineman by '76. I was directly involved in line construction, maintenance, and storm restoration until March of 2004, when I became a full-time union representative. I worked hundreds of storms over the years, including the ice storm of '73, the numerous tornadoes that Windsor Locks in the northwest corner of Connecticut, and Hurricane Gloria in 1985. I have personally witnessed the steady reduction of our line departments and other jobs classifications that would be directly involved in the storm restoration.

I'd like to focus on the serious threat to public safety due to the downsizing of the workforce. In March 2010, the southwest portion of our state was devastated by thunderstorms, which left thousands without power and numerous roads closed longer than necessary. For the first time in my 40-year career, the towns of New Canaan, Norwalk, Greenwich held town hall meetings for their residents to voice their concerns and complaints about extended power outages and wires down blocking roads and driveways.

These danger situations created a very serious threat to public life and limb.

In 2011, a thunderstorm rolled through the western portion of our state, the New Milford area work center, which serves the towns of New Milford, Sherman, New Fairfield, Warren, Kent, Roxbury, Bridgewater, and Washington was left in the dark much longer because of the shortage of linemen. In New Milford alone, 35 roads were closed overnight, which led to the cancelation of schools. Schools also canceled in Sherman because of power outages and road closures. When roads are left closed, not only does commerce cease, but fire, police, and ambulance service is halted in the affected areas. These areas where roads were closed because of wires down were not passable by vehicles, but many people were walking in close proximity of these possibly energized conductors.

I'm imploring the elected officials of Connecticut to bring the existing staffing levels up to at least our 1975 numbers. In 1975, the Local 420 had approximately 430 linemen. That's just for the western portion of Connecticut. Today, we have approximately 190. Our next great concern -- and I say our next great concern is the so-called silver tsunami of existing linemen. My prediction is that there will be a large exodus of the existing workforce and no plan in place to deal with attrition.

Thank you for listening to my testimony. I'd be happy to answer any questions that you have any.

REP. NARDELLO: Thanks, John. Just one thing, okay? We spend a lot of time here talking

about jobs and creation of jobs and fostering it and spending money to support the creation of jobs. Can you talk a little bit about that? My understanding is that these jobs are actually very well paying. Something that, again, cannot be done by somebody else, has to be done by somebody basically in the state, unless you move in to come to work here. But can you speak to that in terms of their importance in terms of the overall creation of jobs in Connecticut?

JOHN UNIKAS: Well, myself as an example of that. I came up through the Time Merit Progression program at Northeast Utilities/CL&P, and it's custom -- I'm not saying were better trained than other linemen, but we're custom fit for Connecticut. And we know what we're doing; we know how to put the lights back on quickly and safely. And the Time Merit Progression program is just what it speaks and it's on the job training. And that's where you get the training, so if you don't let us do the regular work, day in, day out, you can't train the young guys to be linemen. That's so important to let us do the work on a day-to-day basis.

REP. NARDELLO: Thank you.

There are further questions from other members of the committee, and Representative Lesser has a question.

REP. LESSER: Thank you, Madam Chair.

And thank you for your testimony. What do you think has driven the loss in the number of linemen in the state?

JOHN UNIKAS: I would say economics. It's only thing I can think of. I mean, our numbers have grown customer wise. The miles of wire have expanded, polls, transformers. I mean it's been systematically reduced over the years and it's a shame.

REP. LESSER: Can you comment a little bit on the programs that are in place to replace -- you mentioned the silver tsunami, the retiring linemen, what programs are in place to replace that because I had heard from my local community college, Middlesex Community College, that they had been interested at one point in developing linemen training programs, and it just didn't seem to get any interest in terms of actually getting that set up, and I just didn't know if there are other programs that you are aware of that were trying to address this problem.

JOHN UNIKAS: I applaud anybody that tries to get anybody interested in this work, whether it be community colleges, trade schools. Myself, I would look at volunteer fire departments. Those are young energetic individuals that climb ladders, respond to emergencies, all different times of the night. They are custom-made for these jobs. I don't take away from the fire departments, but full-time firemen would make, you know, a good fit for a lineman, also. You know, as far as somebody coming from a community college with a two-year degree, there's pros and cons on that. Education in my opinion never goes to waste, but if somebody came in here with a two-year degree and went through the Time Merit Progression program to become a lineman, after here she became a lineman, the sky would be the limit in the company with an education. They can move onto supervision; they can move

on to other jobs. I've seen that happen all the time.

REP. LESSER: Do we have programs in place, though, the toy train?

JOHN UNIKAS: Well, no, not right now. That's the thing, were trying to get those going.

REP. LESSER: Okay. Great. Thank you.

REP. NARDELLO: Representative Backer, followed by Representative Carter.

REP. BACKER: Yeah. I just have a quick question. Forgive my ignorance. The number of linemen on staff, are they all recoverable through the -- as part of their, you know, through the rate? Are they paid for through the rate?

JOHN UNIKAS: I couldn't tell you that, Representative. I couldn't tell you that.

REP. BACKER: I'm just wondering if you are implying that it was, perhaps, a cost-cutting, have less linemen to create more profit, perhaps, for the company -- the profit is regulated, I understand. I'm just curious of how everything gets paid for, and I'm sure there's somebody in this audience who could can answer that question later. Thank you.

JOHN UNIKAS: Well, I can speak on that behalf. I didn't understand your question at first. In 2004, the CEO of Northeast Utilities made approximately $2 million. This year, he's going to exceed 9 million. So, yeah, I guess there is profit someplace else by cutting the workforce.

REP. NARDELLO: Thank you for your testimony.

Oh, I'm sorry, Representative Johnson. I'm over there. I'm sorry.

Representative Carter, then Representative Johnson.

REP. CARTER: Thank you, Madam Chairman. Real quick question for you, when -- when you drew down from 400 linemen down to 100, did some of those folks become contractors or did most of those folks just retire over time? How did that drawdown happen?

JOHN UNIKAS: A lot of that was through attrition. They just never replace people retiring. And the numbers fluctuate quite a bit, because depending on what month you take the data from, that year, you know, with a number, that's why always say "approximately." But it was 190 -- we're right around 190 linemen now.

REP. CARTER: Do you have a sense of how many contractors they use throughout the year?

JOHN UNIKAS: I was -- I was involved with the negotiations since '89. I can attest that contractors have been on the property at a steady basis, since then. And even before then, I've talked to my predecessors. And we always get hit with the company -- say "peaks and valleys" for the work, but as far as I'm concerned, it was always peaks and bigger peaks. I've never seen many valleys.

REP. CARTER: Is this one of those situations where oftentimes accompany do they pay for training and somebody gets in, they been a lineman for period of time and they become a contractor on their own, or just over time do people come in from the outside?

JOHN UNIKAS: I believe a lot of them come from the outside, from other states as qualified linemen. And I believe some of them have their own training facilities, also. But I've been through the Northeast Utilities training program, and it still exists today. And it's my opinion, it's still one of the best out there.

REP. CARTER: I guess, what I'm getting at -- is there an attrition rate from Northeast Utilities or -- do they lose people to becoming contractors or do most people just kind of hang on?

JOHN UNIKAS: They never did until a few years ago. We basically gave up at negotiations to find pension benefits for new hirees. They have a 401(k). So that was the company's proposal. What they did is make those people mobile now because there's no reason to stay anymore. There's no loyalty.

REP. CARTER: A personal question, you don't even have to answer. Did you ever think about becoming a contractor or just stay on board --

JOHN UNIKAS: Never. I always had pride in where I was. I had a great career. It was a great job. I made a lot of money. I pay a lot of taxes to the State of Connecticut. I was happy to do so. It was a great career.

REP. CARTER: Thank you for your testimony.

REP. NARDELLO: Thank you very much, Mr. Unikas.

Representative Johnson.

Don't go yet. Representative Johnson has a question.

JOHN UNIKAS: Oh, I'm sorry.

REP. JOHNSON: Thank you, Madam Chair.

And thank you for your testimony today. You did mention having volunteer firefighters possibly looking at have to becoming linemen. Do you know other volunteer firefighters who did that and --

JOHN UNIKAS: I have worked with some volunteers that were linemen. Yeah. They were good linemen.

REP. JOHNSON: And I think that from our experience with the storm in my district, the volunteer firefighters just didn't have access to being able to address some of the down wires and so getting that whole thing coordinated, it seems like it might be a good way to try and remedy some of the difficulties we have to -- to try and get the volunteer firefighters on board to, perhaps, do this as well, in addition to their other duties. Is there a way for Northeast Utilities to train them or bring them on board?

JOHN UNIKAS: When I spoke of -- I was speaking of stealing your volunteer firemen to become full-time employees over there. That's what I meant by that.

REP. JOHNSON: While many of them do work but --

JOHN UNIKAS: Right.

REP. JOHNSON: I'm sure they'd be glad to do some of this work. I know there's enormous amount

of frustration not being able to remove downed wires in front of the firehouses for up to four or five days, and they're very concerned about not being able to provide rescue services.

JOHN UNIKAS: And we -- over my career, I believe we've lost two firemen to electrocution with down wires. And I believe one police officer also. So I'm firm believer of leaving -- I'll let them fight the fires; let us take care of the wires. You know, if a wire's down and somebody tells you it's dead, it's not really dead until it's grounded. We have portable grounders and we ground it. With all the generators we have now, there's so many potential for backfeeds that you have to have an experienced, qualified line crew really sitting there to make that area safe before tree trimmers or firemen or police should go in there.

REP. JOHNSON: Oh, you have no disagreement with me there. I just wondered -- I just wondered exactly what was your vision was to try and get firefighters involved as linemen because I think that they are --

JOHN UNIKAS: That was --

REP. JOHNSON: -- I think that they'd become cognitive of the fact that it would be good to have that --

JOHN UNIKAS: Yeah.

REP. JOHNSON: -- at least have several or a few.

JOHN UNIKAS: I think we could pay them more so I think we can get them from you.

REP. JOHNSON: Certainly, the volunteers would be paid more.

JOHN UNIKAS: Especially the volunteers.

REP. JOHNSON: Well, thanks so much for your testimony.

JOHN UNIKAS: Right.

REP. NARDELLO: Further questions from members of the committee?

Seeing none, thank you for your testimony.

JOHN UNIKAS: Thank you very much.

REP. NARDELLO: I'm going to be calling up Richard Sank, but after Mr. Sank, I'm going to be ask for the room's indulgence and Representative Mushinsky is here and has to leave for another event, so once we finish with Mr. Sank, I will then call Representative Mushinsky, and then we'll move to the regular list.

Thank you very much.

Would Mr. Sank please come up?

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RICHARD SANK: Thank you very much members of the committee for allowing me to speak to you this morning. My name is Richard Sank. I'm business manager, Local IBEW 457, and we represent members of two municipalities, NRG, Suez, FirstLight -- which used to be Suez FirstLight -- and CL&P, mainly east of the river. And what I'd like to say, I'll be short because I know we've got a long day. It's my feeling and belief that CL&P has a responsibility to provide a safe and reliable

service to the ratepayers of Connecticut and to respond to emergencies and timely manner. I feel that they've failed horribly in doing this. They've let down the ratepayers and customers and businesses of Connecticut, and I -- for the life of me, I just don't understand how it happened. I really don't.

Ms. Nardello, you hit on something. You hit the nail on the head when you said "maintenance" and this is part of what I was going to testify to today. How do you do the normal maintenance when you have half the workforce? We had the numbers before, we have half of that. So how is the maintenance getting done? That one gentleman on your committee talked about he has wires going down one street that are 80 years old with insulation falling off. What what's the lifespan of those wires? We have poles that rotten that have a lifespan that are beyond that. So, you know, everybody talks about the trees and the tree trimming. Well, guess what? I believe, it's my opinion, that not as many poles would've come down if newer poles and newer construction was out there in the field, and it's not getting done. It's just simply not getting done and thank you for bringing that to light.

I'd also like to touch on safety for just the second and Mr. Unikas touched on it very much. I'm a lineman, also, and it's been my training that a line is not dead until it's grounded. And CL&P put the public's safety in jeopardy for allowing the wires to be down the amount of time that happened in these two storms without them being grounded. And you've talk about preparedness, they have to be prepared and there's no magic number out there saying you got I have 500, 600, 700, 1,000 people on

staff all the time to deal with a catastrophic event. Okay. This was a catastrophic event, but we weren't prepared for it. They were scrambling. They didn't listen to the weather forecast. This was no surprise. It was no surprise that this was coming. They were ill-prepared. And it just -- it showed every day in the news how things went down. They failed miserably. And they failed the people of Connecticut.

What I don't want to see is why should the people of Connecticut pay the burden for CL&P's failures? Why should their rates be increased? Why should they have to pay for these investigations? CL&P failed. Their profits are at all-time highs. They're getting ready to merge with NStar. It's going to be the biggest merger in the electric utility in the Northeast. Look at the CEO salaries. They have money. We have no people. You have horrible service. I'm a ratepayer, also. I didn't enjoy being out of power for 12 days, plus. I don't think any of you did. They're doing an injustice to the people.

I touched on maintenance -- training, I'd like to touch on a little bit. It's been, approximately, four months since these two storms came by and devastated Connecticut. Yankee Gas, which is -- I don't want to say it's owned -- they're part of the NU system, but their different company than CL&P. They were utilized as far as storm duty and had assignments. All their vacations were canceled. It was on the news that we're canceling all vacations, CL&P, Yankee Gas. There were people in Yankee Gas that weren't even utilized in the storms but their vacations were canceled, an injustice. But

the further injustice is we have been screaming, going to anybody we could to say why can't we get training for the people at Yankee Gas on wires down. They still, after this big storm, have not trained their available personnel. There are people out there with a four-hour training class that not been afforded the opportunity to train, to be prepared, if this happens next week or next month or 10 years from now. Why not train the people and have them available and at your resources?

REP. NARDELLO: Mr. Sank, I'm just going to ask you to summarize since the bell did go off. Thank you.

RICHARD SANK: Thank you very much. I'm done. That's all I wanted to touch on. That's all I had.

REP. NARDELLO: I have one question for you. If you had more linemen similar to what you had years ago, is it your position that we would have avoided the number of outages that we experienced or had a lower number of outages in the storm than we had if we had done the operation and maintenance as we've went along --

RICHARD SANK: I, 100 percent believe that, feel that, as being a lineman and working in the field. I agree with that statement 100 percent. I also believe that if we worked the way we used to work years ago, we would have been deployed quicker and people would have been restored sooner. No doubt in my mind. I've seen practices I've not seen before implemented here.

REP. NARDELLO: And have you discussed the concerns with the management of Connecticut Light & Power?

RICHARD SANK: Many times.

REP. NARDELLO: Thank you very much.

RICHARD SANK: Thank you.

REP. NARDELLO: Are there questions from members of committee?

Representative Johnson.

REP. JOHNSON: Thank you, Madam Chair.

Thank you for your testimony today. You mentioned that, in your testimony, that just four hours of training for Yankee Gas employees to become linemen?

RICHARD SANK: No, not to become linemen, to become wires down certified. Meaning, when you have a storm and the wires come down, you can send people out to guard the wires and safeguard the public so you have somebody there on the street when the wires are down telling people to stay away because you don't know if they're energized or deenergized. So we need people that are trained to be able to do that. What I'm saying is Yankee Gas, some of the people were used of there and some people were not. But still, to this day, they have people that weren't trained for that. Train your whole workforce. It's a four-hour class.

REP. JOHNSON: Do you think that the volunteer firefighters or firefighters could also be trained for that?

RICHARD SANK: I might be mistaken on this, but I believe they do have some type of training. I don't know to what extent so I shouldn't really speak of that. But I know they do have some type of training for wires down. But the practices we go out, we ground the lines, make it safe for the public.

REP. JOHNSON: I see. So I know that we have a number of downed wires and you could tell they were alive because they were -- they had sparks coming out of them, so that would be an indication that no one should go near them and they were wired up, but there was no one near the wire.

RICHARD SANK: Exactly.

REP. JOHNSON: Some of them were on the ground, which I was concerned about because of water being able to transmit the electricity. So I mean, I would have concerns about people coming out of their house, for example, and running into some -- becoming electrocuted or something.

RICHARD SANK: That also.

REP. JOHNSON: So I just wondered, you know, who you think -- who else could we could add to these folks who could be trained do this kind of work? A number of volunteers in the neighborhood stood by to try and stop people from going near the downed wires, but they certainly weren't trained.

RICHARD SANK: Well, you know, we have the Yankee Gas, which is, like I said, the parent company there, and not all of their people were trained or utilized and you can get that. You can have that. So it's a benefit and asset to

you. As far as the public goes, I think maybe more on the broadcasting and on the TV -- something to get a message out to the public. Don't come down, don't come near wires. And like Mr. Unikas mentioned, there's a lot more people with generators now, especially, after these two storms. So what happens if the line is not sparking, but now somebody -- you look at it in 15 minutes later, you go fire up your generator and that backfeeds and that wire starts sparking. You don't want people around that kind of stuff. So there's got to be some kind of education process that happens to educate the public and make it as public TV. I don't know.

REP. JOHNSON: Well, I guess it would have to be done while we're not having a power outage because most people wouldn't be able to watch, although perhaps they'd be able to, you know, have it on the radio. But the backfeed occurs when if it's improperly installed, or if you didn't have an electrician install the generator --

RICHARD SANK: That can happen that way, yes. If it's not properly installed, they can backfeed.

REP. JOHNSON: But if properly installed by electrician, there should be no back feed?

RICHARD SANK: Correct.

REP. JOHNSON: Okay. Thanks so much for your testimony.

RICHARD SANK: You're welcome.

REP. JOHNSON: Thank you, Madam Chair.

RICHARD SANK: Thank you very much.

REP. NARDELLO: Senator Fonfara.

Mr. Sank, don't go yet.

SENATOR FONFARA: Thank you, Madam Chair.

Good afternoon.

RICHARD SANK: Good afternoon.

SENATOR FONFARA: Along the lines of Representative Johnson's questions, another issue that came up in storm response was how long it -- and I guess there was testimony from a colleague of yours, how long it took to clear roads. And, right now, linemen are used to clear roads as opposed to being up on a pole restoring, and I think a lot of people were of the belief that the first two, two and a half days of the storm that there was already efforts going on restore power, when, in fact, that wasn't the case. It was almost exclusively still "make safe" going on; is that accurate?

RICHARD SANK: As far as the linemen clearing the roads, I don't know about that, but I do know they were out and it was a make safe effort that was relayed from CL&P to their workforce.

SENATOR FONFARA: And do you know if your union has given any consideration to how we can improve upon, A, opening up roads quicker -- we had testimony during one of the storms -- storms from the first selectman from eastern Connecticut, stating that he understood that power outages would take place, but to not have access for public safety purposes to his town because of the length of time it took to

open up roads in his town was unacceptable and we agree.

RICHARD SANK: And I agree also.

SENATOR FONFARA: So the question is how we can develop a program and a policy to augment the workers that we have currently and put linemen back into the job that they're trained and are expert in and that's not necessarily cutting trees but being up on the pole and restoring power or being in a bucket. So I think it be helpful to get input from your union on this, since it's your folks who are right there on the frontlines.

RICHARD SANK: Well, I think we've been very vocal about this subject. I agree with you that the linemen should be out there, you know, making safe and restoring power as quickly as possible. I can't force any company that we represent to do that. We can make our voices heard. And we need people, we just do. We got a have -- we got have staffing levels --

SENATOR FONFARA: My question is --

RICHARD SANK: I'm sorry.

SENATOR FONFARA: It's not -- it's probably is unlikely that we'll ever have enough members of your union to do this job. It has to be supplemented with people on the ground who are adequately trained to clear roads and conditions where the power has not been shut off entirely in an area. And maybe that's the answer that be just a general shut off of power, but your members' expertise is necessary in this effort, but that's another piece of what is expected by the public in terms of responding.

RICHARD SANK: I'd be more than happy as a business manager of 457 to sit down with any of the companies that we represent to develop a plan going forward, where we put public safety first and how we can achieve this. I have no problem with that, whatsoever.

SENATOR FONFARA: Thank you.

RICHARD SANK: I think that's working in the right direction.

SENATOR FONFARA: Thank you.

Thank you, Madam Chair.

RICHARD SANK: You're welcome.

REP. NARDELLO: Further questions from members of the committee?

Representative Backer.

REP. BACKER: Thank you, Madam Chair.

I just want to follow up on what Representative Johnson and Senator Fonfara of were speaking on to. I was listening to part of it up in my office, so I may have missed something. You'll forgive me if I did.

But when you were talking about putting Yankee Gas people to work --

RICHARD SANK: Uh-huh.

REP. BACKER: -- that's standing by the lines. Right? As opposed to doing the, quote/unquote, make safe work. I just want to

clarify there's two different things going on. Right?

RICHARD SANK: Correct. Yes.

REP. BACKER: One where you're sort of a guard for the wire to keep people clear of it.

RICHARD SANK: I was specifically speaking of wires down training, which is a program --

REP. BACKER: Right. That's the four-hour training.

RICHARD SANK: That's correct.

REP. BACKER: And the make safe work, where someone could give clearance that, okay, it's now fine to clear the road because this line is dead.

RICHARD SANK: Two different things.

REP. BACKER: Right now, that's only the lineman who do that. Correct?

RICHARD SANK: That's correct.

REP. BACKER: And how much training -- so the question I have is, I know that the utilities hired hundreds of electricians on the back end of the storm to do the service repairs. So that's running the lines from the pole to someone's home. Correct? And the question that I have is, is it possible to train those electricians to help with make safe work so you can put more feet on the ground upfront. Is that something they can be trained in, or is there a hold --

RICHARD SANK: I --

REP. BACKER: And I've heard conflicting things on this, that there may be a whole separate code, and it may be years of training versus a relatively short time for a licensed electrician to get up to speed. Can you comment on that?

RICHARD SANK: Right, exactly. I went through a five-year apprenticeship program to be a journeyman lineman. You know, every classification has a little bit different training. We do things differently. An electrician does something totally different than what your journeyman linemen does up on a pole. You're mixing apples and oranges.

REP. BACKER: But you need to go up on the pole or are you able to determine the line is dead from the ground and is that something that a licensed electrician can be trained to do in a relatively short order, or is that not possible?

RICHARD SANK: I can't answer that fully because I -- a licensed electrician in what capacity? I don't know. A licensed electrician that works for CL&P, that I know who was trained or were someone who is just brought in to do storm work to reattach a house service. I can't answer that. I'm sorry.

REP. BACKER: Okay. Thank you.

RICHARD SANK: All right.

REP. NARDELLO: Are there further questions from members of the committee?

Mr. Sank, I would just ask you, not today, but for a future time, if you would just submit to the committee your concerns regarding what

operation and maintenance efforts we are -- take longer or don't get done because of the fact that you don't have the number of people doing work on a regular basis. That would be very helpful to the committee, if you could just list them.

RICHARD SANK: Thank you very much.

REP. NARDELLO: Thank you very much.

RICHARD SANK: Thank you committee.

REP. NARDELLO: Next is Representative Mary Mushinsky.

REP. MUSHINSKY: Thank you, Chairman Nardello and Chairman Fonfara and members of the committee. I appreciate your bumping me up so I can make my other appointment.

I'm speaking -- I'm Mary Mushinsky from Wallingford, speaking on behalf of Bill 450 and 451. I commend the committee on raising far-reaching 450, Raised Bill 450, which will improve the efficiency, reduce customers high heating oil bills, promote clean air and energy independence and speedup the widespread use of electric and hydrogen fueled vehicles. I hope you will be able combine it with 451, the heating furnace and replacement program.

Many of my constituents in Wallingford live in old housing stock heated by oil. Without an energy audit followed by furnace replacement and plenty of insulation, they face impossibly high energy bills. Many are in the $300 to $400 per month range for the whole year. These are the costs for modestly sized one-family houses. People who have never applied for heating assistance in their lives applied

Our next speaker is Prabhakar Singh. I hope I've got that right. Right?

PRABHAKAR SINGH: Good afternoon, Chairman Senator Fonfara, Madam Chair Representative Nardello, Ranking Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee. My name is Prabhakar Singh, and I'm testifying in my role as director of the Center for Clean Energy Engineering and the UTC chair professor at the School of Engineering, University of Connecticut. I thank you for the opportunity to speak before you today regarding Senate Bill 23 that is AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE.

The Center for Clean Energy Engineering is a multidisciplinary center within the School of Engineering at the University. Our center conducts research in areas of clean and efficient energy systems development, natural resource conservation, power management, and smart transmission. Our center collaborates with a broad range of national and international partners in pursuit of excellence in education, training, innovation, research and development, systems engineering, as well as demonstration. We work hand in hand with Connecticut industrial partners, such as UTC Power, FuelCell Energy, Sustainable Innovations, Northeast Utilities, Praxair, and many more, to achieve advancement in systems testing, validation, and deployment.

We are very excited about the proposed renewable distribution energy generation and emergency preparedness and response program establishing a micro-grid and support critical infrastructure and facilities for local

renewable, distributed energy generation, transmission, and management of infrastructure.

I'm pleased to inform you that the University of Connecticut and the Center for Clean Energy Engineering is developing a distributed power generation and power management micro-grid network at its Depot campus. To secure and support the existing network, educate the students, and to reduce carbon for print, the existing facility can serve as a pilot and demonstrate the program, as needed. There are many tangible benefits of micro-grid generation incorporation of a variety of generation methods including: solar, geothermal, wind, micro-turbines, and fuel cells.

Economies of scale that rely on modular manufacturing, rather than on-site larger scale manufacturing and increasing the use of green renewable resources that would reduce the overall carbon footprint. Generation of power in a distributed mode can also increase the overall efficiency. Distributed generation programs can also stimulate the growth of sustainable energy industry in Connecticut.

Connecticut is home of two of the largest and most successful fuel cell manufacturers in the world including, UTC Power and FuelCell Energy. At the Center for Clean Energy Engineering, faculty and industry partners have led efforts to develop --

REP. NARDELLO: Mr. Singh, may I ask you just to just summarize if you would, please?

PRABHAKAR SINGH: Okay. Sure.

REP. NARDELLO: Thank you.

PRABHAKAR SINGH: As part of this effort, UConn has pursued effective near-term projects on materials development and manufacturing. With the renewable distributive energy generation program and the ongoing research partnership with industry partners, UConn is ready to support its efforts for resilient energy resource through the development and demonstration that will lead to cost-effective deployment of a micro-grid. Thank you.

REP. NARDELLO: Thank you, Mr. Singh. I have a request for you and that is, as a research institution, if you would provide for the committee, areas in which micro-grids are already in place and any pros and cons to the micro-grids, any problems, any -- the benefits, things we need to think about, but I would like you, again, to look at where they already exist. And also if you could give me a list of where they already exist, that would be helpful, as well.

PRABHAKAR SINGH: Sure.

REP. NARDELLO: Okay.

PRABHAKAR SINGH: Yes.

REP. NARDELLO: Are there questions from members of committee?

A VOICE: (Inaudible.)

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: With the ability to have your own generation up at the campus, has UConn, itself, moved to create a micro-grid around other areas around the college campus?

PRABHAKAR SINGH: Yes, Senator. We are installing a 200 -- 400 kilowatt fuel cell power plant that will power our Depot campus, also provide heat, combined heat and power, as well as cooling capabilities for different buildings. We are also planning to incorporate several other distributive generation technologies, such as solar, albeit that will be for educational purposes, demonstration, and training.

SENATOR WITKOS: Has there been any thought -- with the concept of creating a micro-grid, the thought is to incorporate town centers and the like, has there been any thought of doing that up at UConn with the installation of the fuel cell and those reaching out to, maybe, some of the private businesses to ask them if they want to join in and -- could you just -- if you could, how -- from what approach have you reached out to these entities?

PRABHAKAR SINGH: We are working with fuel cell manufacturers, United Technologies Corporation and FuelCell Energy. We are also working with Northeast Utilities in terms of IUT, intelligent universal transformer technology that will provide bidirectional power. We had a large program from DHS in the area of monitoring and building efficiency. Combine all that, we are planning to develop and look at the micro-grid at the local community level, so having our Depot campus assimilate -- emulate a small community and then the

technology and the lessons learned can be transferred to other communities and municipalities for implementation.

SENATOR WITKOS: Are any of the funds from UConn 2000 or any of the other bonding monies going towards the project?

PRABHAKAR SINGH: The fuel cell project that we have, that is supported by ARRA, we are getting UConn support for education, training, as well as a lot of research capabilities that will be coming from 2000 funds and other bond funds. But I'll have to check that and get back to you on that.

SENATOR WITKOS: Thank you.

Thank you.

REP. NARDELLO: Are there further questions from members of the committee?

Seeing none, thank you for testimony.

PRABHAKAR SINGH: Thank you.

REP. NARDELLO: Next we'll have Joel Rinebold.

JOEL RINEBOLD: Good afternoon, members of the committee, Cochairs Fonfara and Nardello. Joel Rinebold, director Energy Connecticut Center for Advanced Technology.

We support 23, Governor's Bill 23. SB450 HB5544 We like the micro-grid concept, the pilots that are in there. It's spec'd out with at least two pilots. The budget appears to be sufficient. Tracking appears to be in place with the reporting.

Similar to 450, we also support that. We like the hydrogen vehicles in it and also the municipal pilots. I've got a little concern with the use of Class III technology to then be used to meet the requirements of Class I. I support Class III. I support Class I. We like to fuel cells, but this use of the III to meet the Class I requirements is of concern.

We also like 5544. No minimum pilots are spec'd, but I -- I assume the intent was for multiple pilots, but that might be something to look at. The preference date of October 1st, I think is a terrific idea, but that's going to be tough stuff to put a micro-grid together with the identification of the genset, end-users, interconnection, protection scheme. It's going to be tough to have that up and ready by October 1st. Also the repurposing is a bit of a concern. I like the idea of developing a micro-grid as a pilot rather than trying to -- as a new project rather than trying to fit something in. I submitted written testimony. I can respond to questions.

REP. NARDELLO: Are there questions from members of the committee?

Joel, I'm just going to ask you, as well, the same question I asked of the previous speaker and that is any information on existing micro-grids, where they exist and any kind of independent review of them, that would be helpful to us.

JOEL RINEBOLD: You want that writing afterwards?

REP. NARDELLO: Yes.

JOEL RINEBOLD: Sure.

REP. NARDELLO: Yes.

Senator Fonfara.

Please send it to the committee if you would, as you can see there are other members that are -- that would like to have it, as well.

JOEL RINEBOLD: Easy enough.

SENATOR FONFARA: Joel, maybe you can answer this question more broadly, with respect to micro-grids. A lot of play has surrounded fuel cells, and I'm not sure that that should be the sole focus. People say it won't be, but I'm not so certain that it won't be if left unattended to going forward. And I think we need to ensure that there are a number of areas where natural gas is not available and those areas should not be left without an opportunity to participate in this program. And they have critical locations in those parts of the state, just like in more populated areas where natural gas is present. And natural gas as a function of how many customers are on that line before they build a line, and I know we're going to be looking at changing some of those formulas, but until then, I don't think that more rural Connecticut should be left out of this conversation. So has your organization looked at approaches to micro-gridding that are not fuel cell or natural gas oriented?

JOEL RINEBOLD: Yes, we have. And the criteria that we look at would be -- I think the main criteria would be dispatchable, something that could be dispatchable. So whether that's a fuel cell, a natural gas reset, or, perhaps, a renewable facility that can produce a fuel for

storage for dispatch at a later time. All those could potentially be candidates. We look at, not only physical fit but, you know, physical operation and economic feasibility. There's a lot of things we can do, but we want to have these things economically feasible, also.

SENATOR FONFARA: What technology have you looked at that would be other than fuel cells or -- or, again, natural gas as a fuel source?

JOEL RINEBOLD: Use of renewables, producing electricity, photovoltaic and wind, electrolysis to produce hydrogen and have that hydrogen available in storage for -- as a prime mover, prime generator. And that would be a -- that would be a pilot. And this is technology that is being piloted by the -- currently, by the Department of Defense for some of their forward bases.

SENATOR FONFARA: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Questions from other members of the committee?

Thank you, Joel, for your testimony.

And next we'll have Representative Themis Klarides.

REP. KLARIDES: Good afternoon, Chairman Fonfara, Chairman Nardello, Ranking Members Witkos and Hoydick, thank you for trying to organize the speakers today. I know it's not an easy task. Thank you for having me today. HB5544

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thing, coming to the best conclusion we can. You know, obviously, our ranking members have done a great job in -- in leading this committee insofar as our side of the aisle, and I know that the chairman and they have been working very closely together with all of you so we are certainly open-minded to any of it.

REP. REED: Thank you. Thank you for your testimony.

REP. KLARIDES: Thank you.

REP. REED: Thank you, Madam Chair.

REP. NARDELLO: Further questions from members of the committee?

Thank you very much for your testimony.

REP. KLARIDES: Thank you.

REP. NARDELLO: Our next speaker will be John Prete, I believe is.

JOHN PRETE: Good afternoon. Madam Chair, Rich Reed, who also reports to me, is commenting on 5544, Raised Senate Bill 23 and in the spirit of expediting, I can have them come up and we can answer questions together, if that's okay.

REP. NARDELLO: I'm sorry. He's commenting on which bill?

JOHN PRETE: 5544.

REP. NARDELLO: Okay. Yes.

JOHN PRETE: As he comes up your all introduce myself.

Good morning -- good afternoon, Senator Fonfara and Representative Nardello and members of the Energy Technology Committee. My name is John Prete. I'm the senior vice president of electric T&D for United Illuminating Company. I want to thank you for this opportunity to testify on Senate Bill 23.

We also want to thank Governor Molloy for his measured approach and diligence during the preparation and response to the storms of 2011. UI supports the basic intent of the proposal, included in Senate Bill 23. However, the committee should consider revisions that would make the proposal more equitable and achievable for the electric distribution companies and will ensure the goals that are achieved are achieved at the lowest possible cost of the ratepayers.

In the area performance standards, as we testified to both the Legislature and the Governor's panel, UI's storm efforts, in Irene particularly, we were far above the national average for similar storms, according to data maintained by the United States Department of Energy. Performance standards must be fair and grounded and based actual in empirical data and achieved in a manner that is consistent with the conditions, the severity, and magnitude of the storm and, of course, geography. Storms, like fingerprints, are very unique and the standards must be mindful of this. The company agrees that the Department of Energy and Environmental Protection, specifically, Public Utility Regulatory Agency, is the best place to work with utilities to develop the standards, as we do today. Today our reliability statistics, our energy preparedness plan, which is

voluminous in nature, is measured, monitored and reported to PURA. We also measure ourselves against robust benchmarks. Benchmarks that are tied to reliability metrics, insofar as our -- our performance which is first quartile, both regionally and nationally. Further, any penalties contemplated for response should be scaled to reflect the size of the utility.

In the area of an enhanced communication and preparedness, it is our culture at UI to seek and listen to constituents and to take to heart the criticisms that they give us. Almost immediately following Storm Irene, we put in place some useful lessons learned for the October Nor'easter. These improvements include: tighter coordination with the municipalities to support the opening of roads; redefine and refinement of roles of the liaison; better communication for restoration predictions. We have met with all the town and city officials to determine their needs.

Finally, in the area of system resiliency and hardening, understanding the specific goal is vitally important as we proceed ahead. For example, if the goal is to have absolute reliability to critical facilities, then a thoughtful, balanced approach can be designed. Piloting one possible solution, like micro-grids, is a good start to get some lessons learned.

Now, I'll turn that over to -- I'll turn it over to Rich Reed who will testify on raised the bill 5544.

RICHARD REED: My name is Richard Reed. I'm vice president of engineering and project excellence at United Illuminating Company.

that is one of many designs that we can implement. So in exactly your example, the poles that we have are maintained very well. They are inspected very well. We understand what the wind velocities are on typical poles of over 100 miles an hour. To the extent that there's a lot of communication wire, it acts like a sale and, of course, you'd need stronger poles. We call that a targeting hardening for pole structures, and yes, that's something that we would advocate for.

REP. REED: Thank you. Thank you for your testimony.

JOHN PRETE: You're welcome.

REP. REED: Thank you, Madam Chair.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you.

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In your written testimony, you have concerns regarding the language of the micro-grid being installed that it's possibly not reliable without a hardening or improving of the resiliency of the existing distribution system, but yet you go on later on to ask that the EDCs be allowed to own and operate micro-grids. So could you just explain, number one, why do you believe it's not going to be reliable if it's just implemented because I heard during one of the storms we can switch, we can reroute power, so it's not as stark as if you think it's not going to keep the lights on. And two, which you -- if the EDCs were allowed to own and operate micro-grids, would you still advocate for the hardening of the system?

JOHN PRETE: The premise is -- without knowing exactly the micro-grid definition, I'll answer your question. For instance, if the micro-grid is a 1 square mile, for instance, a grid is defined as source or generation, wires between that and the load, customers. So if the wires in between the source and the generation is, for instance, overhead pole line construction, then the micro-grid is only as reliable as the hardening of that particular pole line system. So you're back to where we are today.

To the extent that the micro-grid then uses the wires that are underground, of course, that would -- that would manifest itself in different type of results. So from our testimony, that's exactly what we're trying to -- to at least encourage folks to take a look at. That's why a pilot is very good.

RICHARD REED: I'd like to add one statement to the two. When you talk about -- you talk about micro-grids and you talk about these types of facilities in every town. I think he was mentioned earlier on in testimony. This does require special skills to operate it and maintain it. And to say, basically, every town is going to have those skill sets versus a utility company, which does have those skill sets, I begin to worry that you're spreading people very, very thin. And one of the reasons that we do believe that the utilities ought to be a part of that is is that we do have the expertise. Not every town is going to have that expertise.

SENATOR WITKOS: Do you believe that -- I see in your testimony you've already commissioned an internal team to start investigating the possibility of micro-grids. And whereabouts

are they in their investigation? Have they identified certain areas within your service area?

JOHN PRETE: Not as of yet.

SENATOR WITKOS: No? Okay. Thank you.

JOHN PRETE: Thank you.

SENATOR WITKOS: Thank you, Madam Chair.

REP. NARDELLO: Further questions from members of the committee?

Thank you for your testimony, gentlemen. Next.

Next, we'll have Richard Soderman and David Louth.

A VOICE: Louth.

REP. NARDELLO: Oops, I'm sorry for the mispronouncing.

RICHARD SODERMAN: Good afternoon. My name is Rich Soderman, and I'm here with Daniel Louth, who is our vice president of infrastructure hardening, and he has 40 years of experience in distribution engineering, planning and operations and so he's taught me everything I ever knew about distribution.

We're here to talk, at this point in time, about Bill Number 23, which is the Governor's and legislative leaders bill dealing with energy issues, and we think that the bill, as drafted, provides a direct comprehensive and unambiguous course of action that the State expects that its utilities, state agencies,

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and miss -- municipalities are going to take during emergencies. The path forward is -- the past is looking forward, and it is providing a proper environment for improvement and measurement of success or failure so we support that.

We regret that many of our customers suffered the unfortunate outages that occurred as a result of last year's unprecedented storms and we welcome were the results of various studies, such as the Witt Report, the Two Storm Panel Report, and the investigations going on by the Department -- or the Public Utility Regulatory Authority and the input we have from municipalities, and we're already pursuing those recommendations with enthusiasm and determination so that our service can be improved. And we're working with municipalities and DEMHS to improve communication and coordination during catastrophes.

Regarding the specifics of the bill, we believe it's important and DEMHS has already instituted some practices to have us all working together on emergency planning and to have a joint drill, and we look forward to participating in that.

With regard to performance standards, Section 3 of the bill provides performance standards and we support that. And other bills are being heard today have similar approaches. We think that Senate Bill Number 23 provides that appropriate balance, but there may be some adjustments or revisions to that, but generally, we support how that has come out.

Section 4 includes a proposal to determine how and when micro-grids may be an appropriate

option for improving the resiliency of electric service in critical centers. A lot of the discussion we've heard here is generally about micro-grids is it's the end state that is the desire, and I think in Senate Bill 23 and in our initiatives, we -- we believe it is an option for storm hardening of critical load centers and not the end-all solution. We're doing things to pilot that. We should have some things in place this year to pilot, some applications, and we're looking for support. And with that, I'll answer any questions.

REP. NARDELLO: Thank you -- I'm sorry -- I apologize for being engaged in a conversation here. Are you at the end of your testimony, Mr. Soderman?

RICHARD SODERMAN: Well, I just like to --

REP. NARDELLO: If you could just quickly summarized then.

RICHARD SODERMAN: Yes. I would like to summarize in that Senator Fonfara asked could the Senate Bill have some more things in it to deal with actions that could be taken to address storm hardening and make our system more resilient, and we think two things need to be added there. One is tree trimming, and we've included -- there's two parts of tree trimming: one is the permission process that is currently in law and were looking at trying to make that more streamlined; the second is, and I think we've heard some talk about it, is the danger trees that aren't on our property or the town -- or the state's property, but they're on private property, and what we'd like to do is create a process with the

communities and with the tree owners to have a process to get at some of those hazardous trees, where we would seek to reach an agreement with them to remove the tree. A lot of these are on transmission right of ways, way out in the middle of nowhere, and it's just a matter of nobody wants to take the tree down because it's expensive and dangerous to do so. It may be just a matter of us reaching an accommodation with them. So we propose legislation that would create that process and allow us to go on private property and have the PURA oversee that and have some protections for the tree owner themselves.

The other thing, Senator Fonfara, you had asked for was, is there a process for getting a plan to make the system better? And Bill Number 23 does not have that; however, we note that Section 8 of Bill Number 450 has language that would put forth a ten-year plan to look at all of the options for hardening, tree trimming, reinforcement of poles that now that they have telecommunications refrigerators on them, and all of those things, wire hardening, all those kinds of techniques and come up with a plan that balances the interests, the costs, the benefits, the different strategies, the timeline over which those things are accomplished, so we believe that the Section 8 provision, which calls for that planning process could be brought forward in this bill or passed more generally, and I think I would go a long way to, not just kind of talking about penalties or things of that nature but actually putting in place a program that gets us from the state of our infrastructure today to the to the state of our infrastructure that we want in the future. Thank you.

REP. NARDELLO: Thank you.

Senator Witkos.

SENATOR WITKOS: Thank you.

Rich, question on the -- the tree trimming. I know coming out of the Two Storm Panel that was one of the areas that felt -- I get a lot of feedback on the mine, a lot of the -- we weren't kept up to the pace trimming the trees -- we were on a five-year cycle, we went from a four-year cycle to a five-year cycle. And now there's been a concerted effort -- I'll only speak to the CL&P area because that's my service area, to go out to do that. And amazingly enough, one of the hardest hit communities that lost power outages in the storm is the town of Simsbury, which I represent, and now I understand that there is a petition being filed by the town -- residents in the town of Simsbury to halt the tree trimming and, you know, so it's damned if you do, damned if you don't. But I think part of the concern is when folks are coming into trimmed trees, they're trimming one side of the tree, basically, decide that goes towards the wires and leaves the other side intact so, basically, it's an eyesore. And if we were to looking at -- I'd hate to put in statute or regulation but would the -- would you, as a utility, be willing to through your subcontractors, if you're going to trim a tree, trim it so not only are you getting the parts that really would affect the wires, but trim it all the way up so it's all the way around so it looks something, it's not an eyesore.

DANA LOUTH: Perhaps, I can address that. I think the one thing you have to watch out for when you're trimming trees is if you take off too

much of the leaf area, the tree will die. So typically, we like to take off no more than a third to 40 percent of the leaf area as a max, so the tree will continue to live and that's sort of what gets you away from trimming both sides if you don't have to.

I understand the eyesore piece, however.

RICHARD SODERMAN: Senator, it might -- it -- it to take your suggestion a little further, though. It may be that we've got the wrong trees growing around and near the wires. And if your suggestion is let's remove those wrong trees and replace them with better trees that fit growing around poles and wires that could be part of what we would consider in that planning process that I described earlier because that would have a -- not only a hardening, physical hardening of poles and wires but a tree trimming program along with it. And so it may be appropriate to have a tree replacement part of that as well. And, again, that -- that increases the cost but, again, that would be in the balance that was made in that evaluation in that proceeding before PURA.

SENATOR WITKOS: Thanks and the question came up earlier when UI was asked what percentage of their wires were covered wires and theirs were in the 90 percent.

Could you answer what percent of CL&P's are covered wires?

DANA LOUTH: Senator Fonfara had it right. It's about 50 percent in CL&P.

SENATOR WITKOS: And would that have made a difference in what we saw as a -- a loss of

power in your service area had the wires been covered or uncovered. Your testimony was if the tree comes down, it doesn't matter whether it's covered or not, you're still going to lose power, but through what you've seen in the areas where you've had to replace wires, would that have made a difference whether the wires were covered or uncovered?

DANA LOUTH: I think, you know, what we experienced during the storm was, sort of, a spectrum of tree problems, ranging from the complete tree down to the small limb and, certainly, the covered wire would have helped us with the smaller limbs. In fact, I drove by many areas where the covered wire was supporting reasonably sized limbs and the lights were on. So I do think it would have some impact, but like the gentleman from UI said, it won't stop the 100-foot tree from breaking -- breaking through.

SENATOR WITKOS: Is it the goal of the company to, as we replace wire, to move into a covered wire status?

DANA LOUTH: Yes. In fact, the hardening proposals we presented to the Two Storm Panel contemplated putting up much more covered wire so that we get to about the three-quarters of our system being covered wire as opposed to 50 percent.

SENATOR WITKOS: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Senator Fonfara, followed by Representative Reed.

SENATOR FONFARA: Thank you, Madam Chair.

Good afternoon, gentlemen. Thank you for your testimony, three, quick questions.

One is, I asked the question of the UI representative if he had an opinion of what ameliorative impact do you believe having a more aggressive tree trimming program in place prior to the previous two storms, what -- what impact on outages do you believe, obviously not -- you don't have a crystal ball, but with your many, many years of experience, what impact do you believe we would have seen?

DANA LOUTH: My sense is for trees alone, if that was the only thing you did, no other hardening, no covered wire, you might have got 20 percent difference in CL&P. If you added the hardening in, you could probably get in between 30 and 40 percent difference in terms of customers impacted.

SENATOR FONFARA: What impact does that have if you're -- have a 20 to 40 percent reduced affect on -- on being able to turn the power restored for other areas?

DANA LOUTH: On a storm, like, Alfred or the hurricane or the tropical storm, my sense is might have been about a two-day difference in the restoration because had we done those things, we would have done them on the sections of the line that serve more customers. Some of the sections of lines that serve very few customers would still have experienced the -- the same degree of failure, so about two days would be my estimate.

SENATOR FONFARA: And with respect to the issue of make safe and road clearing, I think you heard the testimony previously and I'd like to get

the company's response to efforts to improve that issue and -- and removing or minimizing the use of linemen or enhancing that area so that you have others who will be able to make the roads safe and clearer quicker following a storm.

DANA LOUTH: My sentiment on that is the -- the best route to improve efficiency there is to, I'll say, do less work at the point where you make the wires safe for the road to be cleared; that is, that's the potential ground and then move on to the next location. As opposed to, in some cases, riding alongside the -- the folks from the town that are charged with actually clearing the road. We can get out in front of that and get more -- get more roads designated safe, quicker.

In terms of linemen, I believe, the requirements to test and ground are best done by a lineman because often the ground has to be done on a pole to be completely sufficient. We still continue to look for better ways of, perhaps, pairing a lineman with somebody that might be junior to spread the number of people working on that, but I -- at this point, I still believe the line worker is the best classification to do that with his training.

SENATOR FONFARA: Well, we heard a lot of testimony following the storm, a lot of frustration and I would say anger on the part of first selectmen and others representing towns following the storms and how long it took to clear the roads for public safety purposes, if nothing else. We have to do better on this, and I would ask that the companies provide the committee with language that would give direction to the PURA on how we can respond better going forward.

And lastly, with respect to the micro-grid language in 23 and -- and in other bills, what you believe the proper role of the utilities is in that venture?

RICHARD SODERMAN: Well, clearly, there are various provisions in several bills. The most recent interest in them really falls out of the storm hardening of critical load centers and the consideration of micro-grids as one option, or means, to deal with that.

We have several options of how to harden a critical load center. One is to run a direct feed underground from the substation to that critical load center. Another is the one that is in place in many critical load centers today, which is an emergency generator located at a specific facility.

Now, some of them -- many of them today are fueled by diesel or gasoline and maybe we can figure out a better way to do that. So that we don't have air quality issues, but micro-grids can -- can have a role, but as we get closer to looking at them and we're considering very closely an option to use micro-girds in certain applications -- we're finding that the technology is not quite as robust as it may need to be to handle all the load situations in -- in a particular area.

Nonetheless, we're working with the fuel cell manufacturers. We're working with the University of Connecticut and others to try and develop some initial installations that we want to move forward this year with to find out what are the issues that have to be fixed? What are the economics? What are the operational concerns? What are the safety

concerns? Who's going to operate it? and all of those kinds of questions so that we can have a better road for going down this path if it makes sense.

Ultimately, our goal is to -- whatever technique we use, we want to make sure it's safe, cost-effective, operationally sound, and sustainable. And, you know, the worse thing would be to create a bunch of micro-grids that only can run for 72 hours. I think we learned from the communications area where cell towers only had so much backup. We've got to be careful we don't fall -- fall ourselves -- create those traps for ourselves.

With regard to the technologies themselves, fuel cells are considered one option for doing micro-grids. It has the good capability of also generating heat, and it is fairly efficient at generating electricity but fuel cells are still very expensive. If they were so inexpensive they would be everywhere, but that is not the case today. So -- and they also have some operational issues that we're working with the fuel cell manufacturers to find solutions for things, like, when you change load. How much can that load change? At the fuel -- served by the fuel cell and can that fuel cell accommodate that change in load?

It's like switching on a big motor. Can that fuel cell actually handle the switching on the big motor? We're trying to work those problems out, but until you find out and develop technologies that are able to handle those situations, we've got to walk before we run on some of those and that's -- that's really what are position is on it.

Again, is it cost-effective solution for our consumers, all of them, not just the ones who participate but all of our consumers? And with that -- that's -- that's really where we are.

We're not -- we're not against micro-grids, as a concept. We think that the operational aspects of it that were described earlier, requires some participation by the people who operate the grid. You know, we had heard from the union folks here about being worried about nonqualified people running electrical things. I think if you asked them, they would be concerned that nonqualified people just as they're concerned about emergency generators that are running in people's driveways. I think they would also have similar concerns that have to be resolved before we can go forward.

DANA LOUTH: Just to add to Rich's testimony, I -- I do -- think that's why we would like to be involved in piloting some these so we can learn about how to run them.

I think it's a little bit like a mini utility, you got a load, you got generation and you've got distribution. You've got to match the load and generation at all times or the customer suffers. We think we can learn something about them. We think they have promise, and we'd like to be engaged in the development of some of the pilots.

SENATOR FONFARA: Are you saying that -- your testimony seems to indicate that you believe there are existing technologies that can address the issue of critical locations in the short term, while also looking at and

exploring these other technologies that may not be as -- as well understood right now.

RICHARD SODERMAN: Yes. And -- and I think one of the primary ones that we're going to look at is the express underground feeder from a substation, which ultimately is connected to a -- the transmission network and that is generally very reliable even if we have some lines that go out, right to that critical load center and then energizing that critical load center kind of radially outwards from that center to a -- to a particular set of critical customers. That undergrounding probably cost 1 to 3 million dollars a mile.

One project that we looked at for a micro-grid had a cost of 7 or 8 million dollars, so somewhere in there, there is a trade-off of the economics, as well as where the technology is. We know how underground circuits work and the pros and cons of those. That's a proven technology. If we're going to use -- and -- and from my perspective, it makes little sense if you've got a critical load center that's a half a mile away from a substation to be spending, you know, $10 million to firm up that critical load center, when it might only cost you a million dollars for an underground cable there.

Those are the kinds of evaluations and trade-offs that -- remember, everybody is worried about electric rates in Connecticut. And every time I come up here, I'm reminded that we have to come up with ways of lowering electric rates. Well, spending money carefully and wisely and most cost-effectively is one of the ways to do that and so that's why, you know, we advocate on behalf of our

customers, all of our customers, then that is done.

REP. NARDELLO: Representative Reed.

REP. REED: Thank you, Madam Chair.

So just sort of feeling that out just a little bit. I heard you say when you were testifying that you don't think micro-grids should be the end game and what I'm hearing now is a lack of enthusiasm for micro-grids because you see preferable ways of dealing with it, the undergrounding and that kind of thing.

So you're -- so what is your game plan? You're examining micro-grids, but you see alternatives that look more promising in the near term?

RICHARD SODERMAN: Let me -- let me try and you can add on to it. The primary ways that we look at improving the storm resiliency of our system are the traditional ways of tree trimming, hardening the poles and wires, and the kind of traditional things that make the existing system stronger.

So nontraditional approaches, mainly because they're more expensive, include options, such as, emergency generation, which is in wide use today but a lot of times with the wrong fuel; undergrounding, another proven technology but not in this application; and then the new one that we're talking about is micro-grids. Now micro-grids may have applications. We want to find out what those are so that we're not missing those opportunities, but we're also not overcommitting to those opportunities.

It's not the end game by itself. Good, reliable, economical service to customers is the end result. That's the goal we're trying to serve and what we want is to use all of these tools in a mix to best serve those customers.

REP. REED: Just one quick follow-up.

So, from what you know because you, obviously, have been doing some due diligence on this, how far away are we, in your estimation, from an operational micro-grid system that can be placed in -- in smart places not right near a substation, where we could do undergrounding that are also rationally priced? If that's a -- if anything in your field can be rationally priced?

DANA LOUTH: I -- I can speak if -- if we were to jointly develop the micro-grid with somebody, I believe you could engineer it, design it, and start construction late this year. I believe you could complete the micro-grid -- and I'm talking here about unaffiliated customers tied to a grid, a small one in the first quarter of the first half of next year. That's my view, given where we are with the technology and such.

RICHARD SODERMAN: Representative, that -- what we're trying to do is demonstrate that they work. This is not a demonstration of the economics. So we're going to assume that this is a -- a prototype that will probably cost more than if the lessons learned get incorporated in technology developments and work practice developments but really what we're trying to do is prove that the technology can do what we think it can do.

REP. REED: Thank you. Thank you for your testimony.

Thank you, Madam Chair.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you.

I apologize not asking this the first time around.

The main focus of the bill seems to be about preparedness and then response. During the storm, I had the opportunity to go visit a couple of EOCs, and I -- I became aware that there was a communication issue and how the towns communicated with the utilities and communication back. That being that the towns would say to you, we have issues on Sullivan Avenue or Main Street and utilities would speak in line numbers and they could not -- apparently according to some federal regulation -- give to the towns, in cases, a layout of the different utility maps and the lines.

So has in preparation of today's hearing and going forward from the storm, has the utilities begun to develop an overlay of the town street maps over their own utility line maps so you can communicate in a universal language so everybody understands?

DANA LOUTH: Yes, we have. We understand we've had that barrier of us communicating in circuit language and the town communicating in street language. We've actually overlaid each town's streets on our circuits. The town liaisons will have that and they've got the technology to talk town language now relative to streets

impacted, where the crews are, and what the plan is relative to the individual streets. We've had a lot of training for the town liaisons to do that, and we think we're in a position to speak the town language now relative to where the interruptions are.

SENATOR WITKOS: And my last question is, if we are looking towards hardening our infrastructure for the micro-grids and the cost might be to -- to bury an underground line of a million dollars that doesn't come close to the cost of what one might say, a generation, whatever the mechanism is that you're going use to generate the power.

Unless you've done some kind of a study, how do you reach the economies of scale and what do you anticipate you would need to -- in order to reduce the power generation to what it would cost to bury a line?

DANA LOUTH: We actually -- we, actually, have UConn helping us do that study because we think they'd have a good perspective on it and I think the answer's going to be if you're -- if you're in a town that's -- and there are some -- that are 13 or 14 miles from a substation, the right answer might be to micro-grid because the cost to carry that line might be $28 million, for example. So I think that it's dependent upon the town's location relative to the electrical configuration and that's what the UConn study will help us determine.

SENATOR WITKOS: Do you know when that study is due to be completed by (inaudible)?

DANA LOUTH: Probably towards the third quarter of this year.

SENATOR WITKOS: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Representative Crawford.

REP. CRAWFORD: Thank you, Madam Chair.

Gentleman, forgive me if this has already been asked or the idea came up.

It occurred to me that with this silver tsunami we're talking about here that there's a large pool of very highly skilled, highly trained people who are no longer available to you. And is it -- is it a potential source of folks who could respond in this kind of an emergency maybe to be helpful with the down wires, to be part of the micro-grid task force or work force.

I recognize as a physical aspect to what we're talking about, but I think there are some jobs that would be perfectly suited to folks who fell into that category. And maybe you -- you have a pool of these people that you keep on call. I'm sure even though they're retired, there are -- there are people who wouldn't refuse a nice little check for that kind of work. I wondered if you explored that idea at all?

DANA LOUTH: We -- we've explored that to some extent but I think you're suggestion's a good one, particularly relative to what people have done that type of work in the past. I don't think we'd have them do the physical work, as you suggest, but I think there's some auxiliary storm work they could do, and I

think we should work toward that. I agree with you.

REP. CRAWFORD: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Representative Kokoruda.

REP. KOKORUDA: Thank you, Madam Chair.

Good afternoon.

Just back talking about traditional responses, just as Senator Fonfara said, we all heard about our streets not being cleared, and I know I went to all my emergency meetings and the main issue was that -- that if our town employees were doing it, it was going to take longer to repair so they backed off from doing it and the coordination there.

And I know there's been talk of working with towns and local departments to really work with the utilities to clear these roads in a more timely manner. And could you just -- I know safety is a major issue here but where do you see that going and what's the next step?

DANA LOUTH: I can answer that in a -- in a general sense. We have been working very closely with the cities and towns, following the -- the two storms in terms of communication, joint objectives, and how we might go about best helping each other. And my sense is they'll be some improvement with that just in terms of communications of priorities between towns and our own company.

I don't think we have the magic bullet for road clearing other than, as I said before,

making safe and moving on to use our facilities as -- use our workers as efficiently as possible and getting as many people in as we can initially to clear roads. I think there's more to be done there, but I think in the area of working with the towns and understanding each other's priorities, I think we've come a long way.

REP. KOKORUDA: Do you see this going so far as these local departments will be trained to just to do more -- do what really your -- your company was doing this year?

DANA LOUTH: I don't know if I see it going that far --

REP. KOKORUDA: That far.

DANA LOUTH: -- because of the need to ground the lines.

REP. KOKORUDA: All right. And the final question, we've talked today about tree trimming and all being under DEEP and PURA. And it seems like we've been told by other testimony that they have the expertise to do this. What -- what do you think about that?

DANA LOUTH: I think they have the expertise to judge what is the right level of tree trimming and the right type of tree trimming. But, generally speaking, we would propose something, they would judge it, but I think the expertise is there at DEEP.

REP. KOKORUDA: All right. Thank you.

SENATOR FONFARA: Thank you.

Anyone else?

Thanks very much.

Eric Brown, followed by Charles Rothenberger.

And to let everyone know we are closing in on the end of this bill. There is -- there is light.

HB5544

ERIC BROWN: Good afternoon, Chairman Fonfara, distinguished members of the Energy Committee. My name is Eric Brown. I'm with the Connecticut Business and Industry Association. And I'd like to thank you very much for the opportunity to testify today in support of several concepts in SB 35.

SB35

I want to first, for the record, because I know each of you know this from your own experience, that the storms that we encountered last -- last year were very, very devastating on many businesses in Connecticut, including, many small businesses. In fact, I know some and I'm sure you know some in your area that maybe didn't even survive. So these were very significant, all be it rare events, but it's the reason we support the -- the implementation of measures designed to improve the situation and, namely, performance standards.

Improve planning, increased training, adequate staffing, better coordination among providers, responders, government agencies and customers, entry management are all components of the change that we need to reduce the likelihood that the next time this type of storm comes by, we won't have as bad of a situation.

However, these -- these -- these bills and I think these standards are intended to be about

-- not about blame but about learning and about improving. So we, certainly, look forward to PURA, as they establish these standards, they make sure that they're achievable; that we're not setting up anybody for failure; and it's important that each of these standards have a close nexus to the problem that we're trying to solve and the goal of having a more resilient and reliable delivery system.

Now, this is one area where I think Bill 5544 goes astray just a bit. For example, there's a provision in there that would bring telephone companies into this situation. And, you know, as you probably know, the phone companies can't go anywhere near these -- their lines until the electric situation is -- is fixed. So I think it's really gone a little too far to pull them in. I think the focus really needs to be on what do we do to get the power and the electricity back up and as quickly as we can.

Similarly, that bill has a provision about executive compensation. I would say again this kind of goes astray from the core of what needs to be accomplish here. It's a distraction, not helpful and we would -- we would prefer that the committee move away from that.

SB 23

And finally, on penalties, you know, SB 35 talks about a -- a fixed penalty up at -- up to the amount of, I think, about $25 million, if I recall. And, you know, I think -- I think consideration has to be given in the situation where you do have noncompliance as to the resources of the utilities involved. There's a lot of variability there. And also you need to consider what factors might have come in to

play to not meeting the standards that were perhaps out of control of -- of those utilities.

So, again, generally supportive of the concepts but would love to work with the committee to make some refinements to the -- to the bills and we'd hope the Governor's bill, Senate Bill 35 will -- will be the standard by which you go by.

Thank you very much. I'd be happy to try to answer any questions I can.

SENATOR FONFARA: I don't think you want Senate Bill 35, Eric, but --

ERIC BROWN: -- Oh, I'm sorry -- 23 -- I'm sorry -- a couple of different committee's today and a lot of problems with copy machines and several other things so my apologies.

SENATOR FONFARA: Thank you. (Inaudible.)

ERIC BROWN: You do have written -- written testimony so, hopefully, that's more reliable.

SENATOR FONFARA: You did a good job. Thank you, Eric.

And anyone with questions?

Thanks very much.

ERIC BROWN: Thank you.

SENATOR FONFARA: Charles Rothenberger to be followed by John Murphy.

CHARLES ROTHENBERGER: Senator Fonfara, members of the committee, my name is Charles Rothenberger with Connecticut Fund for the Environment.

And although my written testimony is addressed specifically to Governor's Bill 23, I think my comments are equally appropriate for Section 12 of Bill 5544, as well.

Both of those sections in the individual bills direct DEEP to establish a micro-grid grant and loan program to support local renewable DG generation for critical facilities.

CFE supports the improvement of the state's electric reliability through the establishment of local micro-grids and the expansion of clean renewable customer-side distributed generation. We are pleased that these proposals explicitly promote the twin goals of grid reliability and the deployment of clean renewable generation. Such initiatives promise not only to make our energy infrastructure more secure from failures, whether caused by natural storm events as we've had in the past several months, or whether the results of intentional attacks on the system, but they also continue Connecticut's leadership in supporting the clean energy jobs and businesses that are essential to a prosperous economy for the State of Connecticut.

And I thank you for the opportunity to come.

SENATOR FONFARA: Thank you for your testimony.

Questions?

Representative Steinberg.

REP. STEINBERG: Thank you, Mr. Chair.

Charles, thank you for testifying here today.

Would you agree with the previous testimony with regard to micro-grids that new technology renewables are uneconomic as contrasted with underground wires and things of that sort for most circumstances?

CHARLES ROTHENBERGER: I'll say that I -- I did miss most of the previous testimony, unfortunately. And I'm not personally familiar with the economics of undergrounding, that infrastructure so I really wouldn't be in a position to make that comparison without doing some additional research.

REP. STEINBERG: I believe that the -- the quote we have is roughly 1 to 3 million dollars per mile for undergrounding. There's been some mention that fuel cells, by contrast, are too expensive. Obviously, the application might vary depending on the circumstances, but at least from my perspective, there may be instances where fuel cells could be comparable if not more cost-effective? Would you agree with that?

CHARLES ROTHENBERGER: I -- I would imagine that's probably the case. I think we should certainly be looking at all of the opportunities we have in front of us, but I -- I really would emphasize that I think this provides a wonderful opportunity to really focus on the expanded deployment of clean, renewable energy technologies here in the State of Connecticut.

And I think fuel cells make significant sense, or particular sense for Connecticut, given the

fact that we really are the leading manufacturer of fuel cells in the world. We can create good paying jobs, expand that industry in the state. I think that's probably something that deserves serious attention.

REP. STEINBERG: Thank you.

SENATOR FONFARA: Sir, any further questions?

Thanks very much.

John Murphy to be followed -- and the last testifier on this particular bill, Betsy Gara.

JOHN MURPHY: Good afternoon, Senator Fonfara, Representative Nardello, members of the committee. I'm speaking on behalf of the Connecticut Citizen Action Group in favor of House Bill 5544.

We're in favor of this bill rather than Senate Bill 23 because there are much more specific measures assuring accountability and more long-range planning for underground utilities; however, there are some specifics in Senate Bill 23 that should be incorporated into House Bill 5544.

Both bills require the Public Utility Regulatory Authority to establish performance standards and establish fines for utilities that fail to meet the standards. We are strongly in favor of House Bill 5544's requirement of the authority to reduce executives' rate pay or funded compensation for violation of these standards.

We're in favor of incorporating Senate Bill 23's provision of staff safety into

performance standards. Both bill's establish micro-grid grant loan and loan program, which has been discussed earlier here.

The House Bill where it gets better than the Senate Bill, we believe is that it requires both electric and telephone utilities to conduct and review and report yearly on infrastructure and emergency response. It requires wireless companies to provide backup generation at cell phone towers, a problem that was exposed during Tropical Storm Irene and the October snowstorm. Cell phone communication is critical was wires are down.

The bill also does a lot to encourage the undergrounding of utilities through creating special taxing districts providing customers with information on undergrounding new service, getting state agencies to incorporate undergrounding into their planning processes and getting the authority to open a docket on undergrounding.

We've incorporated many of the recommendations of Connecticut Storm Response Panel, as well as your own good ideas. Please pass House Bill 5544 with the inclusion of staff safety standards.

Thank you.

REP. NARDELLO: Thank you, John, for your testimony.

I have one question for you, and I asked this earlier on, I don't know if you were here but one of the areas I'm concerned with is enforcement and compliance and the fact that we do make sure that that is part of everything we do going forward to making sure

that we do have a process for accountability. So have you looked at the bills in this area, and do you have any comments or -- on that area?

JOHN MURPHY: Now, again, we agree with, again, the House Bill language just seems to be a little stronger in terms of accountability, and it definitely needs to be in there in light of what happened last -- last fall.

REP. NARDELLO: Senator Fonfara.

Thank you, John.

SENATOR FONFARA: Thank you, Madam Chair.

John, I just want to be clear, did you mean to say that -- that you believe the House Bill is better than the Senate Bill?

A VOICE: I knew that was coming.

JOHN MURPHY: Well, because it's in the 5,000s, I guess, that's what I meant to say, yeah. Only because, again, I think it's a little bit more specific and less open-ended, and there's a little more intent. I'm sure that it could end up being Senate Bill 23, John, and just move all the language over from the House Bill and, then, it will be an excellent Senate Bill.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you.

Do you know what the -- the breakout is for executive pay from what is rateholder -- ratepayer versus shareholder, on average?

JOHN MURPHY: I do not know the answer to that right now.

SENATOR WITKOS: Thank you.

REP. NARDELLO: Further questions from members of the committee?

Seeing none, John, thank you for your testimony.

Next is Betsy Gara.

ELIZABETH GARA: Thank you, Senator Fonfara, Representative Nardello, members of the committee. My name is Betsy Gara, and I'm the executive director of the Connecticut Water Works Association.

There's been a lot of discussion on Senate Bill 23 as it pertains to electric suppliers; however the bill also impacts public water suppliers in terms of investor-owned companies. As an industry, we certainly understand the need for emergency preparedness and planning. And, in fact, we are already subject to extensive state and federal laws requiring water utilities to do emergency preparedness and response plans.

As a -- as a result, we are very concerned that Senate Bill 23 actually imposes some requirements on water utilities that bump up against these existing state and federal laws in ways that may actually be confusing and undermine the integrity of current emergency planning efforts. For example, if you look at Section 3B of the bill, it requires us to develop a plan and submit that to PURA, which outlines various performance standards.

Under current law, water companies are already required to prepare a plan and submit it to approval to the State Department of Public Health. This plan has to include a number of different components, including things like a communications plan, a sabotage prevention plan, a description of the duties and personnel that are important to emergency response activities. So we are concerned, again that this is going to create some confusion.

In addition, under the federal law, EPA designates the State Department of Public Health as the lead agency in terms of enforcing and overseeing water security and emergency planning. And, as such, I think this creates some overlaps that may create some problems. For example, under the Bioterrorism Act in 2002, water companies have to prepare vulnerability assessments -- and this was following September 11th attacks -- to ensure that we identify those vulnerabilities to our systems and take precautions to address any of those vulnerabilities. That information is subject to very specific security protection under the Bioterrorism Act.

The Department of Public Health has been doing an excellent job of protecting the safety of that information, and so we're concerned that by providing information that is similar to a different agency, we're going to run up against some of the protected provisions of the Bioterrorism Act.

So I'm not sure that water utilities are really appropriate to be included in this bill, and I would therefore direct you to look at some of those laws that govern public water

supply and emergency planning and preparedness, which I've attached to my testimony. And if you have any questions about that, I'd be happy to answer them.

Thank you.

REP. NARDELLO: Thank you for summarizing, Betsy.

Are there questions from members of the committee?

Betsy, just a question.

I don't have your testimony here, but it could have been because it came in a little bit later.

ELIZABETH GARA: No. I actually was on time with this.

A VOICE: It's online.

ELIZABETH GARA: Unusual, I know.

REP. NARDELLO: I will make sure that I have the written copy of testimony, as well.

ELIZABETH GARA: All right. Thank you.

REP. NARDELLO: Thank you very much.

Are there further questions from the committee before I let Betsy go?

Okay.

Thank you.

Next, we'll have -- we are actually, officially, moving to 5544, although some people testified on both -- and Linda Roberts.

LINDA ROBERTS: Good afternoon, Senator Fonfara, Representative Nardello, ranking and distinguished members of the Energy and Technology Committee. Thank you for the opportunity to provide testimony in connection with Senate Bill 23 and Raised Bill 5544.

These bills both seek to review the emergency response and service restoration efforts of certain public service companies to establish emergency response and service restoration, the standards for those companies and to establish micro-grid grant and loan pilot program.

The Connecticut Siting Council is in full support of these initiatives and would like to offer -- offer testimony on two particular aspects of Bill 5544.

Section 4 states that each telecommunication company shall maintain backup generation equipment that will operate for at least 72 hours for any tower or antenna operated by the company. The Council, first, would like to clarify that we only have jurisdiction over telecommunication towers and not antennas. We'd like to bring to the committee's attention that some antenna locations -- for instance, roof tops, steeples -- make providing the required backup very problematic.

SB447

We do agree extended backup generation should be required for all towers going forward but would like some discretion to adjust the length of time based on this specific

characteristics of each site. Section 12-4c states that DEEP shall give preference to any micro-grid project with anticipated completion date on or before October 1, 2012. From our perspective, that date will not provide enough time for DEEP to create the program, accept applications for funding and for the Council to complete the siting process and oversee the project through construction.

A micro-grid powered by fuel cells can be put forward as a petition, which should shorten the process. However, the Council will still need adequate time to review the petition, visit the site prior to construction, approve a development and maintenance plan, if required, and conduct a final inspection. From start to finish, these steps take approximately 60 to 90 days at a minimum.

Although, the Council supports the concept of micro-grids, we think that in order to maintain an equitable process and to allow for due diligence, the anticipated completion date should be extended.

I think I'm -- I have just two comments on one other bill, if I may, and that's 447 --

REP. NARDELLO: You can actually, Linda, take the five minutes and, then, you know, if you're testifying on all the bills, and then you won't come up after this.

LINDA ROBERTS: Okay. Thank you very much.

REP. NARDELLO: Thank you.

LINDA ROBERTS: On Raised Bill Number 447, AN ACT MODERNIZING THE STATES TELECOMMUNICATION LAWS, in 1996 -- and I'm telling you stuff you

The point that I was making is that AT&T has gone -- because they've cut back so severely on linemen and the people that do the pole work that now they've gone to contractors: Rocky Mountain Bell, US Utilities, which are located outside the state of Connecticut, which are not providing jobs here. They're providing jobs for those people and those companies outside of Connecticut, where they should be providing jobs to the people in Connecticut.

And what's wrong with that is the response time is -- is 12 hours. As a policemen, I've had numerous calls from policemen, I'd been on the job for ten hours waiting for AT&T to show up to change that pole. What's going on here? We've got the road closed.

That should be your number one concern. Public safety should be your number one concern, and as a police officer, I'm sure it is.

REP. NARDELLO: Further questions from members of the committee?

Seeing none, thank you, Mr. Henderson.

WILLIAM HENDERSON: Thank you. It was my pleasure.

REP. NARDELLO: Okay. And next we have John Fernandes.

JOHN FERNANDES: Good afternoon, Madam Chairman, fellow committee members. I'm John Fernandes, president of the International Brotherhood of Electrical Workers, Local 457, located in Meriden, Connecticut, representing workers at Connecticut Light & Power in the eastern

HB5544
3B23

portion of Connecticut, as well as utility workers at municipalities of Norwich and Wallingford.

As Raised Bill 5544 currently reads, it refers to minimum staffing based on the ratio of linemen to the number of customers served, but it can be interpreted as to scaling up for storms. That's a reference for the number of crews that may be needed in a state to address a potential storm.

We propose the number must be set for the daily operation of the utility so that you have a clear benchmark. And from that -- that point you can drive up in the event of a storm.

After the fall storms in Connecticut, the various panels and investigations that were commissioned consistently found that the municipalities performed better than the utilities and that was based on the fact that the ratio of linemen to customers served was lower than municipalities versus the utilities.

I testified to that fact in September before the Governor's Two Storm Panel with supporting documentation and, in fact, Boston University did a study on the same storms that was part of review for the proposed merger between NStar, and their findings were the same.

I see this bill along with the Governor's bill uses the same measure. Everyone uses the same equation but no one plugs in the numbers. For the municipalities that we represent, the ratio is approximately one line worker for every 4,000 customers. For the 10 CL&P districts we represent, the best ratio was one

line worker for every 6100 customers; and the worst is, in fact, here in Hartford, where it's one line worker for every 18,000 customers.

Overall for the 10 CL&P districts we represent, it works to one lineman for every 9100 customers, which is more than double than what we have in our municipalities.

I'm not suggesting doubling the number of linemen at CL&P. I recognize there's support staff that help bring the ratio down, but an increase of 25 to 30 percent of the current level would help ease the stress of the districts. Additionally, there should be integrated attrition plan that's part of any benchmarking so that it doesn't become a perpetual problem.

Currently, the workforce is supplemented with outside contractors, for which the utilities paying a premium for on a weekly basis. As an example, even with the current level of contractors on-site, which CL&P is paying 60 hours per week with overtime to have them on retainer, on the weekend of February 25th, with a prediction of high winds, CL&P made a call for additional support contractors out over a thousand miles away, in addition to all the CL&P workers that were put on call.

The winds never came but that bill had to be paid. Obviously, that way of doing business cannot be sustained. It's reactive and not financially prudent. The ratepayers cannot afford that way of doing business.

After reviewing the analysis of the Governor's Two Storm Panel, as well as the multiple independent storm reviews, a new term of art

UTC Power Corporation
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South Windsor, CT 06074
(860) 727-2200 Fax. (860) 727-2319

Testimony of UTC Power
Regarding

Senate Bill No. 23
AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE

Before the Energy and Technology Committee
March 20, 2012

Senator Fonfara, Representative Nardello and members of the Committee:

UTC Power appreciates the opportunity to convey its support for ***Senate Bill No. 23, An Act Enhancing Emergency Preparedness and Response.*** UTC Power, a United Technologies company located in South Windsor for the last 50 years, employs approximately 430 people in the development, design, production and service of fuel cells for use in stationary, transportation, space and defense applications.

UTC Power would like to take this opportunity to thank Governor Malloy for his leadership in introducing this legislation that represents an innovative and comprehensive approach to the promotion of energy infrastructure resiliency that enables micro-grids as a part of the systemic solution. We'd also like to thank Department of Energy and Environmental Protection Commissioner Esty and his staff for their work in reaching out to the renewable energy and distributed generation community to begin what we believe will be a thoughtful dialogue on the potential uses of micro-grids in Connecticut.

Today UTC Power is providing fuel cell solutions for stationary and transportation applications. Fuel cell technology solutions benefit customers by providing higher system efficiencies within a broad range of applications. A fuel cell converts its input fuel directly into electricity, allowing the fuel cell to operate at much higher electrical efficiencies than an internal combustion engine More simply, a fuel cell produces a larger amount of electricity than a combustion engine with the same fuel input. UTC Power's stationary solution is a sustainable energy generation system, with a combined heat and power efficiency approaching 90% Our stationary fuel cells operate without combustion, make minimal noise and meet the strictest air standards in the United States. Additionally, UTC Power offers a transportation fuel cell solution for heavy duty applications, such as public transit buses. Currently, our product is operating in revenue service within five buses at CT Transit and twelve buses in California at AC Transit.

UTC Power respectfully recommends further enhancements to the Senate Bill No. 23 to ensure that a comprehensive statewide energy policy is truly achieved. Specifically, we support Section 4 which establishes a grant and loan program for the establishment of micro-grids for critical infrastructure in Connecticut. Installing distributed energy generation as part of these micro-grids will provide further energy reliability and security for Connecticut We suggest that a defined date for the release of the Department of Energy and Environmental Protection's request for proposal (RFP) for micro grids be established within Section 4(b) A discernible timeline for the RFP allows project developers, electrical

distribution companies and critical infrastructure end users to properly plan and execute all potential micro grids in Connecticut.

Thank you for the opportunity to express our support for SB 23 which we believe will be critical to meeting the State's dual objectives of the ensuring its citizens have access to the cleanest, and most reliable energy possible, while facilitating job creation and retention in the State of Connecticut. We would be pleased to provide any information to the Committee and the staff in support of the consideration of this bill.

Testimony of AARP on SB 23
An Act Concerning Emergency Preparedness and Response

Energy and Technology Committee
March 20, 2012

AARP is an organization that helps people 50+ live their best life. We are a nonprofit, nonpartisan social mission organization with nearly 600,000 Connecticut members.

The public understands that utilities cannot guarantee uninterrupted service for every single day and every single hour. We expected that major storms will produce outages and that power restoration can sometimes take more time than we would all like, especially when power lines and distribution poles must be repaired. However, when outages are frequent and/or lengthy and when utility customer communications about outages is poor or nonexistent, customer frustration increases. Even worse, these conditions create potentially dangerous health and safety concerns for customers, including customers who are the most vulnerable within our community, i.e., young children, the medically frail, and those aged 65 and older who need access to heat in the winter, cooling in the summer, and power to operate needed medical equipment as part of their daily living.

AARP supports the concepts laid out in Senate Bill 23. The proposal is a good first step towards dealing with emergency preparedness. We do, however, feel that House Bill 5544 is a much more comprehensive piece of legislation. AARP would be happy to work with the DEEP and the Energy and Technology Committee to produce the most comprehensive storm response legislation this year that would protects ratepayers.

AARP's goals for storm preparation and response legislation include:

- **PURA should develop standards for storm and emergency preparedness and response;**
- **Utilities should be required to develop and submit for approval an emergency response plan pursuant to the standards;**
- **Utilities should be required to regularly report on response to storms and other emergencies; and**
- **Standards should be enforceable and utilities should be subject to penalties for failure to comply.**

SENATE 23

TESTIMONY OF PAUL R. CIANELLI

THE NEW ENGLAND CABLE & TELECOMMUNICATIONS ASSOCIATION

THE ENERGY & TECHNOLOGY COMMITTEE

SENATE BILL 23: AA ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE

TUESDAY, MARCH 20, 2012

My name is Paul Cianelli and I am the President of the New England Cable & Telecommunications Association (NECTA). NECTA represents Connecticut's cable telecommunications companies which compete to provide advanced broadband, voice and video products and services to our state's business and residential consumers. NECTA appreciates this opportunity to submit testimony in support of sections 1 & 2 of Senate Bill 23. These sections will require the state's utilities to work with the Division of Emergency Management & Homeland Security (DEMHS) to develop and implement the state's emergency preparedness plan.

NECTA shares the Governor's and your Committee's interest in minimizing the utility service disruptions experienced by residents and businesses after severe weather events. Facing a fiercely competitive marketplace, we believe that it makes good business sense for cable operators to deliver highly reliable service to our customers. Over the last five years, the cable industry has invested nearly $1 billion in infrastructure and equipment upgrades in Connecticut. We also consistently invest in outage restoration planning and training to ensure our personnel are effectively prepared to respond to major storm events.

During last fall's outages, we worked closely with DEMHS and the Public Utility Regulatory Authority (PURA) to coordinate our restoration activity. These agencies established state-sponsored mechanisms (Communications Restoration Task Force) that enabled us to work cooperatively to address operational challenges and to share information. With the assistance of these agencies, we were also able to streamline our communications with the electric utilities by stationing personnel at their Emergency Operations Centers so there could be a real-time exchange of restoration information. NECTA believes both of these processes were very helpful and we recommend incorporating them into the state's new emergency response plan.

NECTA recognizes the benefits of having government agencies and their private sector partners work together to pre-establish outage response procedures. In furtherance of this goal, cable operators are actively participating in the DEMHS working group process that is revising the state's emergency response plan (planning/training/exercise components). We believe this proposal will facilitate this ongoing process by strengthening DEMHS' authority to continue work with the utility sector to develop and implement this new plan

We look forward to working with DEMHS and this Committee on this important policy matter.

Thank you.

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Line 2

CWWA
Connecticut Water Works Association
Working for Quality Water

Testimony
Elizabeth Gara
Executive Director
Connecticut Water Works Association (CWWA)
Before the
Energy Committee
March 20, 2012

Re: SB-23, AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE

CWWA appreciates the efforts of Governor Malloy and the Two Storm Panel to develop recommendations for enhancing emergency preparedness and response. Certainly, the two storms that hit parts of Connecticut in August and October posed serious challenges for utilities and municipalities.

Fortunately, as acknowledged by the state Department of Public Health following Storm Alfred, the vast majority of water systems were not disrupted by the storm and service continued uninterrupted. There were, however, some smaller systems that were issued a Boil Water Advisory, which is generally a precautionary measure triggered by certain events such as sustained power outages or flooding where there may be a potential contamination issue.

As public water suppliers, our members have an obligation to provide sufficient quantities of high quality water to meet the needs of consumers in the communities that we serve. We vigorously protect the quality, safety and reliability of our water supplies to meet this obligation. Recognizing how vital public water supplies are to public health and safety, water utilities have long been required under state and federal law to develop and implement emergency planning to respond quickly to contamination, damage or disruption to the water system. Attached is a summary of some of these provisions.

Although we support the intent of SB-23, we are concerned that certain provisions in the bill which pertain to investor-owned water utilities may:

1) **Be unnecessary given the existing state and federal laws governing public water supply emergency planning and preparedness;**
2) **Create confusion regarding the oversight and enforcement of such laws which will only serve to undermine the integrity and effectiveness of emergency planning efforts already underway; and**
3) **Raise concerns relative to state and federal laws that protect security related water supply information from disclosure.**

Section 3 (b) of the bill requires the Public Utilities Regulatory Authority (PURA) to establish minimum standards of performance for utilities in emergency preparation and restoration of service, including 1) minimum staffing levels and equipment levels; 2) targets for recovery and restoration of service; 3) a communications plan for utilities and state and local officials; 4) a communications plan between each utility and its customers; 5) a plan for deploying utility crews; 6) safety standards; and 7) mutual aid agreements.

However, under existing law, each water company serving 1,000 or more persons or 250 or more consumers, is already required to develop and submit for approval to the state Department of Public

Health, a water supply emergency contingency plan as part of a water supply plan that encompasses each of these provisions. The plan must include: 1) a description of duties and responsibilities of key personnel involved in emergency response actions, and a procedure for contacting and scheduling staff to respond in emergencies; 2) the level of service to be sustained during water supply emergencies and procedures for providing essential potable water to priority users where priority is based on the potential risk to health, safety and welfare posed by the curtailment of service; 3) a communications plan for notifying customers; 4) a communications plan for notifying state, local and federal authorities; and 5) sabotage prevention plans. The plan uses an all hazard approach that encompasses the multitude of possible crises, from natural disaster to acts of terrorism.

Relative to Section 3 b (7) which requires the filing of mutual aid agreements by utilities, there is already a network in place - the Connecticut Water/Wastewater Agency Response Network (CTWARN) - that enables water and wastewater systems in Connecticut to restore facilities damaged by natural or man-made incidents by sharing resources with other member systems. Mutual aid and assistance agreements between water and wastewater utilities are critical elements to maintaining services and resiliency during an emergency. CTWARN provides increased planning, coordination and enhanced access to specialized resources to enable rapid, short-term deployment of emergency services to restore critical operations of the affected utility.

In addition, following the September 11 terrorist attacks a federal law was enacted requiring water companies to prepare vulnerability assessments – an evaluation of each water system component to identify weaknesses and deficiencies that may make them susceptible to damage or failure during an emergency. This information as well as emergency preparedness plans are protected from disclosure under state and federal law to ensure the security of the nation's public water supplies. SB-23 raises concerns that similar information would now have to be provided separately to PURA which is not designated by EPA as the lead agency relative to water security and emergency response. As such, it is unclear whether this information can be provided to PURA under the protective provisions of the Bioterrorism Act.

As the state agency designated by the federal government to have primacy over public water supplies, the state Department of Public Health's Drinking Water Section (DWS) is the lead agency in implementing and enforcing laws and regulations governing water utility security and emergency response. By requiring private water companies to develop and submit an additional emergency response plan to PURA, we are therefore concerned that SB-23 will create confusion as to which agency has regulatory authority over water supply emergency response efforts.

Given the comprehensive laws governing public water utilities relative to emergency preparedness and response which reflect critical elements unique to the water industry, **we believe SB-23 should be revised to exclude water companies from its scope.**

We certainly understand the importance of emergency planning and preparedness. As such, we are actively participating in Governor Malloy's Emergency Planning & Preparedness initiative which has set a number of goals regarding emergency planning and exercise that must be accomplished by September 1st. We look forward to working with lawmakers and the Governor's Office to ensure that the water industry remains positioned to respond to emergencies affecting the state's public water supplies.

Thank you for the opportunity to comment.

The Connecticut Water Works Association, Inc. (CWWA) is an association of private, municipal and regional public water supply utilities serving a population of about 2½ million people, located throughout Connecticut.

Overview of Laws Governing Water Security & Emergency Preparedness

Federal Safe Drinking Water Act
The Safe Drinking Water Act was amended by the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act) to address emergency water supplies. The Bioterrorism Act directs specifies action that public water suppliers and EPA must take to improve the security of the nation's drinking water infrastructure.

Vulnerability Assessments and Emergency Response Plans
Title IV of the Bioterrorism Act requires each community water system providing drinking water to more than 3,300 persons to conduct a vulnerability assessment, certify its completion and submit a copy of the assessment to EPA according to a specified schedule. In addition, each system must prepare or revise an emergency response plan that incorporates the findings of the vulnerability assessments and certify to EPA within six months of completing a vulnerability assessment that the system has completed such a plan.

Water Supply Emergency Contingency Plan
The Regulations of Connecticut State Agencies Section 25-32(d)-3(d), requires each water company supplying water to 1,000 or more persons or 250 or more consumers, to have a water supply emergency contingency plan as part of a water supply plan. The regulation requires that the plan identify critical system components and establish procedures for sabotage prevention and response. The plan uses an all hazard approach that encompasses the multitude of possible crises, from natural disaster to acts of terrorism.

CT Water/Wastewater Agency Response Network (CT WARN)
CTWARN is a Water/Wastewater Agency Response Network (WARN) that enables water and wastewater systems in Connecticut to restore facilities damaged by natural or man-made incidents by sharing resources with other member systems. Mutual aid and assistance agreements between water and wastewater utilities are critical elements to maintaining services and resiliency during an emergency. CTWARN provides increased planning, coordination and enhanced access to specialized resources to enable rapid, short-term deployment of emergency services to restore critical operations of the affected utility.

Emergency Notification
In the event that the DWS receives notice of a credible threat to water system infrastructure or water quality, impacted parties will be notified immediately. The DWS uses a Wide Area Notification System or "WANS" and has prepared a guide for reporting water security events.

National Incident Management System (NIMS)/ Incident Command System (ICS)
Connecticut requires all state agencies, regional and local responders involved in statewide response planning to have NIMS training, which has established standardized incident processes and procedures that all responders will use to coordinate and conduct response actions. Events such as terrorist attacks, accidents, and natural disasters that impact public water supplies require the involvement of emergency responders from multiple jurisdictions to ensure effective coordination. The Incident Command System, which is required under NIMS, provides the framework to achieve coordination.

■ **Water Sector-Specific Plan**

The Water SSP was released by the Department of Homeland Security in collaboration with the US Environmental Protection Agency on May 29, 2007. The Water SSP is a broad-based Water Sector critical infrastructure protection strategy developed under the Department of Homeland Security's National Infrastructure Protection Plan and was produced by EPA in coordination with Water Sector security partners, which includes the Water Sector Coordinating Council (SCC) and Government Coordinating Council (GCC). The SSP outlines four goals and supporting objectives for the Water Sector: sustain protection of public health and the environment; recognize and reduce risks; maintain a resilient infrastructure; and increase communication, outreach, and public confidence.

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Connecticut Light & Power
The Northeast Utilities System

Yankeegas
The Northeast Utilities System

TESTIMONY OF DANA LOUTH and RICHARD A. SODERMAN
THE CONNECTICUT LIGHT AND POWER COMPANY
and YANKEE GAS SERVICES COMPANY

Energy and Technology Committee
March 20, 2012

RE: SB 23 *AN ACT CONCERNING ENERGY CONSERVATION AND RENEWABLE ENERGY*

Good afternoon. My name is Dana Louth, Vice President of Infrastructure Hardening at CL&P, and with me is Richard Soderman, Director of Legislative Policy and Strategy for Northeast Utilities Service Company. We are appearing on behalf of the Connecticut Light and Power Company.

This bill as proposed by Gov. Malloy and legislative leaders includes provisions that are reasonable and sound, and we support them. The bill provides a direct, comprehensive and unambiguous course of action that the state expects of its utilities, state agencies and municipalities during emergencies. That path is forward looking and focused on providing the proper environment for improvement and measurement of success or failure.

We regret that many of our customers suffered the unfortunate outages that occurred as a result of last fall's unprecedented storms, and we have welcomed the results of various studies and reviews by independent parties and valuable input from municipalities. We are pursuing those recommendations with enthusiasm and determination to improve service. We are already working with municipalities, DEMHS, and others to improve our communication and coordination during catastrophes.

We strongly support sections1 and 2 to include public service companies in the list of government entities that are responsible to carry out the duties described in a comprehensive plan and actions for the civil preparedness that is developed by the Department of Emergency Management and Homeland Security and approved by the governor. This process has already begun with the

efforts of DEMHS, and we are participating in statewide exercises to improve the communication and coordination among various parties during emergencies.

The proposed bill (section 3) requires the Public Utilities Regulatory Authority to establish minimum standards of performance for utilities in emergency preparation and restoration of service to customers in an emergency. It addresses many areas of performance, including staffing levels, targets for restoration, communications, safety and resource deployment. It also includes penalties for failure to meet the standards. As the reports of the Witt Group and Two Storm panel indicated, these are the essential elements of a sound policy, and we are implementing those recommendations.

Section 4 includes a proposal to determine how and when microgrids may be an appropriate option for improving the resiliency of electric service to critical centers. We support this examination, and we look forward to working with the DEEP to implement this effort. We note that we are also seeking various technical and other reviews so that we can all better understand the inner workings of microgrids and the beneficial role they can play as part of the integrated electrical system. We suggest that current legislation be revised slightly to facilitate our ability to begin initial microgrid installations this year.

Finally, we commend the Department of Transportation and various municipalities in their efforts to adequately protect the public ways from potential interference from dangerous neighboring trees. We support the administration's incremental funding of this activity. We suggest that current tree trimming legislation be revised to address improved processes for permission to cut trees as well as the creation of a process to address the distressed and danger trees on private property that are likely to fall into our lines in future storms.

With these two additions, we would consider this bill to be a comprehensive initiative to address storm and emergency preparation and action.

Thank you for the opportunity to provide testimony on this bill.

Tree Trimming on Private Land

Purpose: To provide the ability of a utility to trim or cut trees on private land that could fall into transmission or distribution lines. Such trees were a major contributor to the electrical outages that occurred in the two 2012 storms. This provision provides the tree owner with the ability to seek compensation for the value of the tree from PURA if agreement cannot be reached between the owner and the utility.

Sec. 52-560. Damages for cutting trees, timber or shrubbery. (a) Any person who cuts, destroys or carries away any trees, timber or shrubbery, standing or lying on the land of another or on public land, without license of the owner, and any person who aids therein, shall pay to the party injured five times the reasonable value of any tree intended for sale or use as a Christmas tree and three times the reasonable value of any other tree, timber or shrubbery; but, when the court is satisfied that the defendant was guilty through mistake and believed that the tree, timber or shrubbery was growing on his land, or on the land of the person for whom he cut the tree, timber or shrubbery, it shall render judgment for no more than its reasonable value.

[NEW] (b) Notwithstanding the provisions of subsection (a), any public service company, its agents, servants, employees, contractors or other persons working on its behalf, may enter upon land of another and cut trees, timber, or limbs thereof that the public service company determines could, as a result of natural causes such as wind, snow, ice or disease, fall into the wires or conductors of electric transmission or distribution lines maintained within an easement area, or on land owned by such public service company, not less than thirty days after providing notice of the intent to perform such work to the chief municipal officer and in a newspaper of general circulation in the area where such trimming, cutting or removal is scheduled to occur, and provided that such company shall attempt to reach an agreement with an owner on any trees or timber that are to be removed. If the public service company and the tree owner fail to reach an agreement, the owner may commence an action before the Public Utilities Regulatory Authority. This provision shall not apply to any trees, timber, or other vegetation cut, destroyed or carried away pursuant to an authorization in an easement, license, or contract.

Utility owned Renewable Generation

Purpose: to clarify section 127 and to facilitate deployment of microgrids.

Sec. 127. (NEW) (Effective July 1, 2011) (a) Notwithstanding subsection (a) of section 16-244e and other provisions of the general statutes, an electric distribution company~~, or owner or developer of generation projects that emit no pollutants,~~ may submit a proposal to the Public Utilities Regulatory Authority ~~Department of Energy and Environmental Protection~~ to build, own or operate one or more generation facilities up to an aggregate of ~~thirty~~ ten megawatts using Class I renewable energy sources as defined in section 16-1 of the general statutes from July 1, 2011, to July 1, 201~~3~~4, provided that, if such proposal is designed to improve the electrical resiliency of a municipal or government critical load center, such proposal may include other generation technology that uses natural gas fuel. Each facility shall be greater than ~~one megawatt~~ 400 kilowatts but not more than five megawatts, but the authority can waive this requirement for good cause shown. Each electric distribution company may enter into joint ownership agreements, partnerships or other agreements with private developers to carry out the provisions of this section. ~~The aggregate ownership for an electric distribution company pursuant to this section shall not exceed ten megawatts~~. The ~~deparment~~ authority shall evaluate such proposals pursuant to sections 16-19 and 16-19e of the general statutes and may approve one or more of such proposals if it finds that the proposal serves the long-term interest of ratepayers. The ~~deparment~~ authority (1) shall not approve any proposal supported in any form of cross subsidization by entities affiliated with the electric distribution company, and (2) shall give preference to proposals that make efficient use of existing sites and supply infrastructure or are designed to improve the electrical resiliency of a municipal or government critical load center. No such company may, under any circumstances, recover more than the full costs identified in a proposal, as approved by the authority. Nothing in this section shall preclude the resale or other disposition of energy or associated renewable energy credits purchased by the electric distribution company, provided the distribution company shall net the cost of payments made to projects under the long-term contracts against the proceeds of the sale of energy or renewable energy credits and the difference shall be credited or charged to distribution customers through a reconciling component of electric rates as determined by the ~~deparment~~ authority that is nonbypassable when switching electric suppliers.

(b) An owner or developer of generation projects that emit no pollutants may submit a proposal to the Department of Energy and Environmental Protection to build, own or operate one or more generation facilities up to an aggregate of ten megawatts using Class I renewable energy sources as defined in section 16-1 of the general statutes from July 1, 2011, to July 1, 2013. Each facility shall be greater than one megawatt but not more than five megawatts. The department shall evaluate such proposals pursuant to sections 16-19 and 16-19e of the general statutes and may approve one or more of such proposals if it finds that the proposal serves the long-term interest of ratepayers. The department (1) shall not approve any proposal supported in any form of cross subsidization by entities affiliated with the electric distribution company, and (2) shall give preference to proposals that make efficient use of existing sites and supply infrastructure. No such company may, under any circumstances, recover more than the full costs identified in a proposal, as approved by the department. Nothing in this section shall preclude the resale or other disposition of energy or associated renewable energy credits purchased by the electric distribution company, provided the

distribution company shall net the cost of payments made to projects under the long-term contracts against the proceeds of the sale of energy or renewable energy credits and the difference shall be credited or charged to distribution customers through a reconciling component of electric rates as determined by the authority that is nonbypassable when switching electric suppliers.

(c) Concurrent with the authority's review of each electric distribution company's proposal, the authority shall establish a rate recovery mechanism under which the net cost of each such facility, including each facility's interconnection costs and costs resulting from a facility's provision of infrastructure hardening or electric system reliability benefits, shall be recovered from customers through the non-bypassable federally mandated congestion charge as defined in section 16-1 of the general statutes. As part of its proposal to the authority, t~~T~~he company shall also propose whether ~~use~~ the power, capacity and related products produced by such facility should be used to meet the needs of customers served pursuant to section 16-244c of the general statutes.

~~(c) Notwithstanding the provisions of subdivision (1) of subsection (j) of section 16-244c of the general statutes, the amount of renewable energy produced from such facilities shall be applied to reduce the electric distribution company's Class I renewable energy source portfolio standard obligations.~~

(d) The department shall evaluate the proposals approved pursuant to this section and report in accordance with the provisions of section 11-4a of the general statutes to the joint standing committee of the General Assembly having cognizance of matters relating to energy whether proposals shall be accepted beyond ~~July 1, 2013~~ the dates authorized in subsections (a) and (b).

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CBIA CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION

EPC ENVIRONMENTAL POLICIES COUNCIL

TESTIMONY OF ERIC J. BROWN
ASSOCIATE COUNSEL, DIRECTOR OF ENERGY & ENVIRONMENTAL POLICY
CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION
before the
ENERGY & TECHNOLOGY COMMITTEE
March 20, 2012

My name is Eric Brown and I serve as associate counsel with the Connecticut Business & Industry Association ("CBIA"). On behalf of our 10,000 large and small member companies throughout Connecticut, we are pleased to provide comments in support of:

Senate Bill No. 23: An Act Enhancing Emergency Preparedness and Response

CBIA greatly appreciates the efforts of this committee, the General Assembly and the administration to move Connecticut towards cheaper, cleaner and more reliable energy. Like businesses in all states, Connecticut businesses and the employees that comprise them, are heavily reliant on reliable and affordable sources of energy. Many small businesses in our state, including some family-owned businesses that were "institutions" in their towns and villages, were unable to withstand the combination of a week economy and two sustained power outages last year.

The storms of 2011 were devastating and have triggered vibrant discussions among citizens, businesses and policy-makers at all levels of government in Connecticut. Measures must be taken to insure that when such storms occur in the future, rare as they maybe, our energy infrastructure is more resilient and those entities responsible for mitigating the impact of such storms are more successful.

Improved planning, increased training, adequate staffing, better coordination among providers, responders, government agencies and customers, and greater investment in hardening of infrastructure, must all be components of change that will reduce the likelihood of repeating the unfortunate experience of 2011.

S.B. 23 includes each of these important components and more. Significantly, the bill includes a deliberative and transparent process whereby the Public Utilities Regulatory Authority will establish minimum standards of performance for utilities in times of emergency. Having targeted performance goals will be useful in measuring success and achieving continuous improvement. However, it is important that these targets be reasonably achievable given the current infrastructure and resources. And each standard should represent a benchmark for continuous improvement. It is also important that each have a clear nexus to the overall goal of a more resilient and reliable delivery system in times of emergency. They should not be designed as overly-aggressive, unrealistic opportunities for punitive punishment or scapegoating.

Additionally, in determining a penalty for not meeting the standards, consideration should be given to the size and resources of the utility involved. S.B. 23 may not preclude this consideration but proposing a single, maximum civil penalty of $25 million may give the impression that the bill contemplates a "one-size-fits-all" approach to the penalty provisions. We suggest this provision be amended to clarify that calculation of any penalties include consideration of the utilities resources as well as the degree to which matters outside of the control of the utility played a part in failing to meet the performance standards.

Thank you for this opportunity to share our comments in support of this bill.

Connecticut Fund for the Environment

Save the Sound

Testimony of Connecticut Fund for the Environment

Before the **Energy & Technology Committee**

In Support of:

Governor's Bill No. 23, AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE.

Submitted by
Charles J. Rothenberger, Staff Attorney
March 20, 2012

Connecticut Fund for the Environment ("CFE") is a non-profit environmental organization with over 5,400 members statewide. The mission of CFE is to protect and improve the land, air and water of Connecticut and Long Island Sound. For more than twenty-five years, CFE has used legal and scientific expertise to bring people together to achieve results that benefit our environment for current and future generations.

Senator Fonfara, Representative Nardello and members of the Committee, Connecticut Fund for the Environment is pleased to have the opportunity to offer the following testimony on Governor's Bill No. 23.

Section 4 of this bill directs DEEP to establish a micro-grid grant and loan program to support local renewable distributed energy generation for critical facilities.

CFE supports the improvement of the state's electric reliability through the establishment of local micro-grids and the expansion of clean, renewable customer-side distributed generation. We are pleased that this proposal explicitly promotes the twin goals of grid reliability and the deployment of clean renewable generation. .Such an initiative promises not only to make our energy infrastructure more secure from failures (whether caused by natural storm events or terrorist attacks), but will continue Connecticut's leadership in supporting the clean energy jobs and businesses that are essential to a prosperous economy for the state.

Thank you for the opportunity to comment.

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Testimony
Of
UIL Holdings Corporation
Re:
Senate Bill 23 - AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE.

Legislative Office Building
March 20, 2012

Good afternoon, Senator Fonfara, Representative Nardello and members of the Energy & Technology Committee. My name is John Prete and I am the Senior Vice President - Electric Transmission and Distribution of The United Illuminating Company I want to thank you for this opportunity to provide testimony on **Senate Bill 23, AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE.** We also want to thank Governor Malloy for proposing a thoughtful and measured approach for addressing storm preparedness and response The bill contains various suggestions made by UI and others to the legislative forum and the Two Storm Panel. UI does not oppose the basic intent of the proposals included in Senate Bill 23. However, the Committee should consider revisions that will make the proposals more equitable and achievable for the electric distribution companies and will ensure that goals can be achieved at the lowest possible cost to the citizens of the State

SB450

The impacts that the two storms had on Connecticut during the summer and fall of 2011 have been well documented. UI appreciates the careful and sensible approach to determine the best way to prepare and respond to future events of this magnitude. UI has been a willing and involved participant throughout this process.

As you know, there are many components to preparedness and a safe storm response. As we testified to both this Committee and the Governor's Two Storm Panel after the storms, UI's storm restoration performance exceeded the national average for similar storms when comparing our restoration to data maintained by the U.S. Department of Energy. It is embodied in UI's culture to continue to improve, to seek out and listen to our constituents and take to heart criticisms in order to strive to meet and exceed expectations. Almost immediately some of the lessons we learned during Tropical Storm Irene were put into place and used during the historic October storm These improvements include tighter coordination with municipalities to support the opening of roads, utilization of special reports from our Outage Management System to provide specific street level restoration plans to town officials, defining a specific Operations Liaison role to close communications gaps between the Operations function and the Municipal Liaison function, and the completion and filing of UI's newest Emergency Preparedness Plan (Plan), which is based on the National Incident Management System (NIMS). We have instituted improvements to our work processes regarding emergency preparedness and have worked to enhance communications between the utility and our municipal partners and the State Division of Emergency Management and Homeland Security. UI has also put in place dedicated programs for both short and long-term improvements to support preparedness, communications and response

We are, however, concerned about the language in the raised bill regarding performance standards UI agrees that the Department of Energy and Environmental Protection, specifically the Public Utilities Regulatory Authority (PURA), is the appropriate entity that has the expertise, experience and procedures in place to determine, measure and ensure adherence to standards

designed to evaluate a utility's performance for both pre-storm planning and post-storm response. Performance standards must be both fair (based on actual empirical data) and achievable (based on actual conditions associated with the severity and magnitude of storms and their damage) This balanced approach should also be utility-specific, based on the Company's geography and unique service territory characteristics.

It is important to recognize that UI already operates within self-imposed guidelines and standards – namely its Emergency Preparedness Plan The Plan sets forth both restoration performance that the Company strives for in relation to the magnitude of the weather event as well as the functions and activities that company personnel execute in order to plan for and respond to events based upon their severity. Activities undertaken pursuant to the Plan ensure proper planning, effective communication, safe response as well as continuous plan improvement. The Plan properly sets forth the standards pursuant to which UI should be measured

The Plan already incorporates many years of experience and lessons learned. Because it incorporates all of the challenges surrounding Tropical Storm Irene and the October snow storm, it is the appropriate standard to employ going forward. It is a "living document" that can, from here on, incorporate desired future improvements including in the following areas: UI's ability to (i) extend the restoration prediction horizon (estimated restoration times), (ii) manage more resources, (iii) obtain more resources, and (iv) prevent damage Once these desired improvements are obtained, the Plan can be revised to reflect new and refined standards

A fair and effective way to evaluate a utility's performance during major storms is its execution of its PURA-approved Emergency Preparedness Plan. Measuring UI this way provides the appropriate basis pursuant to which performance should be evaluated.

Finally, UI seeks clarification of the maximum stated penalties addressed in the raised bill, and recommends that any financial penalties should be scaled to the size of the utility For example, if the maximum amount of the penalties included in SB 23 is the "right number," the financial impact on UI would be 7 7% of transmission and distribution (T&D) revenues The same $25 million penalty would be about 1.1% of T&D revenues for Connecticut Light & Power This wide difference in financial impact is not equitable The number may be better stated as a percentage of distribution revenues The Massachusetts law that addresses utilities' storm response and that has served as a model for Connecticut proposals recognizes that a fixed dollar penalty is not the appropriate answer.

System Resiliency

UI supports the Governor's initiative to develop renewable energy distributive generation in the state and agrees that DEEP should evaluate the full range of benefits and costs associated with these potential solutions and alternatives. This is particularly the case if the intent of the "micro grid" is to run 24/7 in parallel with the electric distribution system

While this evaluation is being performed, UI recommends that installing emergency generation at selected sites would form a viable approach to system hardening and resiliency In fact, this may be a better and more cost-effective choice to reducing extended post-storm outages

UI is also concerned that the language in the bill regarding the type of "micro grid" that would be installed and its impact on system reliability. As we understand the language, the "micro grid" installed would still require a redundant electric distribution system for the buildings served by it It is important to understand that installing this on-site generation, without hardening or improving the resiliency of the existing distribution system, will not improve the reliability of the area or keep "the lights on" during severe weather events such as last year's two storms. In addition, this redundant approach may likely increase the costs of those customers served by this micro grid.

The bill properly allows the State's electric distribution companies to participate in micro grid projects. However, we recommend that electric distribution companies be able to own and operate the "micro grids" in its service territory UI has already commissioned an internal team to investigate and assess the concept of micro grids and its impact on the electric distribution system (along with the impacts on franchise rights) and to recommend opportunities for the future.

Again, thank you for the opportunity to offer testimony on Senate Bill 23 - **AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE.**

I also want to make a couple of points regarding Senate Bill 450 – **AN ACT CONCERNING ENERGY CONSERVATION AND RENEWABLES** as they apply to the issues included in Senate Bill 23 and that should be considered for inclusion in final storm response legislation this

session. The bill includes various sections that should also be considered when examining ways to prevent or reduce damage during intense weather events. Specifically, we call attention to the definition of utility line clearance zone for tree trimming included in Section 9 This line clearance zone, commonly known as "blue sky trimming," coupled with other improvements to the resiliency of the system and replacement of bare conductors will go a long way at reducing tree damage to electric distribution facilities during storm events and improve the day to day reliability of the system. We also want to suggest that UI should be allowed to have an opportunity to capitalize initial "blue sky trimming" costs which would be a significant investment. Thereafter tree trimming costs would return to the normal expense recovery mechanism.

UI looks forward to working with the Committee and Governor Malloy's administration in crafting legislation that will move our state forward in addressing emergency preparedness and response. I'll try to answer any question you may have.

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University of Connecticut

Energy and Technology Committee

March 20, 2012

Public Hearing

Testimony

By

Prabhakar Singh
UTC Chair Professor and Director, Center for Clean energy Engineering

Good morning Chairman Senator Fonfara, Representative Nardello, Ranking Senator Witkos Representative Hoydick and members of the Energy and Technology Committee. My name is Prabhakar Singh and I am testifying in my role as the Director of the Center for Clean Energy Engineering and the UTC Chair Professor at the School of Engineering, University of Connecticut. I thank you for the opportunity to speak before you today regarding S.B. 23 *An Act Enhancing Emergency Preparedness and Response.*

Center for Clean Energy Engineering is a multidisciplinary center within the School of Engineering at the University of Connecticut. Our Center conducts cutting edge research in the areas of clean and efficient energy systems development, natural resource conservation, power management and "smart transmission." Our research efforts are directed towards the advancement of cost effective, sustainable and distributed generation technologies through programs that are focused on achieving reductions in cost and improvements in reliability and durability.

C2E2 collaborates with a broad range of national and international partners in the pursuit of excellence in education, training, innovation, research & development, systems engineering and demonstration. We work hand in hand with our CT industrial partners, such as UTC Power, FuelCell Energy, Sustainable Innovations, Northeast Utilities, Praxair, and many more to achieve advancements in systems testing, validation and deployment.

We are very excited about the proposed renewable distributed energy generation, and emergency preparedness and response program proposed by The Department of Energy and Environmental Protection for establishing a micro-grid grant and loan program to support critical infrastructure and facilities through local renewable distributed energy generation, transmission and management

I am pleased to inform you that the University of Connecticut and the Center for Clean Energy Engineering is developing a distributed power generation and power management network at its Depot Campus to secure and support the existing network, educate students and reduce carbon foot print.

There are many tangible benefits for micro-grid generation:

- Incorporation of a variety of generation methods including
  - Solar
  - Geothermal
  - Wind
  - Microturbines
  - Fuel Cells
- Economies of scale that rely on modular manufacturing, rather than on-site large-scale manufacturing
- An increase in the use of renewable sources that will reduce the overall carbon footprint

Micro-grids can complement (not replace) traditional generation, transmission and distribution modes of power delivery

The generation of power in a distributed (local) mode can also increase the overall efficiency

- From reduced losses from transmission and distribution through an aging infrastructure
- Capture of thermal energy to provide heating and cooling

With recent storms, the need for distributed generation for critical infrastructure including:

- Command and control centers
- Water treatment plants
- Cooling/Heating centers
- Telecommunication networks

The distributed generation program can also stimulate the growth of sustainable energy industries in CT.

Connecticut is home to two of the largest and most successful fuel cell manufacturers in the world (including UTC Power and Fuel Cell Energy).

There are also a number of smaller but innovative companies (including Proton on Demand and PCI) that add to the fuel cell and hydrogen economy.

Together, they have achieved significant gains in durability and efficiency.

For example, high-temperature fuel cells have:

- continuous stack performance of more than 10 years
- combined heat and power efficiencies of 75%
- negligible emission of pollutants

Fuel cell technologies offer many other documented advantages as well, including

- fuel flexibility (natural gas, liquid fuels, biomass, etc.),
- ease of siting (low environmental hazards),
- and noiseless operation.

Several hundreds of these stand-alone fuel cell power generation systems (400kWe to 1.2 MWe) are in operation around the world

They reliably demonstrate:

- greater than 95% system availability (and are not intermittent like solar or wind)
- grid independent operation (to operate during power outages)
- and overall system durability in excess of 20 years.

At the Center for Clean Energy Engineering, faculty and industry partners have lead efforts to develop lower-cost fuel cell systems for distributed generation.

As part of this effort, UConn has pursued effective and near-term projects on materials development and manufacturing efficiency.

With the renewable distributed energy generation program and the on-going research partnerships with industry partners, UConn is ready to support efforts

- for resilient energy resources through the development of advanced materials and manufacturing
- that will lead to cost-effective deployment of micro-grids

Thank you.

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Line 2

Testimony of Lee D. Hoffman Related to
Senate Bill 23: An Act Enhancing Emergency Preparedness and Response
March 20, 2012

My name is Lee Hoffman. I am an attorney with the Hartford office of Pullman & Comley and served as a member of Governor Malloy's Two Storm panel. As you may recall, Governor Malloy formed the STORM Irene Panel after Tropical Storm Irene left a record number of Connecticut residents without power – more than were affected by Hurricane Gloria. That record was soon topped, however, by the October Nor'easter, sometimes referred to as Winter Storm Alfred, which broke the record set by Irene only months before.

The two storms that beset our state last year were not overly powerful, certainly not in the realm of category III hurricanes that have previously come onto Connecticut's shores. Damage could have been far worse if the storms were stronger or if they had occurred during the cold of February rather than in relatively mild temperatures. Realizing this, Governor Malloy tasked our group with evaluating the responses made by federal, state and local authorities, first responders, volunteers and the business community in both storms in order to better understand the strengths and weaknesses of the response effort, and suggest where improvements could be made.

Our panel was drawn from a variety of sectors, including municipal leaders, the military, the business community, first responders, volunteer organizations, and even a lawyer. We spent literally hundreds of hours listening to testimony, reading thousands of pages of documents, and obtaining information from nationally recognized experts in storm response. This culminated in our Panel issuing a report to Governor Malloy which contained 82 recommendations related to storm response. These recommendations were far ranging, including state response, utility issues, effects on municipalities, the health care community, GIS improvements and general improvement of communication between all responders to emergencies. The recommendations encompassed in the report involve multiple constituencies, not just the state, and therefore are best treated broadly. Only by proceeding in such a fashion will the state best be prepared for the next emergency it may face. I am gratified that this committee is now evaluating legislation which will assist the state in strengthening itself for a response to the next emergency.

The Two Storm Panel did its best to make recommendations that could be implemented within the existing frameworks of the various state, municipal and private entities that play a role in emergency response. Put another way, the recommendations we made were ones that were designed to be implementable within current structures, so as to allow the state to get to work on preparing for the next emergency. One excellent example of this is Governor Malloy's directive to William Hackett, the State Emergency Management Director, to update and improve the state's Master Plan. Doing so will better ensure a unified response by the state, municipalities, the utilities and others who must respond when disaster strikes. Mr. Hackett is well on his way to achieving this goal, as is evidenced in the January 3, 2012 memorandum he drafted to Governor Malloy which outlines Mr. Hackett's proposal for improving the State's planning and preparedness. If you have not seen it yet, I commend that memorandum for your reading.

SB 23 cleanly addresses three recommendations made by the Two Storm Panel that could not otherwise easily be addressed without legislation. It allows for the development of reasonable

performance standards for utility recovery after storms (something that no other state has done), it provides for participation in emergency exercises by utilities (perhaps the most crucial of all recommendations) and it creates a microgrid pilot program which should assist in the hardening of selected infrastructure at a reasonable cost. Many of the other recommendations found in our report can, and in many cases are already in the process of being addressed by various state agencies who have the authority to implement those recommendations.

In conclusion, the approach already taken by Governor Malloy, and further articulated in SB 23 addresses not only responses to the two storms we faced last year, but also responses to future, unforeseen emergencies. This approach, along with the work currently being done by the state, the municipalities and the utilities provides Connecticut with the best assurance that systems will be hardened, communications will remain open, and emergency response will best be geared to the safety of Connecticut's citizens. Thank you.

Testimony
Bart Russell
Executive Director
Connecticut Council of Small Towns
Before the Energy & Technology Committee
March 20, 2012

Thank you for the opportunity to comment on behalf of the Connecticut Council of Small Towns (COST) relative to storm preparedness and response.

COST ***supports*** the following bills which are aimed at addressing concerns relative to storm response efforts:

- **SB-23, An Act Enhancing Emergency Preparedness and Response, which authorizes the Public Utilities Regulatory Authority to establish minimum standards of performance for electric and telecommunications utilities;**
- **HB-5544, An Act Concerning Storm Preparation and Emergency Response, which also establishes performance standards for electric and telecommunications utilities as well as create a micro-grid program; and**
- **SB-450, An Act Concerning Energy Conservation and Renewable Energy, which includes provisions requiring electric utilities to submit a plan to enhance infrastructure and resiliency**

COST recognizes that state agencies, municipalities and electric and other utilities were faced with the enormous challenge of responding to an unprecedented number of power outages and fallen trees following Storm Irene and Storm Alfred. To assist public officials in developing a framework for improving future response efforts, COST conducted a survey of member towns following Storm Alfred and identified the following issues:

Utility Response Efforts
Following Storm Irene, many of our member towns expressed frustration relative to the response efforts of the major electric utilities, identifying difficulties in 1) obtaining accurate information about restoration efforts, 2) coordinating tree and branch removal with local public works crews to clear major roads and intersections; 3) prioritizing power restoration in areas that serve vulnerable populations, such as nursing homes and hospitals; 4) prioritizing power restoration to business centers and 5) managing and dispatching utility crews in a timely manner. Based on the survey results, these issues continued to be a problem for many towns hard hit by Storm Alfred. At the same time, some towns gave the electric utility's positive marks for their response efforts following Storm Alfred.

- 40% of towns responding rated their electric utility's overall response efforts "Poor" following Storm Alfred.
- 60% of towns responding rated their electric utility's overall response efforts "Good", "Very Good"

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or "Excellent" following Storm Alfred.

Clearly, towns that had timely information about power restoration efforts, including when and where crews would be assigned to their area, had a much more favorable opinion about the utility's response efforts. Unfortunately, many towns felt "abandoned" by their electric utilities because they did not receive accurate, timely information, leaving them literally and figuratively in the dark.

Clearing Roadways and Intersections
Following Storm Irene, COST members expressed concern that utilities and state agency crews failed to clear critical roadways and intersections in a timely manner, jeopardizing the ability of residents to obtain food, shelter, health care and other critical services.

Coordinating Electric Utility and Local Work Crews
Following Storm Irene, many towns indicated that they had difficulty working with electric utilities in coordinating efforts between utility work crews and local public works crews.

Role of Municipal Liaisons
CL&P designated a municipal liaison in each community following Storm Irene in an effort to improve communication with towns during power restoration efforts.

- 50% of member towns indicated that they municipal liaison was "Extremely Helpful" or "Very Helpful".
- 41.7% of towns indicated that their municipal liaison was "Helpful" or "Somewhat Helpful".
- Only 4.2% indicated that their municipal liaison was "Not Helpful at all".

In additional comments provided by towns, several towns noted how effective the liaison was in improving communication between CL&P and town officials. However, some continued to indicate that their liaison was not able to obtain accurate information on the timing of restoration efforts or when and where crews would be assigned. In those towns where clear channels of communication were maintained, town leaders could coordinate with utility crews to expedite restoration efforts and clear roadways.

Prioritizing Areas for Power Restoration

- 96% indicated that they were able to work with their electric utility to prioritize areas for power restoration, such as nursing homes, hospitals, schools and business centers.
- Only 4% indicated that they were not able to work with electric utilities to prioritize restoration efforts.

Management of Work Crews
Town leaders across the state have applauded the efforts of linesman and other utility crew members who worked tirelessly to help restore power, telephone and cable lines. However, following Storm Irene, there were several comments questioning whether linesman and other restoration personnel, particularly out-of-state work crews, were managed appropriately so that they could be dispatched to sites more quickly and advised on how to begin or assist in restoration efforts.

Improvements in Response Efforts Following Storm Alfred
In response to the question, "Did the utilities take any steps following Storm Irene that improved response efforts following Storm Alfred:

- 43.5% of towns indicated "Yes"
- 56.5% of towns indicated "No"

Towns indicating that the utilities did take steps following Storm Irene to improve response efforts noted

in particular the appointment of the municipal liaison and the ability to coordinate utility crews with local public works crews to clear roads and downed wires.

State Agency Response Efforts

Some towns identified the following issues relative to state agency response efforts:

- **DOT Response** - Several noted that the state Department of Transportation (DOT) was slow in clearing routes and that (DOT) resources from other towns less impacted by storms should have been redeployed to needy towns.
- **Delivery of Supplies** – The response from state agencies in coordinating the distribution of supplies was slow and in some cases, towns were receiving mixed messages. One town suggested that the commodity distribution should be pre-staged before the storm.

COST and its member towns therefore support provisions in the bills which require electric and telecommunications utilities to meet performance standards, including appropriate staffing levels and a communications plan that will ensure that town leaders are able to coordinate restoration efforts more effectively to ensure that service is restored and critical roads and intersections are cleared more quickly. In addition, COST supports efforts to address the following:

Electric Utility Communication

- Develop a comprehensive communications outreach plan to improve coordination of restoration efforts with town officials, including the dispatching of crews to ground downed wires;
- Provide towns with emergency contact information to ensure that town officials can get in contact with utilities to ensure that crews are dispatched immediately to respond to dangerous or life threatening situations;
- Establish a centralized contact point for town officials to communicate with utility officials to better coordinate efforts between utility work crews and public works departments;
- Continue to utilize municipal liaisons to improve communication between town officials and electric utilities;
- Ensure that municipal liaisons have accurate and timely information on power restoration efforts to relay to towns;
- Provide accurate timeline for restoration efforts.

Utility Response Efforts

- Work with town officials to identify critical public safety service areas, such as fire or police stations as priority areas for restoration efforts, even if they are not in densely populated areas;
- Work with town officials to identify areas that serve vulnerable populations ,such as elderly housing, as priority areas in restoration efforts, even if they are not in densely populated areas;
- Work with town officials to identify key access roads in small towns that are vital to obtain food, water and health care services or to evacuate residents;
- Improve coordination between assessing storm damage and beginning restoration efforts to that restoration efforts are not delayed;
- Maintain a data base of municipal priorities for power restoration rather than compile such data during each power outage.

Utilization and Management of Crews

- Following a storm event with significant power outages, immediately assign one line crew to each town to work with town officials to identify what needs to be done to render areas safe and to restore or repair power;.

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- Dispatch more "make safe" crews assigned immediately;
- Communicate directly with town officials regarding the number and location of crews assigned to a town;
- Maintain a visible presence in towns experiencing widespread power outages – many towns and residents were understandably frustrated when they did not see any crews or I crews were redirected after a short time in town;
- Better manage crews once they arrive on site, particularly out of state crews that must wait for direction;
- Enable liaisons to keep track of field crews directly through the use of GPS;
- Incorporate into any response plan procedures for employing sufficient staffing levels in the event of widespread outages, including customer service representatives and work crews.

State Agency Response Efforts

- Ensure that the state Department of Transportation (DOT) clears state roads in a timely manner, which many small towns depend on as major access roads;
- Redeploy DOT crews and resources from other towns less impacted by storms to harder hit towns;
- Pre-stage the distribution of commodities prior to the storm to ensure timely distribution;
- Develop best practices from regions that were successful in communicating with town officials and other emergency personnel and share with other regions.

COST is an advocacy organization committed to giving small towns a strong voice in the legislative process. Its members are Connecticut towns with populations of less than 30,000 COST champions the major policy needs and concerns of Connecticut's suburban and rural towns. More information is available at www.ctcost.org

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CONNECTICUT AFL-CIO

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Testimony of Lori Pelletier
Secretary-Treasurer
Connecticut AFL-CIO
Energy and Technology Committee
Tuesday, March 20, 2012

Good afternoon Senator Fonfara and Representative Nardello and members of the Energy and Technology committee. My name is Lori Pelletier and I serve as the Secretary -Treasurer of the Connecticut AFL-CIO, and I am here to testify on behalf of our 900 affiliated local unions who represent over 200,000 union members from all 169 cities and towns.

S.B. No. 23 AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE and H.B. No. 5544 (RAISED) AN ACT CONCERNING STORM PREPARATION AND EMERGENCY RESPONSE.

We appreciate all the work that has gone into these two bills. We just want to underscore the importance of staffing levels and as they decrease the risk for widespread outages increases. We are concerned with the failure of the utilities to keep current on maintenance of both equipment and structures. We have all seen the disturbing pictures of poles which should have been repaired but weren't and how they ended up causing problems for our crews who were trying to get the power back on.

We are encouraged by the work of the governor's task force and the audit of the utilities' response on moving good consumer friendly, worker friendly legislation forward.

H.B. No. 5542 (RAISED) AN ACT CONCERNING CONSUMER PROTECTION FOR UTILITY CUSTOMERS.

We support this legislation. Clearly the utility companies failed in their response to the recent storms. This legislation puts in reasonable remedies for consumers, places limits on executive compensation and provides for rate relief for customers.

S.B. No. 447 (RAISED) AN ACT MODERNIZING THE STATE'S TELECOMMUNICATIONS LAWS. We oppose this legislation. The title of this bill leads us to believe that this is about our laws, but in reality it's about a power grab for the telecommunications companies. This work to "modernize" our laws should be done collaboratively with stakeholders at the table not just industry people who are looking to get an upper hand.
We appreciate the committee's work on these bills and for holding this public hearing and if you have any questions I would be happy to answer them at this time.

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Energy and Technology Committee
March 20, 2012 Written Testimony
Lisa Pellegrini, First Selectman, Somers

Good Day,

My name is Lisa Pellegrini and I am the First Selectman of Somers and am a member of the Connecticut Conference of Municipalities (CCM). CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 90% of Connecticut's population.

Although I am unable to be present at this meeting I greatly appreciate the opportunity to be heard today regarding:

Senate Bill 23 "An Act Enhancing Emergency Preparedness and Response"
House Bill 5544 "An Act Concerning Storm Preparation and Emergency Response"
Senate Bill 450 "An Act Concerning Energy Conservation and Renewable Energy"

and thank the Energy and Technology Committee for their time and attention.

CCM **supports SB 23, HB 5544, and SB 450** as reasonable measures to address the deficiencies in emergency response and recovery that were experienced as a result of Tropical Storm Irene and last October's Storm Alfred.

- SB 23: would, among other things (1) authorize the State's regulatory authority to "establish minimum standards of performance for utilities" and (2) establish a $5 million micro-grid pilot program for interested towns and cities to apply.

- HB 5544: would also seek to establish certain performance standards and create a micro-grid pilot program – it would also, among other things, codify procedures and standards for (1) tree trimming policies conducted by private utility companies, and (2) private utilities' staffing levels and their coordination and communication with municipalities. HB 5544 would also require (1) appropriate employees of the State's regulatory authority to be training under the federal "NIMS" system, (2) telecommunications companies to maintain back-up generators for critical cell towers or antennas, and (3) that all private utility companies submit annual "emergency response and infrastructure reports."

- SB 450: would, among other things, require each electric distribution company to submit a ten year plan to PURA to strengthen their utility infrastructures performance and resiliency, and stipulates that such a plan include strategies for evaluating and preparing storm

response resources, planning and drilling exercises with each municipality and the state and any other activity necessary to prepare for any natural disaster.

It is no secret that all emergencies, either man-made or natural disasters, start locally and end locally. Recent experience has proven that there are opportunities for improvements and now is the time to implement these improvements. To this end, Connecticut's local officials have set the standard for emergency preparedness, response and recovery from all hazards. **CCM welcomes the proposals set forth in SB 23, HB 5544 and SB 450 as astute enhancements to our hometowns' emergency plans, and prudent means of ensuring the safety of our communities.**

JOINT
STANDING
COMMITTEE
HEARINGS

ENERGY AND
TECHNOLOGY
PART 5
1293 – 1616

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Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Public Hearing – March 20, 2012
Energy & Technology Committee

Testimony Submitted by Commissioner Daniel Esty
Presented By Jessie Stratton

Governor's Bill No. 23 AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE

House Bill No. 5544 AN ACT CONCERNING STORM PREPARATION AND EMERGENCY RESPONSE

Thank you for the opportunity to present testimony regarding Governor's Bill No. 23 – An Act Enhancing Emergency Preparedness and Response and House Bill No. 5544 - An Act Concerning Storm Preparation and Emergency Response. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

The Department strongly supports Governor's Bill No. 23, which, among other initiatives: 1) enhances the scope and oversight of the Department of Emergency Management and Homeland Security's civil preparedness plan and programs to specifically include public service companies; 2) directs PURA to establish minimum performance standards for public utilities in emergency preparation and restoration of service in emergencies; and 3) develops a grant and loan program for deployment of renewable distributed generation and microgrids to serve critical facilities. These major components of Governor's Bill No. 23 form a strong framework for better protecting Connecticut residents and businesses from a myriad of potential emergencies, and lay the groundwork for harnessing new technologies to improve the flexibility and resiliency of the state's electric system.

House Bill No. 5544 includes many provisions that parallel those found in Governor's Bill No. 23. The Department would be pleased to work with the Committee to integrate the substance of these two bills. In particular, the provisions of section 12 of House Bill No. 5544 align well with the efforts that the Department has already begun on microgrids and distributed generation, in consultation with the Governor's office, members of the General Assembly, municipalities, the state's utilities, and manufacturers of distributed resources. As the Committee knows, deployment of a distributed generation microgrid network to support critical functions around the state has sparked a very high level of interest. That interest leads us to believe that Connecticut has an exciting opportunity to be on the cutting edge of developing an approach to improving the resiliency of the state's critical infrastructure in a way that not only improves public safety, but benefits the economy and the environment.

However, despite that interest and the Department's aggressive pursuit of policies to foster a distributed generation microgrid deployment strategy, we believe that prioritizing projects that are ready to proceed prior to October 1st of this year may not only be optimistic but also counterproductive to focusing the state's attention on the best projects.

Thank you for the opportunity to present testimony on Governor's Bill No. 23 and House Bill No. 5544. If you should require any additional information as you consider these bills, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or Robert.LaFrance@ct.gov

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The Energy and Technology Committee

Public Hearing, March 20, 2012

Office of Consumer Counsel

Elin Swanson Katz, Consumer Counsel

Testimony of Elin Swanson Katz

Governor's Bill 23, *An Act Enhancing Emergency Preparedness and Response*

With respect to Section 1 of this proposed bill, the Office of Consumer Counsel ("OCC") fully supports the participation of Connecticut's public service companies in the preparation of a comprehensive plan and program for civil preparedness, and in planning, training and exercises related to such plan. The power outages from the two major storms last year highlighted the need for public service companies to work closely with state and municipal officials during civil emergencies. OCC has some questions regarding the implications of this bill for jurisdiction over utility infrastructure, operations and management, and ratemaking, which traditionally has been the purview of what is now known as the Public Utilities Regulatory Authority ("PURA"). Given that PURA has the requisite experience and expertise regarding utility operations, management and ratemaking, OCC suggests that that portion of the comprehensive plan and program for civil preparedness related to public service companies be prepared jointly by the Commissioner of DEMHS and PURA, and that any aspect of the plan that would increase utility rates be subject to PURA rate review.

OCC supports the remaining sections of Governor's Bill No. 23, insofar as they should increase the reliability of utility service and are not unduly burdensome on ratepayers.

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March 20th, 2011

Dear Distinguished Members of the
Energy and Technology Committee:

I am here today in support of Committee bills S.B. 23 and H.B. 5544.

Recently, we have been very vocal about the staffing levels for Connecticut Light and Power Company. Our staffing levels have been dramatically reduced since the 70's and our customer base has dramatically increased. The current staffing levels are inadequate; not just for storms like "Irene" and Alfred, but the various storms that affect the State of Connecticut throughout the year; for example, winter ice storms particularly in northern Connecticut, the unpredictable New England winds and the pop-up thunderstorms that hit the State of Connecticut from April through October.

I represent the Connecticut Light and Power Company workers for the western part of the State of Connecticut. The work centers are Greenwich, Stamford, Norwalk, Newtown, New Milford, Falls Village, Torrington, Simsbury and Waterbury. These work centers maintain not only these towns, but the towns that surround each work center. Evening emergencies such as thunderstorms, broken poles from car accidents and equipment failures, can take 3 to 5 people off the daily work schedule per work center because they worked all night. If a whole department works on a brief thunderstorm, there could be nobody on the work platform the next day. This greatly hinders work for residential and commercial customers.

Average waiting time, under ideal conditions, for a residential service could be up to 3 weeks and for 3-phase commercial, it could be 9 to 10 weeks providing nobody is out sick, on workers compensation, vacation or rest time due to emergency work. This has a negative impact on Connecticut businesses.

I am not suggesting that the Company hires 2,000 line workers and support workers for big storms. I am simply expressing the need for more workers for regular work as well as the minor emergency work that we do on a weekly basis.

Currently, Connecticut Light and Power Company is pursuing the purchase of all of AT&T's poles and they have long-term plans for overhead and underground maintenance to strengthen our system. This work should be done by Connecticut Light and Power Company employees and not contractors; a large portion of whom are from out of state.

In the past three years, Waterbury has lost 11 line mechanics and only 4 were replaced. All of the other work centers that I have mentioned have similar problems. We have difficulty handling minor storms due to our low staffing levels. It is a great inconvenience to Connecticut's businesses and residential customers.

We are not just short of line mechanics, we are also in need of cablesplicers, stockhandlers and service designers. All these classifications are instrumental in storm restoration as well. The cable departments have similar emergencies from week to week, much as the line departments. Some of our stockrooms only have one stockhandler, and some have only two. Sometimes trying to get material from the storerooms is a lengthy process, particularly, during major storm events. It's like going shopping on Thanksgiving week at a major supermarket and they only have one cashier.

The Company is now in the process of hiring 10 account executives and 5 supervisors for the purpose of dealing with the towns as liaisons. The towns will soon have somebody to complain to, but without the workforce, the people they complain to, can do very little.

Between Connecticut Light and Power Company, AT&T and United Illuminating, over 1,000 jobs could be created for Connecticut residents, helping the people who graduate from State trade schools, community colleges and returning veterans. Hopefully, we can have bipartisan support from Connecticut legislators and cooperation from the CEO's who would all like to become job creators.

Connecticut Light and Power customers pay their monthly service charges and are promised safe, dependable and reliable service. It is time to see to it that the company delivers on its promises.

Thank you.

Frank E. Cirillo
Business Manager / Financial Secretary
LU 420 – I.B.E.W.

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Trustees
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Marcos Lugo
Sean Scanlon

March 20th, 2012

Good Morning / Afternoon Distinguished Members
of the Energy and Technology Committee:

My name is John K. Unikas, Assistant Business Manager of Local 420-I.B.E.W. which represents the Connecticut Light and Power Company workers for the western portion of Connecticut. I am here today to support S.B. 23 and H.B. 5544.

I was hired in 1971 as a linehelper and progressed to lineman by 1976. I was directly involved in line construction, maintenance and storm restoration until March of 2004 when I became a full time Union representative. I worked hundreds of storms over the years, including the ice storm of 1973, the numerous tornadoes that hit Windsor Locks and the Northwest corner of Connecticut and Hurricane Gloria in 1985.

I have personally witnessed the steady reduction of our line departments and other job classifications that would be directly involved in storm restoration.

I would like to focus on the serious threat to public safety due to the downsizing of the work force.

In March 2010, the Southwest portion of our State was devastated by thunderstorms which left thousands without power and numerous roads closed longer than necessary. For the first time in my 40-year career, the Towns of New Canaan, Norwalk and Greenwich held town hall meetings for their residents to voice their concerns and complaints about extended power outages and wires down blocking roads and driveways. These dangerous situations created a very serious threat to public life and limb.

In 2011, a thunderstorm rolled through the western portion of our State. The New Milford area work center, which serves the towns of New Milford, Sherman, New Fairfield, Warren, Kent, Roxbury, Bridgewater and Washington, was left in the dark much longer because of the shortage of linemen.

In New Milford alone, 35 roads were closed overnight which led to cancelling school. Schools were also cancelled in Sherman because of power outages and roads closed.

When roads are left closed, not only does commerce cease, but fire, police and ambulance service is also halted to the affected areas.

These areas where roads were closed because of wires down were not passable by vehicles, but many people were walking in close proximity to these possibly energized conductors.

I am imploring the elected officials of Connecticut to bring the existing staffing levels up to at least our 1975 numbers. In 1975, Local 420 had approximately 430 linemen. Today we have approximately 190 linemen.

Our next grave concern is the so-called "Silver Sunami" of existing linemen. My prediction is there will be a large exodus of the existing work force and no plan in place to deal with attrition.

Respectfully,

John K. Unikas
Assistant Business Manager
LU 420 – I.B.E.W.

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Testimony of

Joel M. Rinebold

Director of Energy Initiatives

Connecticut Center for Advanced Technology, Inc.

before

Energy and Technology Committee

March 20, 2012

regarding

Governor's Bill No. 23 - An Act Enhancing Emergency Preparedness and Response

Raised Bill No. 5544 - An Act Concerning Storm Preparation and Emergency Response

Raised Bill No. 450 - An Act Concerning Energy Conservation and Renewable Energy

Introduction

The Connecticut Center for Advanced Technology, Inc. ("CCAT"), offers this testimony for Governor's Bill No. 23 - An Act Enhancing Emergency Preparedness and Response, Raised Bill. No. 5544 - An Act Concerning Storm Preparation and Emergency Response, and Raised Bill No. 450 - An Act Concerning Energy Conservation and Renewable Energy.

CCAT is a nonprofit corporation that provides services and resources to entrepreneurs, businesses, industry, academia, and government. The Energy Initiative of CCAT has been established to improve the economic competitiveness of the region through solutions that lower energy costs and increase long-term energy reliability. The Energy Initiative of CCAT provides assistance to small and medium sized manufacturers regarding energy use and development; undertakes energy planning, including assisting municipalities with local energy assurance plans for mission critical facilities; and promotes renewable energy, including fuel cells and sustainable fuels.

These Bills contain provisions that are favorable to the development of multiple microgrids and the use of renewable distributed energy generation, such as fuel cells and other advanced technologies that are or could be made in Connecticut. The components of these Bills that appear favorable include:

- ***Enhances energy reliability:***
  The proposed Bills provide opportunities to enhance energy reliability through the development of microgrids that could serve critical facilities and municipalities within the state. CCAT is assisting municipalities within the state with support from the U.S. Department of Energy to identify mission critical facilities and to assess opportunities for the deployment of distributed generation to enhance energy reliability, improve environmental performance, and lower energy costs. These proposed Bills could provide the necessary incentives and policy framework to execute planning initiatives with the deployment of clean and renewable distributed generation that would also serve to reinforce the electric grid.

- ***Provides opportunities for the development and use of Class I renewable energy:***
  The proposed Bills contain provisions for the development and use of Class I renewable energy. These provisions would provide incentives that could facilitate the development of renewable distributed energy technologies to meet municipal renewable energy goals and Connecticut's renewable portfolio standards (RPS) requirements.

- ***Create jobs and encourage economic development:***
  The proposed Bills contain provisions that would help deploy renewable fuel cell technology. The deployment of renewable distributed fuel cell facilities will create jobs and increase opportunities for economic development. Fuel cells can efficiently provide electricity and thermal energy as combined heat and power applications to reduce energy costs for end users. Furthermore, large fuel cells for stationary power are principally developed and manufactured in this state, and provide significant economic benefits to the State and region.

- ***Effective merger of energy management with environmental benefits:***
  The deployment of renewable distributed energy technologies will provide additional public dividends to improve air quality. For example, the potential average annual emissions reductions for each MW of fuel cell capacity, compared to existing New England fossil fuel electric generation, would be approximately 1,200 lbs of NOx, 1,700 lbs of SOx, and 3.5 million lbs of CO2.

CCAT does have some concerns:

In Bill 450, Sec 3, CCAT supports the proposed establishment of a natural gas transportation pilot program, but suggests that it also include hydrogen and hydrogen-fueled vehicles. This provision will provide an opportunity for the development and use of "Zero" emission vehicles that could be fueled by renewable resources.

In Bill 450, Sections 13, 14 (15) (b), and 14 (15) (c) are potentially inconsistent with Bills 23 and 5544 with provisions that allow microgrid development with a Class III technology to offset Class I requirements. The effect of this may be to reduce Class I development with more conventional Class III technology. Moreover, there may be an unintended and less desirable rush by developers to meet Class I requirements with development of conventional Class III technology.

In Bill 5544, Section 12 (4) (b), the "repurposing" is of high interest, but it may detract from the mission to develop new microgrids with new Class I renewable generation designed for controlled islanding on the grid.

In Bill 5544, Section 12 (4) (c), the proposed preference for projects to be completed on or before October 1, 2012, may be challenging and may result in a rush for less than optimal projects. The development of

microgrids with the deployment of renewable distributed energy technology must be planned carefully and thoughtfully developed to:

- Identify locations on the grid with appropriate end users and a need for potential voltage stabilization;
- Assess the potential for controlled islanding with power flow including active and reactive power needs;
- Engineer the interconnection of selected distributed generation assets to the grid with appropriate protection gear, breakers, relays, and transfer trip scheme for operation; and
- Develop a community and user protocol for operation, monitoring, and refinement.

Conclusion

CCAT is supportive of the concepts raised in these Bills that would encourage the development of microgrids and Class I renewable distributed energy generation in the State. The proposed microgrid grant and loan pilot program would be of high public benefit to support the stabilization of the electric grid and the development of renewable and advanced distributed energy technologies on a community level. The concepts raised in these bills could:

- Improve energy reliability to municipalities, businesses, and the public;
- Improve efficiency and operation of the electric grid through improved coordination between transmission and generation facilities;
- Improve cost control/reduce cost volatility; and
- Improve environmental performance including a reduction of greenhouse gas emissions.

CCAT will make itself available to the Committee and legislature upon request to assist in the refinement of this legislation.

Respectfully submitted,

Joel M. Rinebold
Director of Energy Initiatives

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Connecticut Light & Power
The Northeast Utilities System

Yankee Gas
The Northeast Utilities System

TESTIMONY OF DANA LOUTH and RICHARD A. SODERMAN
THE CONNECTICUT LIGHT AND POWER COMPANY
and YANKEE GAS SERVICES COMPANY

Energy and Technology Committee
March 20, 2012

RE: SB 450 *AN ACT CONCERNING ENERGY CONSERVATION AND RENEWABLE ENERGY*

Good afternoon. My name is Dana Louth, Vice President of Infrastructure Hardening at CL&P, and with me is Richard Soderman, Director of Legislative Policy and Strategy for Northeast Utilities Service Company. We are appearing on behalf of the Connecticut Light and Power Company.

This proposed bill provides 28 separate provisions that affect energy policy from energy efficiency to tree trimming to microgrids to storm hardening to electric vehicles. Many of them mirror those proposals contained in S. B. 23. We believe that most of the provisions are reasonable and sound, and we support them. A few sections are unclear to us, so we cannot conclude at this time our support.

As we stated in our testimony on S.B. 23, we support and endorse the proposals that would provide a structured framework around the improvement of our electrical infrastructure. We regret that many of our customers suffered the unfortunate outages that occurred as a result of last fall's unprecedented storms, and we have welcomed the results of various studies and reviews by independent parties and valuable input from municipalities. We are pursuing those recommendations with enthusiasm and determination to improve service. We are already working with municipalities, DEMHS, and others to improve our communication and coordination during catastrophes.

We believe that the process set forth in section 8 will provide the appropriate means to find the balance between reliability improvements, rates and new technologies. The process would begin

with EDCs submitting a 10 year plan for storm hardening, and requires PURA, with input from other parties, to determine the pace and scope of work to be accomplished. We believe that this proposal provides a systematic process for review of all strategies to improve the resiliency of the electric grid for all electric distribution companies, and could well represent a model for the industry.

We also support the provisions of sections 9 through 11 that revise provisions in existing tree trimming statutes to streamline permission requirements. It addresses lines along existing public ways. We suggest that, in addition, the committee consider establishing a practice, with tree owner protections, to seek approval for trimming or cutting trees on private property that could (and as last Fall's storms proved, will) fall into transmission and distribution lines, substantially increasing the number and duration of customer outages. Again, a cooperative process would be established to allow utilities to work out arrangements, with municipal participation, for specific trees that may cause future problems, including appropriate compensation. Suggested language is attached to our testimony.

Various sections of the bill appear to address microgrids and perhaps the interconnection of distributed generation by non-utility parties. S.B. 23 includes a proposal to determine how and when microgrids may be an appropriate option for improving the resiliency of electric service to critical centers. We support this examination, and we look forward to working with the DEEP to implement this effort.

CL&P supports the thoughtful application of emergency generation and microgrids to the extent that they provide cost effective and safe means to improve reliability for customers. We have included microgrids and emergency generation in our storm hardening strategies that we will be asking state regulators to review and approve.

Microgrids appear simple in concept—a few consumers together sharing a local generator—but in reality, they represent in effect creation of a "mini electric company." In our view, deployment of microgrids, like all other components of the electric system, should be evaluated on several criteria, including:

- Technical and operational feasibility and safety;

- Operational and financial responsibility, accountability, and liability;
- Benefits and costs to consumers, including both those who participate and those who are not part of the program;
- Consumer protection, including public safety and regulatory oversight;
- Fair treatment of investment in the current infrastructure.

We suggest that the design of microgrids should reflect the integration of those systems within the integrated electric system so that the operational, safety, economic and other attributes are resolved to everyone's benefit. That is why we propose to evaluate several initial installations to find out what works and what doesn't. As discussed below, we hope to launch these initial installations this year.

Unfortunately, some other models of microgrids have included duplication of the electric distribution system with "extension cords" built between participants, or models that bolster project economics by seeking "free ridership" for participants on the distribution system. In effect, they represent attempts to bypass their share of responsibility for the system, but still have access when they need it. These approaches shift costs to other customers, which is an unacceptable outcome. Further, they also represent uneconomic uses of society's capital resources, since they only produce economic benefits by shifting costs to others. Finally, bypass means that all of the new policies for renewable energy and energy efficiency would no longer have as robust a stream of revenues to support those programs. Incentives should be transparent and direct, they should not be hidden in free ridership.

As a result of these concerns, we do not understand the purpose of section 16, which appears to permit potentially duplicate, inefficient distribution infrastructure on streets and highways which could create unintended complexities relative to safe and efficient operation and maintenance of the system. It raises more questions than it provides answers. We would be pleased to discuss this matter in greater detail with its proponents.

We support some development of microgrids, although substantial reliance on microgrids to provide a significant share of renewable requirements might be premature (sec. 14, 25% of RPS by microgrids). As drafted, it would represent about 90 mws immediately and 225 mws by 2020

(at today's costs, about $1.6 billion). It may be appropriate to have the state's comprehensive energy plan (established in P. A. 11-80) consider how microgrids can play an expanded role.

Sec. 20 requires PURA to study rate impacts of utility and non-utility renewable generation from Sec. 127 of PA 11-80. The section also removes the limits included in this section (10 mws for utilities, 30 mws in total) for projects that beat the price of the RFP done by DEEP. This can be a reasonable means to develop cost effective renewables, especially if they have near-term economic benefits for jobs and are shovel ready.

We also suggest that the language of section 127 be clarified to provide for the fact that there are two processes in place, one for non-utility projects and one for utility projects. The DEEP has already issued an RFP and selected winning non-utility projects. Further, CL&P would like to use this section of law to allow it to develop initial microgrid projects consistent with a storm hardening strategy. Fuel cells are sometimes smaller than one megawatt. We suggest that this limit be revised to permit these smaller units. Attached to our testimony is language that would provide the requested clarification.

Other provisions in the proposed bill that we support include:

- Sec. 4 proposes for DEEP to study conversion of buildings from oil to natural gas and more efficient oil use.
- Sec. 5 requires DEEP to study barriers to oil dealers in promoting energy efficiency. We support this proposal, and YGS stands ready to assist DEEP in this effort.
- Sec. 6 modifies requirements of new home contractors to inform homeowner of energy efficiency options. We support this program and suggest that they participate in the new construction programs within the energy efficiency menu.
- Sec 7 requires contractors to inform owners of new commercial buildings of energy efficiency options, and this program should be accomplished with coordination of the new construction program within the energy efficiency menu.
- Sec. 22 to 27 addresses enablers for electric vehicles.

We also have several minor technical suggestions that would make the legislation clearer, and we will provide them to you.

Thank you for the opportunity to provide testimony on this matter.

Tree Trimming on Private Land

Purpose: To provide the ability of a utility to trim or cut trees on private land that could fall into transmission or distribution lines. Such trees were a major contributor to the electrical outages that occurred in the two 2012 storms. This provision provides the tree owner with the ability to seek compensation for the value of the tree from PURA if agreement cannot be reached between the owner and the utility.

Sec. 52-560. Damages for cutting trees, timber or shrubbery. (a) Any person who cuts, destroys or carries away any trees, timber or shrubbery, standing or lying on the land of another or on public land, without license of the owner, and any person who aids therein, shall pay to the party injured five times the reasonable value of any tree intended for sale or use as a Christmas tree and three times the reasonable value of any other tree, timber or shrubbery; but, when the court is satisfied that the defendant was guilty through mistake and believed that the tree, timber or shrubbery was growing on his land, or on the land of the person for whom he cut the tree, timber or shrubbery, it shall render judgment for no more than its reasonable value.

[NEW] (b) Notwithstanding the provisions of subsection (a), any public service company, its agents, servants, employees, contractors or other persons working on its behalf, may enter upon land of another and cut trees, timber, or limbs thereof that the public service company determines could, as a result of natural causes such as wind, snow, ice or disease, fall into the wires or conductors of electric transmission or distribution lines maintained within an easement area, or on land owned by such public service company, not less than thirty days after providing notice of the intent to perform such work to the chief municipal officer and in a newspaper of general circulation in the area where such trimming, cutting or removal is scheduled to occur, and provided that such company shall attempt to reach an agreement with an owner on any trees or timber that are to be removed. If the public service company and the tree owner fail to reach an agreement, the owner may commence an action before the Public Utilities Regulatory Authority. This provision shall not apply to any trees, timber, or other vegetation cut, destroyed or carried away pursuant to an authorization in an easement, license, or contract.

Utility owned Renewable Generation

Purpose: to clarify section 127 and to facilitate deployment of microgrids.

Sec. 127. (NEW) (Effective July 1, 2011) (a) Notwithstanding subsection (a) of section 16-244e and other provisions of the general statutes, an electric distribution company~~, or owner or developer of generation projects that emit no pollutants,~~ may submit a proposal to the Public Utilities Regulatory Authority ~~Department of Energy and Environmental Protection~~ to build, own or operate one or more generation facilities up to an aggregate of ~~thirty~~ ten megawatts using Class I renewable energy sources as defined in section 16-1 of the general statutes from July 1, 2011, to July 1, 201~~3~~4, provided that, if such proposal is designed to improve the electrical resiliency of a municipal or government critical load center, such proposal may include other generation technology that uses natural gas fuel. Each facility shall be greater than ~~one megawatt~~ 400 kilowatts but not more than five megawatts, but the authority can waive this requirement for good cause shown. Each electric distribution company may enter into joint ownership agreements, partnerships or other agreements with private developers to carry out the provisions of this section. ~~The aggregate ownership for an electric distribution company pursuant to this section shall not exceed ten megawatts~~. The ~~deparment~~ authority shall evaluate such proposals pursuant to sections 16-19 and 16-19e of the general statutes and may approve one or more of such proposals if it finds that the proposal serves the long-term interest of ratepayers. The ~~deparment~~ authority (1) shall not approve any proposal supported in any form of cross subsidization by entities affiliated with the electric distribution company, and (2) shall give preference to proposals that make efficient use of existing sites and supply infrastructure or are designed to improve the electrical resiliency of a municipal or government critical load center. No such company may, under any circumstances, recover more than the full costs identified in a proposal, as approved by the authority. Nothing in this section shall preclude the resale or other disposition of energy or associated renewable energy credits purchased by the electric distribution company, provided the distribution company shall net the cost of payments made to projects under the long-term contracts against the proceeds of the sale of energy or renewable energy credits and the difference shall be credited or charged to distribution customers through a reconciling component of electric rates as determined by the ~~deparment~~ authority that is nonbypassable when switching electric suppliers.

(b) An owner or developer of generation projects that emit no pollutants may submit a proposal to the Department of Energy and Environmental Protection to build, own or operate one or more generation facilities up to an aggregate of ten megawatts using Class I renewable energy sources as defined in section 16-1 of the general statutes from July 1, 2011, to July 1, 2013. Each facility shall be greater than one megawatt but not more than five megawatts. The department shall evaluate such proposals pursuant to sections 16-19 and 16-19e of the general statutes and may approve one or more of such proposals if it finds that the proposal serves the long-term interest of ratepayers. The department (1) shall not approve any proposal supported in any form of cross subsidization by entities affiliated with the electric distribution company, and (2) shall give preference to proposals that make efficient use of existing sites and supply infrastructure. No such company may, under any circumstances, recover more than the full costs identified in a proposal, as approved by the department. Nothing in this section shall preclude the resale or other disposition of energy or associated renewable energy credits purchased by the electric distribution company, provided the

distribution company shall net the cost of payments made to projects under the long-term contracts against the proceeds of the sale of energy or renewable energy credits and the difference shall be credited or charged to distribution customers through a reconciling component of electric rates as determined by the authority that is nonbypassable when switching electric suppliers.

(c) Concurrent with the authority's review of each electric distribution company's proposal, the authority shall establish a rate recovery mechanism under which the net cost of each such facility, including each facility's interconnection costs and costs resulting from a facility's provision of infrastructure hardening or electric system reliability benefits, shall be recovered from customers through the non-bypassable federally mandated congestion charge as defined in section 16-1 of the general statutes. As part of its proposal to the authority, t~~T~~he company shall also propose whether ~~use~~ the power, capacity and related products produced by such facility should be used to meet the needs of customers served pursuant to section 16-244c of the general statutes.

~~(c) Notwithstanding the provisions of subdivision (1) of subsection (j) of section 16-244c of the general statutes, the amount of renewable energy produced from such facilities shall be applied to reduce the electric distribution company's Class I renewable energy source portfolio standard obligations.~~

(d) The department shall evaluate the proposals approved pursuant to this section and report in accordance with the provisions of section 11-4a of the general statutes to the joint standing committee of the General Assembly having cognizance of matters relating to energy whether proposals shall be accepted beyond ~~July 1, 2013~~ the dates authorized in subsections (a) and (b).

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Testimony of John Murphy on behalf of the Connecticut Citizen Action Group in favor of Raised Bill 5544 AAC STORM PREPARATION AND EMERGENCY RESPONSE

Good afternoon Senator Fonfara, Representative Nardello and members of the committee. My name is John Murphy and I'm speaking on behalf of the over 20,000 member families of the Connecticut Citizen Action Group in favor of H.B. No. 5544, AN ACT CONCERNING STORM PREPARATION AND EMERGENCY RESPONSE.

We are in favor of this bill rather than S.B. 23 because there are much more specific measures assuring accountability and more long range planning for undergrounding utilities. However, there are some specifics in S.B. 23 that should be incorporated into H.B. 5544.

Both bills require PURA to establish performance standards and establish fines for up to $25 million for utilities that fail to meet the standards. We are strongly in favor H.B. 5544's requirement of PURA to reduce executives' ratepayer funded compensation for violation of standards. We are in favor of incorporating S.B. 23's provision of staff safety into the performance standards.

Both bills establish a micro-grid grant and loan program to distribute local renewable energy, but this is where the similarities end.

H.B. 5544 requires electric and telephone utilities to conduct review and report yearly on their infrastructure and emergency response. It requires wireless companies to provide back-up generation at cell phone towers, a problem that was exposed during Tropical Storm Irene and the October snowstorm. Cell phone communication is critical when wires are down.

This bill also does a lot to encourage the undergrounding of utilities through creating special taxing districts, providing customers with information on undergrounding new service, getting state agencies to incorporate undergrounding into their planning processes and getting PURA to open a docket on undergrounding.

You have incorporated many of the recommendations of the Connecticut Storm Response Panel as well as your own good ideas. Please pass H.B. 5544 with the inclusion of staff safety standards. Thank you.

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him a warm welcome.

Thank you.

SPEAKER DONOVAN:

Thank you, sir. Welcome to the Chamber. Nice to have you here today on our closing day in the session. Nice to see you, thank you so much.

Representative Clemons.

REP. CLEMONS: (124th):

Thank you.

SPEAKER DONOVAN:

Let's do it -- do it one more time just for fun.

REP. CLEMONS: (124th):

I'm doing a dance -- no.

No, Mr. Speaker, I just forgot to mention that Mr. Brown is a student at Sacred Heart University and he should be getting this degree in another year so I think that's a --- that's a -- that's a real accomplishment.

Thank you.

SPEAKER DONOVAN:

That's great, keep it going.

Will the Clerk please call Calendar Number 518.

THE CLERK:

On page 28, Calendar 518, Substitute for Senate Bill Number 23, AN ACT ENHANCING EMERGENCY PREPAREDNESS AND

RESPONSE, favorable report by the Committee on Energy and Technology.

SPEAKER DONOVAN:

House Chair of the Energy Committee, Representative Vickie Nardello, you have the floor, madam.

REP. NARDELLO: (89th):

Thank you, Mr. Speaker.

I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER DONOVAN:

The question is acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

Will you remark?

REP. NARDELLO: (89th):

Yes, Mr. Speaker. The Clerk has an amendment, LCO 5079. Would the Clerk please call the amendment and may I be allowed to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 5079 which is previously designated Senate "A".

THE CLERK:

LCO 5079, Senate "A", offered by Representative Reed,

Steinberg, Hoydick and Cafero, et al.

SPEAKER DONOVAN:

Representative seeks leave of the Chamber to summarize.

Any objection?

Representative Nardello you may proceed.

REP. NARDELLO: (89th):

Yes, Mr. Speaker.

Briefly, I will tell you that the -- this bill in Sections 1 and 2 puts public utilities into the comprehensive planning for civil preparedness. In Section 3 it asks the Public Utility Regulatory Authority to initiate a docket -- it -- to review gas and electric company emergency preparation.

In Section 4 it requires a review of the public utility's performance during a storm and -- and they -- their meeting of performance standards. In Section 5 it asks the Public Utility Regulatory Authority to develop performance standards for outages involving 10 percent of the customers for over 48 hours.

In Section 6 it requires private and municipal utilities to file emergency preparation plans every two years instead of every five years and it includes voice over internet providers.

In Section 7 it provides grants and loans for microgrids to support distributive generation. In Section 8 it calls for an annual report required of mobile server -- radio service regarding the ability to provide backup power during electrical outage for telecommunications.

In Section 9 it slightly changes the authority of the Office of Consumer Counsel to have them look into the reliability of service as well as rates. In Section 10 it requires the DOT and municipalities to notify the Public Utility Regulatory Authority of pending road projects.

In Section 11 it develops procedures to expedite road clearing. In Section 12 it expands the Department of Envirog -- Environmental and Energy and Environmental Protection to offer temporary authorizations in areas reflecting water resources and wetlands.

And in Section 13 it requires period of study the feasibility of a program to reimburse residential electric customers for loss of food or refrigerated medication during an electrical outage over 48 hours.

Mr. Speaker, I move -- I move the amendment.

SPEAKER DONOVAN:

The question is on adoption.

Will you remark further?

REP. NARDELLO: (89th):

Yes. Mr. Speaker, this piece of legislation is an example of what is best about the Connecticut General Assembly. After weathering a state emergency, the Governor's office, the House and the Senate Democrats and the House and Senate Republicans realized that the reliability of our system needed help.

We rolled up our sleeves, put our party status aside, and we came up with a solution. The solution is the piece of legislation you see before you, and I would like to thank my cochair, Senator Fonfara, for his work, Speaker Christopher Donovan for being with me at the press conference that started this whole thing rolling, Sen -- President Donald Williams, Representative Laura Hoydick, House Minority Leader Larry Cafero, Senator Kevin Witkos, Senator McKinney and Paul Mounds from the Governor's office for their work on this bill.

Two severe storms last year have forced us to look at the reliability of utility service and how we can improve it. As the days progressed without power, we began to see how dependent on electricity we are. With the basics of life businesses were closed, people were vulnerable to the cold and had to find shelter and our ability to communicate with each other and among officials

was severely constrained.

It was very clear that the loss of power and phone service had a devastating effect on our state. This legislation has some simple goals. There is a much better chance that in the future Connecticut will be prepared to deal with outages and other emergencies.

The outages won't last as long as the past ones. The utilities will coordinate effectively with emergency personnel, state and town officials, firefighters and such and we will have put in place standards to evaluate our utility service.

Mr. Speaker, it's when we have problems in the State of Connecticut that we see the best in people and I believe that this is what we've done here. We have legislation before us that is going to put us in a better place for all storms as we're going forward.

So I ask all of my colleagues to support this but I want to tell one quick story before I turn it over to questions. And that is the fact that some people will notice that neither my name or the Speaker's name is on this amendment and for all of you who know me you know that coming to the world of texting was not something I did easily.

So a week ago Monday, I got my first iPhone, and when

I had read the amendment, I sent up a text that said yes to the Senate, that I am willing to put my name on the amendment and it looks very good. Unfortunately, the text went to someone, not who I thought it did, because what happens is, when the phone gets the new numbers, it transferred a different number, although it told me the phone -- the text went to a -- to that person.

So I'm just telling people that maybe we need to call on the phone. We need to do that sometimes if it's important, because had I called, I would have known that that wasn't the right number. So that's my introduction into the world of texting.

So with that, Mr. Speaker, again, I ask the Chamber to support the legislation.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the amendment?

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

(Inaudible).

REP. HOYDICK: (120th):

A few comments before I -- Representative Nardello

and I have a discussion.

The first thing I'd like to mention is this has truly been a bipartisan effort. As -- as Representative Nardello had said, this was not a -- a partisan issue with the storm. These outages affected all of us. It made us keenly aware of our shortcomings, as far as operations for our state, and I'd like to thank her leadership, Vice-Chair Lonnie Reed, yourself, my Minority Leader because without all of us and the Committee's participation we wouldn't have gotten to where we are today.

And so, because of all this work, Mr. Speaker, I'd like to go through other sections of this bill so everyone can understand, the general public can understand, all that it encompasses.

So a few questions to the proponent, through you Mr. Speaker.

SPEAKER DONOVAN:

Please proceed.

REP. HOYDICK: (120th):

Chairwoman Nardello, we -- in -- in part of this bill there is preparation for service restoration plans, and I was wondering if you could elaborate a little bit on what the PURA docket -- what -- what is expected the PURA docket will attain.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

In the PURA docket, if you'll look at Section 3 of the bill, it outlines some of the things that we are going to be looking at and it actually lists a number of things. So that we are going to be looking at the way that we communicate, the utilities communicate, and particularly with the towns. We are going to be looking at the adequacy of the utility's infrastructure, facilities and equipment.

We are going to be looking at coordination efforts between electric distribution companies and telecommunication companies. We are going to be looking at tree trimming policies and we can have an entire night on tree trimming policies. So and -- and it also allows any other policy or practice that the PURA deems necessary.

So that are -- in briefly is some of the things that will be looked at in that docket.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And I thank the kind gentlewoman for her answer. And speaking about tree trimming, which has run the gamut since those storms have occurred, could you talk a little bit about the difference in this bill with the -- regarding tree trimming versus the others have been proposed where they're talking about clear cutting.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

Well, ultimately, this vision will be that of the Public Utility Regulatory Authority but as we look at the tree trimming policies what this bill specifies is that we're going to look at the amount spent by each distribution company, how this affects -- falling limbs affect the actual interruption of service, the impact of expanding the area adjacent to the distribution lines for tree trimming and including an analysis of the cost and benefits of such expansion to ratepayers and the likelihood that such expansion would decrease damage to the infrastructure and facilities and the percentage of outages that were -- that were caused by trees, the

standards appropriate for roadside tree care in the state and we'll be following the practices of the state Vegetation Management Task Force.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And thank you, Chairwoman Nardello. What the Chairwoman is -- has outlined for us is not a drastic change in what the policies and the operations that we've seen before but rather a pragmatic approach about what's going to keep Connecticut operating in a bad storm so I commend her for that.

On another issue, we've also talked about the hardening and improving the resiliency of the system. And if you would, Madam Chair, go through some of the initiatives that you expect to be covered.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

As we look at this, we are looking at the ability of the utilities to -- to go to the system and decide what

infrastructure they need. Some of the things may be covered wire, some of the things may be spacers. There may be a number of things but we are expecting them to look at that system, make it more resilient for the next storm.

We are also expecting that they might look at the poles. And there are, from my understanding, various types of poles that are more resistant to storms. We might be considering that. And we do also know that in the merger bill that was -- excuse me -- in the merger that occurred between Northeast Utilities and NStar, there is a plan that is going to be submitted and it will be for hardening and it will be put before the Public Utility Regulatory Authority.

So we know they're going to be providing a plan that the Regulatory Authority will be reviewing it and making recommendations and deciding whether or not all -- they'll accept all of the things but it will be a work that they -- it will be something they will work on together to make sure that it is cost-effective. That's the important thing.

We want to do things that -- it's always a balance. In other words, we could spend a billion dollars on hardening the system and we might be able to resist every single storm, but what -- do we really want to spend a

billion dollars? So we have to decide how much do we want to spend versus what's really practical and what's necessary to make sure we have that resilience that we need.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And to that point, the good Chairwoman mentioned that do we want to spend a billion dollars or are we going to be pragmatic again in how we spend money to make our systems more resilient. And through that end, going through PURA, who is our regulatory agency, is probably the best balance with their input from OCC will -- will serve repairs very well.

And in that context, when we talk about another aspect of this bill which is identifying when municipalities happen to be doing projects that might afford for utilities to be underground, I believe there's a section in the bill, through you, Mr. -- Madam -- Mr. Speaker, through the Chair, is there a section in the bill that identifies that there should be some notification to PURA or DEEP if the roads are going to be open and we may be able to install underground utilities?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

Yes, there is a section in the bill, and it is Section 10 which will require the -- both the DOT, because it's the DOT that really is important in this area and the municipalities, to notify PURA of pending road projects. The implication of that is the fact that if we've opened up a road and we can put infrastructure and that makes us more resilient, then we should be doing that at that time while it's less expensive, quite honestly.

So that notification will be helpful in determining whether or not that might be the right time to underground, the right time to put in fiber optic cables or whatever it is that may be necessary at that time.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And on another note, I know that this bill contains some after emergency reporting procedures. If the kind Chairwoman would explain those to us, I would be most

appreciative.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

Yes, they're reporting after an emergency. And what we are asking that is done is that PURA is going to ask the utilities how they actually met the performance standards and so they can look at them and decide whether or not they've actually adhered to them.

And so it's -- this is an extremely important element of the bill because one of the things that we must do if we want this system to be a better system is we have to make sure that we are looking at how did everybody perform, how can we make it better, what did we do well, what did we do -- what do we need to improve. But the only way you get that is through review. And sometimes we have fallen down on the job of review.

So asking them to be reviewed after every storm will help us to learn from that storm and make sure that we again modify our procedures to meet any unknown things that might have happened in the storm before.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And to that end, many of us, during the first and second storms, as we learned, were receiving information that wasn't as timely as we would have liked. And is there anything that will enable the emergency operating centers at the municipalities and through the public utility companies to communicate in a more timely manner information to us and those departments of cognizance?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

Yes, there is, as a matter of fact. And what we are actually requiring that to be -- one of the standards is in terms of timeliness of the information. We're also asking that be looked at in their docket. And actually, I think I might take this moment to be specific about those standards, because I have not entered them, and we are talking about minimum staffing, targets for recovery and restoration of service and we are also saying that those targets should be when we have 10 percent of the people

out, 30 percent of the people out, 50 percent and 70 percent.

As you all know, one of the problems was that previous plans only looked at 10 percent of the people out, but we should be prepared for every contingency. There are also going to be standards for communication between the utility and its customers, safety standards for employees, the filing of mutual aid agreements, communication and coordination between the utility and state officials, again the tree trimming, timely notification by the utility to relevant state and municipal agencies so that we have looked at that and communication and coordination between all of the companies themselves, the operation of the call center. All of those are areas where we have determined there must be standards.

There may be other standards that -- that PURA would decide, but we have decided that these are the key areas that standards must be established in. And -- and the gentlelady brings out a very good point because the fact that we don't get timely information was a -- was really a problem during the last storm and we do need to improve on that.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And I thank the kind gentlewoman for her answers and her diligence in the -- in knowing the subject area. And speaking about communications, though we do not regulate telecommunications, there -- they were a critical part of the storm response or lack of -- lack of timeliness in the storm response, and I believe there's part of this bill that addresses how they will play a part with the public utilities and backup generation, I believe, for the cell towers.

Through you, Mr. Speaker, if the kind -- kind Chairwoman would elaborate.

REP. NARDELLO: (89th):

Yes, Mr. Speaker, there is. And as a matter of fact, I think -- it's little known but we've actually asked that the telecommunication companies be subject to standards as well in certain instances, because it is -- they are a very critical part of our ability to communicate during storms and we certainly found that out during the last one when cell service went down and people weren't able to communicate. We don't all have land lines now and with the fact that we don't it makes it difficult.

So we are developing standards in the area to

telecommunications companies. We are asking for a report on their ability to provide backup generation and after that report is filed we are asking for that to be reviewed and a decision to be made as to whether or not we should require backup generation.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And thank you, Representative Nardello, for those answers. So if we move on to municipal utilities that are not normally regulated at all through PURA because they -- obviously through these last two storms they did a heck of a job and we were all envious that they had power and the rest of us didn't.

Is there any component of this bill that addresses emergency plans or standards for municipal utilities?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

Yes, just like all of the other utilities, instead of submitting a plan every five years, they must submit

a plan every two years. So they will be required to submit the plan, and we all recognize they did a wonderful job, but we do require plans of all the utilities in the state.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And I understand that another area of -- of deep concern, because it was setting, in essence, the batting order of how roads were cleared and how utilities were stored, is there -- was no, I guess, captain or team leader.

And does this bill address anything to that nature, where the roads are down, the power lines are down, the gas is -- the gas company needs to come in and check or the telecommunications needs to be restored, how is that going to be coordinated?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

Yes, it does. It actually has, in Section 11, a requirement that we have DOT and DESPP and the

municipalities develop procedures to expedite road clearing for public safety personnel after an emergency.

So, yes, clearly road clearing was one of the significant things because, if you have a downed wire, as we all know, the only people that can touch that wire is someone from the utility company, and we do have to get the roads cleared so people can get to shelters and so they can make them passable. So it's a very key element of this bill.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And thank you, Representative Nardello. And one of the other things that we identified very, very quickly is that our emergency operations centers and our emergency services centers, hospitals, police departments, that were running on generator power, often experienced difficulty in getting the fuel that they needed because they -- the service trucks could not reach those -- those facilities.

And so I believe that there has been a -- there is a pilot in this bill that -- for microgrids and I would like -- wonder if the kind gentlewoman would expand on this

please for us.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you Mr. -- through you, Mr. Speaker.

Section 7 of the bill says that grants and loans will be provided for microgrids for support to critical facilities. And yes, the gentlelady has identified an area that has become a great concern. And so we are putting $15 million available for small, medium and large municipalities to -- to develop microgid projects in combination with the utility companies and en -- and energy improvement districts or other private parties. They can all apply.

Now, just so that everyone knows, a microgrid basically is -- what it is is you draw a line around a certain area and you say, okay, we are going to put distributed generation there and we are going to make sure that during a -- during any time when there's a power outage, that that area can be islanded because it has a critical facility and that the power will be on in that area because it has critical facilities in it that are necessary to the community.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And thank you, Representative Nardello, for that answer. That was a -- that was a critical component of this bill that we were very all interested in is figuring out how we can identify our town centers, our hospitals, our emergency services areas that we needed to keep power on. As we found out, especially in one of the properties that I happen to be managing in West Hartford, it was the only operable gas station within a 20 mile radius, and that was a little hairy when there were lines out -- out into the roadway blocking traffic period when people were anxious to get gas because they either needed to get to work or they needed to do their business, so these are one of the areas that were easily identified that we needed that expansion.

And I understand also food and medicine are also important to the operation of -- of how we live and there's part of this bill is it a -- I'm not sure if -- is a study or does it enact the reimbursement for loss of food and -- and refrigerated medication.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

It is actually a docket that gets opened at the Public Utility Regulatory Authority to study the feasibility of such a program. Initially in the bill, we did -- in another bill we had a program such as this because our concern was that four people who had lost food, four people, and particularly medications -- when I looked at the New York legislation, it was very interesting to know that there are many medications that do need to be refrigerated and then would have to be replaced, if, of course, obviously there's an outage.

That becomes a burden to people. And I do believe that we should be looking into the ability to reimburse that under clearly specific circumstances and with clearly specific guidelines and, you know, certainly protections as well to make sure that there's no abuse.

But the fact that we can do something for the senior who may have a small income and then suddenly finds themselves having to replace all the food in their freezer or replacing medication, or the individual who really is getting by day-to-day -- to many of us, the fact that we lost food in the freezer, well, we go out and we buy more,

and we just take that for granted, but that's not true of everybody in the State of Connecticut. We need to be sensitive to those issues and the fact that we can do something for everyday people.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Representative Nardello. I couldn't have said it better myself.

Another aspect of this bill covers what we consider an outage, an emergency situation, and that is any -- anywhere where 10 percent of the population is out for -- customers are out for 48 hours or more. And I wondered how this -- the docket is going to address the -- those minimum standards as well as targets the recovery and restoration for 30 percent, 50 percent and 70 percent because, through you, Mr. Speaker, this was very important to the Republican Caucus as well as the Democratic Caucus that we had certain levels of recovery and certain levels of standards that needed to be addressed and prepared for by our local utility companies and also by our public service companies.

So, through you, Mr. Speaker, I was wondering how this bill addresses those issues.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

We made it very clear within the legislation that the -- the benchmark for developing standards is the fact that 10 percent of the customers have lost power for 48 hours. So in developing the standards that's going to be when they actually kick in.

And in terms of the levels of the 10 percent, 30 percent, the 50 percent, the 70 percent, number one that's going to be covered in the plan so they have to tell us how are they going to plan. But it's also going to be part of the standards because clearly -- let's take the staffing issue.

You know, we've all been talking about minimum staffing but the staff that you need at 10 percent of the customers being out and the staff that you need at 50 percent of the customers being out is not one in the same. So, therefore, we should be prepared to say that, in those instances, we are going to have to take staff considerations differently and match them to the severity of the storm.

So I do believe that the Public Utility Regulatory

Authority will take that into consideration and be very clear about how we deal with those various instances. And quite honestly, if we ever get to 70 percent of the customers being out, I do think it would have to have been a very, very super -- severe storm and we're going to have many more problems at that time.

So, hopefully, we'll never have to actually enact those. It is my hope -- my supreme hope, I might say.

SPEAKER DONOVAN:

Thank you.

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Mr. Speaker.

And through you, questions about how the local municipalities operated with their emergency operating centers and how this bill will affect them.

Some of -- some of our municipalities operated extremely well. They had utility representatives that were very, very experienced. Others, unfortunately, had utility staffers but they weren't as experienced on the lines or the restoration or the operation of exactly how the power went down and how it needed to be restored.

So, through you, Mr. Speaker, if the kind gentlewoman could elaborate on how this will benefit our emergency

operations centers in our local municipalities.

REP. NARDELLO: (89th):

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Please proceed, Representative.

REP. NARDELLO: (89th):

The gentlelady has identified a really very key problem, and there is a wide variance in the various towns and their ability to operating emergency operations centers. It was very interesting when reading the two storm reports that that was indeed the case.

I -- it is the expectation that the utilities in this planning process will assign to each of those emergency operation centers someone who is familiar with that town and someone who has the authority to make changes that are necessary. I think that was another big problem, beyond the familiarity that when it came -- when the municipal official came to them and said, well, I need power restored in this area, I need this, we need road crews here, they didn't necessarily have the authority to get that done. And it is important that they are able to call in to another main call center and say, look, this is the problem we have in this town, we need to deal with it.

So they not only have to be familiar with the area

but they also have the authority to make the changes needed and get the help needed.

(Deputy Speaker Orange in the Chair.)

DEPUTY SPEAKER ORANGE:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Madam Speaker.

It's nice to see you, good evening.

DEPUTY SPEAKER ORANGE:

Good evening.

REP. HOYDICK: (120th):

And through you, Madam Speaker, to the kind gentlewoman.

Do you think that is maybe one of the reasons why the municipal utilities companies perform so well because, though they did have outages, they knew their areas extremely well. They are -- they know their town officials. There's a -- a good working relationship and that might be something that would benefit the rest of us when we were dealing with these standards and restoration measures in the future.

Through you.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

Yes, I would agree with that assessment. That's exactly why. They are local. They are, of course, much smaller than the utility -- you know the -- the utilities that we have. It makes it a little bit easier to know everyone, I will admit that, but I do think that's absolutely a factor.

Their ability to staff and their ability to do storm assessment also they have excellent capabilities in those areas and I think that's another factor as well. But the fact that they know their area and the people generally that work there, live in that area, I think is most helpful.

DEPUTY SPEAKER ORANGE:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Madam Speaker.

And the -- one of the latter sections of this bill deals with the coastal restoration and DEEP permitting, and I'm wondering if the kind gentlewoman could elaborate on that.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

Yes, actually, it does allow -- and this was a particular problem during Storm Irene -- temporary authorizations in terms of water resources and wetlands and the ability to -- let's just say you had to, for a small period of time, interrupt a wetland area because you were rebuilding, you would be allowed to get a temporary permit to do that because you know the disruption would only last for a short period of time.

So not only does it allow permitting, add those to the permitting -- temporary permitting, but it also allows the permit to be for 90 days versus 30 days.

DEPUTY SPEAKER ORANGE:

Representative Hoydick.

REP. HOYDICK: (120th):

Thank you, Madam Speaker.

And I -- I'd like to thank the Chairwoman of the Energy and Technology Committee for her leadership on this effort. As I had mentioned before, the whole committee worked very well together vetting out these issues. The Governor's office, who lead the charge in this, the

Senate -- Senator -- Senator Fonfara, Senator Witkos, specifically, were so involved in this and as both Speaker Donovan and Minority Leader Cafero put final touches on this bill and that is why we have this product that we have today.

And I know everyone is -- is thankful that we have this bill and I'm -- I'm hoping we get to hear more -- more debate and speaking on it because I would encourage my colleagues to vote for this as this -- this is probably one of the best things we've done this session.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, good ranking member.

Will you care to remark? Will you care to remark?

Representative Steven Mikutel, you have the floor, sir.

REP. MIKUTEL: (45th):

Yes, thank you, Madam Speaker.

I'd like to just say a few brief comments with respect to the bill before us. Madam Speaker, many of our constituents were angry over the slow response of our state utilities to Hurricane Irene and the free -- freak October snowstorm and quite frankly many of us citizens were outraged by the slow response to these disasters.

And Connecticut will not be immune to future natural disasters and we will certainly have more power outages in the future. But we cannot let our state be crippled by any of these future disasters and we can no longer let our constituents -- or allow our constituents to be put out of their homes and we must not allow our schools to close again and we -- we must not allow our businesses to shut down again because of these natural disasters.

We need a better response from the utilities, and I believe the bill before us will better prepare us for these future emergencies by creating standards and penalties for nonperformance by utility companies and by ensuring that they will have emergency response plans in place.

The bottom line here is that passage of this bill will make future natural disasters more bearable for all of our constituents and protect the most vulnerable part of our population, the elderly. So I am enthusiastically supporting this bill.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir.

Will you care to remark on the amendment before us? Will you care to remark?

Representative Greene of the 105th.

REP. GREENE: (105th):

Thank you, Madam Speaker.

Madam Speaker, I -- I rise in support of this legislation today. I think this is a very important bill for us and for our constituents as a whole. But I do have a few questions for proponent if you please.

Through you.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. GREENE: (105th):

Thank you, Madam Speaker.

Madam Speaker, just to start off, Section 2, Subsection E, refers to I believe the Depar -- commissioner of the Department of Emergency Services and Public Protection, DESPP, whatever it's called now, gives that commissioner some authority with regard to civil preparedness and lines 32 through 34 give that commissioner the ability to essentially -- or force his employees to participate in training, et cetera. Are there limitations on that commissioner's ability to force mandatory trainings?

Through you.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

The expectation here is that what we did learn in the storm was the fact that there were not training exercises to prepare us.

You know we have all of these officials, we have people that work together, we shouldn't meet them and they shouldn't know each other for the first time when we have a major storm because that's not going to work very well.

What we need to do is have that kind of an exercise in advance and this is all that that is requiring. It's basically saying that what we do for civil preparedness, and this is a civil preparedness area, that they will participate in training exercises as directed by the commissioner.

So I do believe that it is critical that each and every one of them take part in that. It's not expected to take place every week. It certainly, you know, is going to be -- it will be up to the commissioner but the fact that again people come together, do a drill, rehearse, rehearsing is a good thing, I think we'll under -- in the end have better preparation for any storms as they come forward.

DEPUTY SPEAKER ORANGE:

Representative Greene.

REP. GREENE: (105th):

Thank you, Madam Speaker.

And I wholeheartedly agree with the proponent. It's absolutely necessary that we train our public employees, local municipal officials, et cetera, it -- for the potential for some type of a disaster. I guess my one concern with that is the potential for abuse I guess for a commissioner, for lack of a better way to put it.

Because it could potentially have an impact on the state -- state employee collective bargaining agreements and I -- I was wondering if that was considered with this proposal.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

Actually, that never did come up in the discussion. And it would be my understanding that if this is a part of your job, then it shouldn't have anything to do with collective bargaining. And I can't imagine that there would be any -- any set of employees in the State of Connecticut who would say no I don't want to participate

in a training exercise when they are actually responsible for civil preparedness.

DEPUTY SPEAKER ORANGE:

Representative Greene.

REP. GREENE: (105th):

Thank you, Madam Speaker.

And I'd agree on -- with that as well. I really hope that that's not the case and I suppose the possibility is there but I'll move on here.

Lines 46 through -- through 60 actually deal with tree trimming, and 46 through 49, in particular, there's a little bit of a -- I was a little confused when I read through it. It seems to require the -- I believe a DPUC docket or PURA docket to look into the most cost-effective level of tree trimming but it also wants them to look into the maximum level of rel -- reliability.

So it almost seems that there's two different -- two different dynamics here. So I was curious if the -- if the proponent of the bill could please just clarify that section for me.

Through you.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

Yes, I mean it was very clear that in the discussions -- you know we could again spend an extraordinary amount of money on tree trimming but what are we going to get for it? We want to make sure that as we develop that policy that it is cost-effective. And in terms of achieving the maximum reliability, I would state for legislative intent that the idea is the amount of reliability that we are -- I guess the best way to put it would be we want to have this system be reliable but to the degree that it is also cost-effective.

DEPUTY SPEAKER ORANGE:

Representative Greene.

REP. GREENE: (105th):

Thank you, Madam Speaker.

I have one last question, then I might briefly comment, if you -- if I could, please.

Line 56, "The Authority shall allow," I was curious about the word "shall". Does this prohibit the Public Utility Regulatory Authority from rejecting a proceeding to recover rates?

Through you.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

No, it does not. What it does is it -- again, it says reasonable costs and they'll be subject to all of 16 -- Title 16 to make sure that there's a prudency review. They are going to be looking at it. What they -- what it is saying is basically that this is a recoverable cost. But it will still be subject to all of the current reviews for prudency and reasonableness that we have right now.

DEPUTY SPEAKER ORANGE:

Representative Greene.

REP. GREENE: (105th):

Thank you, Madam Speaker.

And I appreciate that clarification. It did give me pause but for legislative intent I'm glad we put it on the record.

Madam Speaker, this bill attempts to address a very serious problem that came up on two separate occasions last year. We all felt it. Each one of us had a different experience locally but we all had very similar experiences, if that makes any sense. You know I -- I could -- I could go into a detailed discussion on exactly what happened in my towns. There are going to be similar strains of what happened with other towns as well. But

this -- this legislation definitely attempts to address that, particularly the -- the unique approach with microgrids I think is a -- is a different way of looking at this problem and I think that this bill, with the pilot program in place there and with several of the other provisions, will attempt to address that.

So with that, Madam Speaker, I urge my colleagues to support this bill.

Thank you.

DEPUTY SPEAKER ORANGE:

Thank you, sir.

Will you care to remark?

Representative Mary Fritz, you have the floor, madam.

REP. FRITZ: (90th):

Thank you, Madam Speaker.

I -- I rise in strong support of this bill, but I also feel that a -- as a member of a municipal electric -- committee town that I would like to speak for the 13 members in this House who also have municipal electric companies.

And we, as has been stated, have -- were very blessed in the past storm. In Wallingford, we never lost our power. We made a lot of money when other towns had no restaurants, had no drugstores, had no food stores, they

came to Wallingford.

But at this point, I would like to ask a few questions for Rep -- from Representative Nardello.

DEPUTY SPEAKER ORANGE:

Please proceed, madam.

REP. FRITZ: (90th):

And these questions are basically for legislative intent because I believe very strongly that we need to have it on record that, in fact, our municipals are still protected.

Representative Nardello, if you would please, could you please tell me if, according to this bill, would the electric companies have to report to PURA, the municipal electric companies?

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

They would only have to submit a plan to PURA. They don't report to PURA but they have to submit a plan to PURA.

DEPUTY SPEAKER ORANGE:

Representative Fritz.

REP. FRITZ: (90th):

Then, through you, Mr. -- Mrs. -- Miss -- Madam

Speaker, it would mean that, in actuality, they would not have to report like the CL&Ps and the UIs.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

The municipal utilities are not regulated by the Public Utility Regulatory Authority and this bill does not change that.

REP. FRITZ: (90th):

Thank you, Ma'am, thank you.

DEPUTY SPEAKER ORANGE:

Representative Fritz.

REP. FRITZ: (90th):

Madam Speaker, through you, because the municipal electric companies do a very high degree of maintenance on their lines and their trees, under this bill would they be forced to follow the maintenance programs that are being set up for UI and CL&P?

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker, no they would not.

REP. FRITZ: (90th):

Thank you.

And my last question for legislative intent, through you, Madam Speaker, could you please state if any part of this bill would put another burden on the municipal electric companies?

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

The only change for the municipal electric utilities is they will have to file their emergency plan every two years rather than every five years. That is the only change in this bill.

DEPUTY SPEAKER ORANGE:

Representative Fritz.

REP. FRITZ: (90th):

Thank you, Madam Speaker.

I would like to state for the record this has been a long road to protect the municipals and because we did a good job all -- we do a good job all the time, I believe it's important that we're still able to maintain our independence and keep doing what's necessary for our communities to keep the lights on.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you.

Will you care to remark further on House "A"?

Representative Larry Miller.

REP. MILLER: (122nd):

Thank you, Madam Speaker.

I have a couple of questions to the proponent.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. MILLER: (122nd):

Thank you.

And through you, Madam Speaker, Connecticut does not have a reciprocity agreement with any other states when it comes to physicians. And I bring that up because I watch the film on the -- the 1938 hurricane that hit Hartford. Bushnell Park was under water. It was just incredible, horrifying and tragic.

The fact that so many people lost their lives and Connecticut doesn't have a reciprocal agreement with other physicians in other states, how can we get help when you have an abundance of people who are ill, sick, hurt and may have passed away? How do we get around that problem?

Through you.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

It would be my an -- and we did not deal with this in the bill, Representative Miller, because it is a public health issue, but I would say that what you're going to rely on is those individuals who are licensed within the State of Connecticut and so, therefore, we would have to depend on those physicians licensed here.

I do believe we have a very large contingent of physicians licensed here. If we had a very big storm, we would then certainly -- if we get to the 70 percent range, I'm sure that there may be some emergency measures that we could take at that point if a state of emergency was declared by the Governor and we might then have to address that.

But for normal circumstances, I believe we have the personnel here.

DEPUTY SPEAKER ORANGE:

Representative Miller.

REP. MILLER: (122nd):

Thank you.

And I would just comment, through you, Madam Speaker, that the way I read it, a lot of doctors not -- they're

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leaving the practice here in Connecticut because of the -- the high insurance costs. They're closing up a lot of them are.

So I just wanted to -- in the future we could be in big trouble if we don't have a sufficient number of physicians available should a -- a storm of that nature hit Connecticut.

The microgrids, you know, one problem a lot of people had and we -- there was a fellow that spoke about not having gasoline to get to a store to get some medicine for his wife because the gasoline station was without power.

How do we deal with these people? Can we somehow establish a program just for gasoline stations so that people can go there and get gasoline and -- and get their medicines or wherever they have to get food for the family?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

I think, having looked at this, it was very difficult to come up with a program that would certainly take care of gasoline stations. I think your microgrid program will have the ability to do that because it would be -- it's

my hope that in developing that gasoline -- a gasoline station would be part of the microgrid so therefore they would have power.

DEPUTY SPEAKER ORANGE:

Representative Miller.

REP. MILLER: (122nd):

Thank you.

And, through you, Madam Speaker, the microgrid is a nice concept but if you have a gasoline station, there's no other buildings around that could tie into the microgrid -- I'm talking about an onsite generation. If there's some kind of program we could establish to give these guys an opportunity to keep those stations open, maybe, through -- we had a plan here with the co-gen under DPUC and I'm wondering if we can have a program like that just to deal with those individuals.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Vicky Nardello.

REP. NARDELLO: (89th):

Through you, Madam Speaker.

The -- there was a great deal of expense in regards to that so it was not considered at this point and there were also some logistics that might have been a problem.

So in the future, we may want to consider that but it was not considered during this particular negotiation and discussion of this legislation.

REP. MILLER: (122nd):

Thank you.

DEPUTY SPEAKER ORANGE:

Representative Miller.

REP. MILLER: (122nd):

Thank you for your answers, and thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir.

Will you care to remark further on the amendment?

Representative Reed of the 102nd.

REP. REED: (102nd):

Thank you, Madam Speaker, and good evening.

I'll make this quick. I rise in support of this legislation and I think it's one of the things we've really, really done well this session. Protecting the public safety is one of our top priorities. Mother Nature needed to get our attention to show us the flaws in our system. She sent us one storm that pretty much took out my district.

We began to respond but we needed to do some more so

she sent us another storm that impacted another wide swath of the state. We have stepped up. We have responded. This is a comprehensive bill. I thank everybody who was involved in help making it happen and I urge my colleagues to vote for it.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, Madam.

Will you care to remark further? Will you care to remark further on Senate "A"?

Representative Yaccarino.

Not here, okay.

Would anyone else care to remark further on Senate Amendment "A"? Anyone care to remark?

If not, let me try your minds.

All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ORANGE:

All those opposed, nay.

The ayes have it.

The amendment is adopted.

Will you care to remark further on the bill as amended? Will you care to remark further?

REP. NARDELLO: (89th):

Very briefly, Madam Speaker, I just want to state that we are going to be better prepared in the future for outages through this bill. We're going to improve the resilience of the current system. We're seeking to reduce the number and duration of outages, improve the coordination between utilities and state and local officials, improve our efforts at road clearing and one of the things that I didn't discuss was improve our efforts at safeguarding at-risk and vulnerable customers and improving the accountability of our utilities through the development of utility performance standards and the ability to impose penalties.

And we will be reassessing after every emergency and modifying our process based on that assessment. Madam Speaker, please I ask everybody to vote for the bill.

DEPUTY SPEAKER ORANGE:

Thank you, Representative Nardello.

Will you care to remark further on the bill as amended? Care to remark further on the bill as amended?

If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call.

Members to the Chamber. The House is taking a roll call vote. Members to the Chamber, please.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Have all the members voted? Have all the members voted?

Please check the roll call board to make sure your vote has been properly cast.

If all the members have voted the machine will be locked and the Clerk will take a tally.

Clerk, please announce the tally.

THE CLERK:

Senate Bill 23, as amended by Senate "A" in concurrence with the Senate.

Total Number Voting	148
Necessary for Adoption	73
Those Voting Yea	148
Those Voting Nay	0
Those Absent and Not Voting	3

SPEAKER DONOVAN:

The bill as amended is passed.

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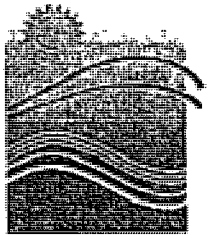

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Public Hearing – March 9, 2012
Planning & Development Committee

Testimony Submitted by Commissioner Daniel Esty

Raised House Bill No. 5407 – An Act Concerning Performance Standards for Public Utilities

Thank you for the opportunity to submit testimony regarding Raised House Bill No. 5407 "An Act Concerning Performance Standards for Public Utilities". The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony. This proposed legislation charges the Commissioner of DEEP with establishing performance standards that would improve communications and enhance emergency preparedness of the utilities going-forward and to submit his findings in a report to the General Assembly.

As the Committee is well aware, in the aftermath of the two historic storms there have been numerous reviews including the Governor's Two Storm Panel, the Witt report, legislative forums regarding the storms and most recently, the Davies' report and each determined a need for establishing benchmarking and specific performance standards for the utilities in terms of preparedness and storm response.

DEEP further notes that Governor Malloy has proposed legislation to this effect in Senate Bill 23- "An Act Enhancing Emergency Preparedness and Response". The Governor's bill directs the Public Utilities Regulatory Authority (PURA or Authority) to establish such performance standards, empowers the Authority to seek penalties from utilities that do not meet those standards, and requires rebates to customers if a utility fails to meet certain performance standards during post storm-related outages.

DEEP believes that the issues concerning performance standards are better assigned to PURA, as proposed under the Governor's bill referenced above, and notes that it also encompasses a more comprehensive approach the issues that emerged post the two storms in 2011. DEEP thanks the Committee for raising this issue and would be pleased to work with the committee to ensure their concerns are addressed in what we believe is the more appropriate approach detailed in Senate Bill 23..

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or Robert.LaFrance@ct.gov

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Yes; thank you. Thank you, Madam President.

Madam President, if we would call as the -- as the first item, on Calendar Page -- Calendar Page 5, Calendar 289, Senate Bill Number 23, AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE. Madam President, if the Clerk would -- would call that item.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

I thank you, Madam President.

Pursuant to Rule 15, I ask that I be recused from the debate and subsequent vote.

THE CHAIR:

Please do.

SENATOR WITKOS:

Thank you.

THE CHAIR:

Thank you, sir.

Senator Looney, did you have a --

SENATOR LOONEY:

Yes, Madam President. I was going to alert you to that --

THE CHAIR:

Thank you.

SENATOR LOONEY:

-- Senator Witkos needed to be recognized.

THE CHAIR:

Thank you, very --

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

-- very much, sir.

Mr. Clerk, will you please call the bill in front of us.

THE CLERK:

On page 5, Calendar 289, Substitute for Senate Bill Number 23, AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE; favorable report of the Committee on Energy and Technology.

THE CHAIR:

Good afternoon, Senator Fonfara.

SENATOR FONFARA:

Good afternoon, Madam President; good to see you.

THE CHAIR:

Same here, sir.

SENATOR FONFARA:

Especially after a long night, last night, in which you presided over this Circle for a tremendous number of hours. You get great credit from --

THE CHAIR:

Thank you.

SENATOR FONFARA:

-- all of us --

THE CHAIR:

Well --

SENATOR FONFARA:

-- for that.

THE CHAIR:

-- all of you deserve the same credit.

SENATOR FONFARA:

Madam President, I move for acceptance of the joint committees' favorable report and passage of the bill.

THE CHAIR:

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

SENATOR FONFARA:

I will, Madam President.

Madam President, today is quite a nice day. The forecast is for sunny skies and highs in seventies. But if we were to think back some six or eight months, it was quite a different story for the State of Connecticut. We, in -- in -- in August most of our state experienced the wrath of Tropical Storm Irene, in which many people of our state suffered a number of days of -- without power, some for as long as nearly two weeks.

An then much to our shock and dismay, less than two months later, the state experienced an even worse natural disaster, act of God, with the October nor'easter, an unprecedented storm that left much of our state devastated and without power and other resources and crippled much of our state for a number -- for, again, nearly two weeks in some cases.

Madam President, as you know, the Governor and yourself and people across this state did everything

humanly possible to address the issues facing our state, to get us back on our feet, to restore power as quickly as possible, to get power to critical locations, gas stations, town facilities, hospitals, nursing homes, on and on.

Madam President, the magnitude of those outages prior to the Tropical Storm Irene, the storm before that, that was the largest; 1985, Hurricane Gloria caused CL&P the most damage with 535,000 customers losing power, full restoration taking ten days.

Irene, the state experienced over 1. -- over 1 million outages. And after the October nor'easters -- nor'easter, there were 1.4 [sic] customers restored to power. The trouble spots, the most prior to these two storms, the state had experiences between 1300 and 5900 -- hundred outages. For Tropical Storm Irene, there were more than 16,000 trouble spots, and the October storm, over 25,000 trouble spots.

Poles replaced prior to these two storms, the most had been 472. In Irene, there were 1297; in the October storm, an unprecedented 1655 poles for CL&P alone. So Madam President, the State learned a lot in those two storms. We realized about our dependence upon electricity, and energy, in general, have become so critical to our lives, our economy, and our quality of life.

Madam President, we also learned that we need to do better in protecting our state in preparing for storms, such as we saw back last year, and to be able to respond quicker when we have natural disasters, as we did.

So, Madam President, at this time the Clerk is in possession of an amendment, LCO 5079; may he please call and I be permitted to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 570 -- 5079, Senator "A," offered by Senator Fonfara, et al.

SENATOR FONFARA:

I move --

THE CHAIR:

Senator --

SENATOR FONFARA:

-- adoption.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR FONFARA:

Thank you, Madam President.

Madam President, I'd like to first begin by recognizing many of the people who helped get us to where we are with this amendment before us today, my Co-chair, Representative Vickie Nardello and the Ranking Member in the House, Laura Hoydick, as well as the Senate Republican caucus, as a whole, that helped working on this in joint fashion to produce this legislation; the Governor's Office, and in particular Paul Mounds; the LCO attorney, Steve Papadogiannis; legislative researcher, Kevin McCarthy; the indomitable Melissa Buckley, who has been my right hand through this process; and, Senator Williams, who has taken a great interest in this issue, and as well as members of the Energy Committee, in general.

Madam President, this -- this amendment attempts to create a process that will not only address issues relating to protecting our state but prevention so we can minimize the number of outages in electricity and telecommunications going forward. We will experience storms again. We hope they won't be in the magnitude that we did with Irene and the October nor'easter, but we don't know that. And it is our responsibility to recognize how critical electricity and all that it

does in our lives today in terms of our homes, with respect to heat, communications, and so many other ways, as well as our businesses and our economy and how we learned how critical electricity is, far more than I think we all realized prior to these two storms and how critical telecommunications is in getting information, whether it be now through cell phones, landlines, cable, Internet, and so many other ways.

In this bill and the amendment before us seeks to establish a process in which we can minimize the damage that is done. We live in a -- in a bucolic state. We like the trees of our state; it makes our state -- separates us in many ways from many states across the country. And we have to care for that natural resource as best we can, but we have to balance those needs with the recognition that the system that we have relies upon a -- a -- an infrastructure, a grid system that very often intersects with the very beautiful natural resources that we have. And so we seek to find a better balance and a better preparedness to respond to storms when we have them.

Madam President, the -- the bill before -- the amendment before us addresses bringing in public utilities into civil preparedness so that they are part of the process going forward. It enables the Commissioner of Emergency Services and Public Protection to go beyond just planning but to do training and exercises throughout our state to be better prepared to respond as quickly as possible. It also opens a docket to examine the state of affairs of our utilities currently. What is our policy regarding tree trimming and how effective is that policy? Regarding staffing; do we have enough people on call within our utilities, and do we have enough people in mutual aid to come to our state to respond quicker than what we experienced in the previous two storms?

The amendment and ultimately the bill, if successful, will establish standards in place, put in place by the Public Utility Regulatory Authority to say exactly what it is that we want to have done. What is the proper staffing levels? What should be our tree-trimming policy? How should we have -- what

should we have in -- in place of -- for targets for recovery and restoration of service? What is our communication -- what are the communication plans for the utilities and its customers? What are the safety standards for employees of each utility as well as for mutual aid crews and private contractors? What is the communication coordination protocols between utilities, the state, municipal, and emergency operation center officials? And, lastly, what is the communication coordination of the use of an emergency notification system?

So, Madam President, that -- that's a critical part of the standards, and from there, those standards will be reported on annually to the regulatory authority as to how well the utilities are meeting those standards, whether there's a storm or whether there isn't.

Additionally if once those standards are in place and the utilities are charged with the responsibility to -- to prepare our state and be able to respond following a natural event of some kind, that if those utilities do not meet the standards, that penalties father -- following proper review can be imposed. And they're, I would say, fairly significant penalties to incent the utilities to meet the standards that this bill and ultimately the regular authority -- regulatory authority promulgates.

Madam President, the bill also addresses telecommunication standards, and it also establishes credits if there are outages beyond a certain period of time for customers to be reimbursed for. It revises the emergency plan, it adds telecommunication coordination with municipalities, it -- it provides for training exercises and requires the utilities and telecommunications' companies to report in their plan how they will meet varying levels of storm outages; 10 percent, 30 percent, 50 percent, and 70 percent, and upon the request, that telecoms be in control, at the control center for -- utility control centers during an emergency.

The amendment also calls for the establishment of a microgrid pilot program, and this is something the Administration has invested a considerable amount of time and emphasis on and one I believe we all support.

We will take some relatively modest steps in the beginning to ensure in this pilot program that small, medium, and large communities across our state will be able to participate, and whether that be through fuel cells or other renewable technologies or whatever means, to create microgrids so that critical locations, whether that be town halls and other town locations, gas stations, nursing homes, hospitals, towns will determine what those locations will be that will be separate from the grid. So if we were to face another disaster, as we did last fall, that more locations will be protected and -- and separate from the grid and be able to rely on energy that is not delivered through the grid that could be -- become susceptible to outages in major storm locations.

Too many of us and many of our constituents experienced during those outages a second impact; it's one thing to lose our power and -- and then particularly for the nor'easter, lose our heat. But then to add somewhat insult to injury was the fact that we couldn't get to gas stations to fill up our vehicles to either travel and be with neighbors or friends for our own survival or get to work and back again. This component of the amendment will begin a process to see what the costs are involved and how reliable microgrids can be in protecting our system.

Additionally, the amendment will create a report back on backup power for cell towers. There were a number of cell towers during the middle of these two storms is that were unable to get power to them for various reasons, and then so for many people in the state today that use cells, cell phones exclusively -- a number of folks no longer have landlines and they use cell phones exclusively -- and they were not able to use those during parts of the storm. This will establish a process to determine how we can increase the number of cell towers that have backup power available to them.

The -- the amendment additionally creates a change in the Office of Consumer Counsel, which right now emphasis -- emphasizes rates and their responsibility to -- to protect consumers regarding rates, but it also increases the responsibility regarding the OCC's responsibility over the maintenance and the

reliability of the systems that they have jurisdiction over. So no longer will the Office of Consumer Counsel focus primarily on rates but also will have the responsibility to balance those obligations with -- with putting effort and time and research and advocacy on the quality of the system to ensure that the system is working. That is as important to ratepayers that the system is working well as it is that the -- the cost of the system and the affordability of rates.

The amendment also addresses within the Department of Transportation and within municipalities that they notify the Public Utility Regulatory Authority to encourage, where possible and where funding is available, the -- the feasibility of undergrounding power lines and telecommunications wherever possible.

It also requires that the Department of Energy and Environmental Protection, department of -- Department of Transportation, Department of Emergency Services and Public Preparedness, and municipalities, whenever there's an improved road, work going on and with respect to road clearing -- many of the Circle will recall that in addition to the and unavailability of getting power turned on, many towns had difficulty getting emergency services, whether that be police or fire or ambulatory services to critical locations because roads were completely unpassable until those roads were made safe by the utilities -- this study will look at how we can improve that process, doing it in a safe way but be able to improve how quickly emergency services can get to homes where people may be sick or injured or other locations where there might be a fire, even though the power has not been turned on yet. We need to do better in that area. We heard from a number of first selectmen and mayors, in the hearings that followed the storms, and that is a critical component of this legislation.

And, additionally, Madam President, the amendment provides for the Department of Environmental Protection, the commissioner to -- the ability to extend the temporary authorization following an emergency in locations, particularly along the shoreline, where many towns faced beyond the outages of power, also storm damage. And this -- this part of

the amendment would allow for the commission to extend the amount of time that -- that individuals who experienced damage along the shoreline can receive permits and take action, as was allowed, initially, after the storm.

And, lastly, Madam President, the amendment calls for a study to -- to look at how to create a system for food outages that -- and spoilage, along with medicine spoilage that people may occur -- occur -- incur during prolonged storm outages in which there were negligence on the part of the utilities.

I think that is a rather comprehensive, I hope, but understandable explanation of this amendment and the underlying bill, if it's adopted. Madam President, I think it's a responsible effort, one that will take into consideration the fact that Connecticut experiences some of the higher -- highest rates in the country. Those rates have been coming down, but as the Governor said, we're going to do this over time; it is not something that will take place immediately, but we do begin the process immediately. We will focus on prevention so that we reduce the number of outages and the impact of storms. We'll do it responsibility, so that we don't see clear-cutting of trees and -- and to do great damage to the beauty of our state, but I think most people would embrace the fact that we need a better system, be better prepared. And then when a storm hits, when there is such natural disasters that we experienced, that our response to that is swift and reliable.

We will never be able to stop all outages; that's impossible and no one should believe that that will ever be the result of this legislation or anything that this Legislature or the regulators are able to accomplish. But we can and we must do better, and this legislation takes us a long way to beginning that process. And I firmly believe once fully implemented, we will see a different response to the impact of storm outages, not only on the quality of our lives but also on the economy of our state and our ability to function during those events and following them.

So at this time, Madam President, I urge adoption of the amendment.

THE CHAIR:

Will you remark? Will you remark?

Senator McKinney.

SENATOR McKINNEY:

Thank you, Madam President.

I rise in support of the amendment and want to thank the good Senator for all of his hard work and for the work of all of our members on the committees and staffs up here and in the House and the Administration officials who have worked so hard on this as well.

I'm not going to get into the detail of the amendment as far as Senator Fonfara did for two obviously reasons: One, he's already said it, although that's never stopped me in the past; and two, he knows it a lot better than I do. Perhaps that's really the only reason.

But, you know, Madam President, hopefully none of us have forgotten the fact that so many of our constituents sat for days, and in my Town of Newtown, onwards to 9, 10, 11 days without power. And what we are trying to accomplish here, I think sets out a very good framework for moving forward. Establishing performance standards is absolutely critical, and what is in this amendments with except to -- with respect to acceptable performance standards includes all of the things that we need to look at: Minimum staffing and equipment levels for the utilities; their communications' plan; safety standards for utility employees, critical; mutual aid agreements that the utilities have, and assessing their ability to rely on those mutual aid agreements in storm situations; communication protocols; tree-trimming and cutting plans; timely notification for the utilities; and operations of call centers of the utilities. And -- and when you think back at what happened during the storms, you can -- you can see how each of these very important facets we're looking at, in terms of performance standards, played out.

Now do we know whether the utility companies had -- had sufficient staffing levels? Do we know what their communications' plan? I -- I know from our local officials, and in their emergency headquarters that they had set up, the great frustration they had with the lack of communication, the lack of understanding of what was happening and what was going on. So that is critical.

It's also important that with performance standards comes penalties for not meeting those standards, and -- and as long as those standards are real and fair and responsible, we should hold the utilities accountable if they don't meet them. And we do that in this amendment, and we do it with credit to the customers, which is where it should go.

We also, as Senator Fonfara mentioned, have similar standards for telecommunications, and he said it so well. We learned how important all of those telecommunications' devices are to us, personally for personal safety, and for our -- our businesses and jobs and well-being.

Tree trimming is something that obviously can be very controversial. I remember watching one of the committees at a public hearing. And I think it was Senator -- well, I know it was Senator Hartly who said something along the lines of, you know, We all want our power, but we're also very covetous of our trees, I think was her words. And she was right-on when she said that, but we need to have a better understanding of that, of the hardening of our system. And that's in this amendment as well.

Again, I'll reiterate, the importance of the coordination among all levels of government and the utilities, I think, was sorely lacking, not so much between governments but from the utilities and our local governments. I believe this goes a long way to seeing that that won't happen again.

Lastly, I want to especially commend Senator Fonfara for the issue of the microgrids, absolutely critical, especially in our larger, perhaps in our rural areas but our larger urban areas as well, to make sure that critical sources -- we hear about towns that didn't

have gas stations, in many rural area as well. So we can ensure that emergency necessary facilities will be open because they'll be protected and off the grid.

I also think in the future you will see technology such as fuel cells be an important part of those microgrids, which happens to be pretty good for Connecticut, since we are one of the world's leaders in fuel-cell technology as well.

I would have to say that I -- I think the -- the last section with respect to the docket on food spoilage is probably unrealistic. But it is a study; those recommendations will come back to the General Assembly and the committee of cognizance, who will hold public hearings. And I think it will get a full vetting, as it should, and we'll -- we'll find out, I think, and have an opinion as to whether it is workable or not. I -- I have an opinion that now, but I certainly will reserve judgment. That section, alone, is not -- is not a danger to a very good bill, in my mind.

And, again, I want to thank everybody for the hard work and urge adoption.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

I -- I rise in support of this amendment, and I want to thank Senator Fonfara for his hard work as on -- on this bill as -- as along with everyone else. It's very comprehensive, as we now -- now look forward to a new hurricane season that's on our doorstep. This bill hopefully will not be needed, but just in case, there will be the ability to respond as necessary.

But, Senator Fonfara, I had one quick question for you.

THE CHAIR:

Please proceed, ma'am.

SENATOR STILLMAN:

Thank you.

Through you, Madam President, it's my understanding that the definition of a "public service company" is very extensive, and I wanted to clarify for legislative intent that the reporting, planning, and other required activities contained in this bill are not intended to apply to Connecticut Yankee, which is in Haddam. It's a decommissioned nuclear plant and that no longer generates power or really provides any services to the public.

So through you, Madam President, is that correct, sir, that those -- the definition of public service company would not apply to Connecticut Yankee?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, that is an accurate description, and it would not apply to Connecticut Yankee. Through you.

THE CHAIR:

Thank you.

Senator Stillman.

SENATOR STILLMAN:

Thank you, very much.

THE CHAIR:

Thank you.

Will you remark?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

Good afternoon to you and everybody else --

THE CHAIR:

Good afternoon.

SENATOR FRANTZ:

-- in the Chamber.

I want to start by thanking Senator Fonfara and Representative Nardello, Senator Fasano, and all others that worked on this bill. This is a -- a big step in the right direction. I'm very confident this will pass today. And we're doing what we do best as a legislative body, and that is react to circumstances that, Mother Nature, in this case, throw at us.

It's too bad that a democracy, and the whole legislative process in general, doesn't lend itself to be as proactive as we would like if this bill came out two years ago. Think about what better shape we would have been in to deal with Tropic Depression -- Tropical Storm Irene as it came across Long Island and smashed into the southern coast of Connecticut and continued its wrath of damage all the way through New England on a northwesterly trajectory.

We dodge a lot of bullets, living where we live. We're in a place that when it gets hit, it can get hit so hard, but for some reason in the typical patterns at that time of year, during hurricane season, the odds are against us of getting hit. But when one does penetrate, those odds that work against a hurricane working its way up the east coast, spending just enough time over warmer water and coming up into our direction, it's -- it's bad. And all we have to do is review history to understand how bad that can be; the

Hurricane of 1938 is an example, and there are numerous others.

I -- I -- I love the study of meteorology and hurricanes, in particular. I watch these things very, very closely and appreciate greatly the fact that we are located where we are. I've flown through these things before. I've experienced them in the tropics when they're a Category 3, borderline Category 4 hurricanes, and you would not believe the destruction that occurs. You can literally stand on a stone wall, lean over 45, 50 degrees, and if you do it right, you can fly. And things are flying through the air. I've seen things like tankers, 280-feet long, break free from their moorings and get blown up to a speed of 18 or 20 knots, go smashing up across beaches and into condominium developments and apartment building complexes; these storms are powerful.

And because of our unique geographical location here and our surroundings, Long Island Sound is unique. We've got Long Island, and everybody thinks, well, that's our big barrier island that's going to protect us from a hurricane, which will typically come from the southeast or the south. And that's just not the case, because if you have the following circumstances, you will have a catastrophic event happening in Connecticut; and that is a Category 1 or greater hurricane coming up at a slow speed from the south, creating that easterly to northeasterly wind, which is going to pump a whole lot of Atlantic water into Long Island Sound.

We witnessed a six-and-a-half-to-seven-foot tidal surge during Irene, but if you have a slow-moving one, we could witness a tidal surge at high tide of up to 14, 16, 17, 18 feet, and that's before the real serious wind gets here. So if you pump that much water in the Sound -- and bear in mind on the western part of Long Island Sound you have a channel which allows water to exit Long Island Sound, which is a couple of hundred yards wide; it's called Hell's Gate; to the east you have the race, which is south of Fishers Island and a little bit of north of Fishers Island where it shallows up and essentially allows about the same amount, maybe a little more water to escape at any given point -- so now you're stuck with

this huge body of water that has a tremendous amount of water in addition to the normal level, and all of a sudden the hurricane comes. So just ask Senator Meyer's -- ask Senator Fasano what it was like with a normal hurricane tidal surge going through. And then the 50-and-60-mile-an-hour winds coming in after the destruction was catastrophic, as it was down in our district as well.

I felt so strongly about how we ended up after that in terms of power restoration, and other utility restoration circumstances, that I wrote the Governor -- because we were right smack in the middle of hurricane season; we knew we had at least another month-and-a-half to two months to go -- requesting a few things, most of which are in this bill.

And Senator Fonfara, I'm -- I was not part of the discussions, but I think you're hitting most of nails right on the head with the proposals here in terms of coordination, drills that are meant to improve performance of everybody involved in power restoration and first responders, and so on and so forth, standards and penalties. The only one missing was that I would have liked to have seen the executive order and the bill, now that we're into the following year, address the whole idea of allowing the municipal first responders, when it comes to tree crews, to be able to move in a lot quicker -- they were typically on station 36 hours before Irene hit our shores -- and to be able to somehow empower local electricians, utility workers, retired utility workers to go in and simply throw the switch to the off position -- not turn it back on -- but simply throw it to the off position.

I know there are all sorts of technical challenges to that. People have generators nowadays, and the electricity backs up into the -- into the wires that may be on the ground. But if you know that and you are qualified to do it, why not be able to throw that switch off, get the municipal tree workers in there to start immediately, because that paves the way for CL&P and UI workers to get in there and do their job, which they do so well.

And I'm sure all of you got to know them. There wasn't a place in Connecticut that -- that wasn't affected by this, and you had tree restoration -- I mean power restoration and tree crews in your neighborhood. And you got to know them, and you did everything you could to make them, make their jobs easier.

Interestingly, the City of Stamford, nine days before Irene was even on the radar as a potential tropical depression, the mayor, Mayor Pavia, called for a surprise emergency drill. At 8:30 in the morning, he said everybody is to report to a certain park on the coastline, and he said there's a hurricane hypothetically coming in 36 hours; what are we going to do? They went through this drill, and ironically, it was nine days later that -- it was ten days later that it actually hit the shoreline of Stamford, just a -- just a few miles away from it was where the eye of this storm hit. Needless to say, Stamford was in great shape. Why? Because they drilled; they actually went through it. They were testing communication procedures, testing their equipment, and it worked like a charm.

So, Senator Fonfara, and the rest of your team, thank you for putting that in there. I know that's going to make a world of difference in terms of being able to be ready for these storms. And there's a whole section about how to deal with the aftermath of it.

We all dealt with downed utility poles. One of the most frustrating things for me, in addition to the length of time that it got -- that it took for electricity to be restored, was getting some of these poles that were knocked down. You know, who owns them? And -- and the poor owner of the property, as this thing is sticking right above their house, about to fall on their house, nobody is claiming responsibility for it. And it took -- it took many, many days to try to figure that out. This bill, I believe addresses that, which is -- which is a great thing, because that was very, very frustrating.

I think we're absolutely stepping in the -- in the right direction here, and hopefully we will not have a catastrophic year, as we did in years past. There

really is no way to predict this. When you read the Farmers' Almanac, when you hear what some of the meteorologists tell me about, oh, it's going to be a great, huge hurricane season or it's not going to be one, you really can't trust them. The odds of getting a hurricane are essentially the same. You can start to look at different water temperatures and currents and how the jet stream is setting up as hurricane seasons start, but you really have no certainty as to what's going to happen and what's not going to happen, so you -- you have to be prepared. This bill does that.

Through you, Madam President, a few questions for Senator Fonfara.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you.

Through you, Madam President, Senator Fonfara, was there any consideration of -- of allowing local experts, whether they be retired utility workers -- these are friendly, questions, by the way -- local, retired utility workers or electricians, giving them the ability to shut down a block of a neighborhood or of a municipal area so that cleanup crews can go in, essentially paving the way for the restoration crews to come in?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President; through you.

Senator Frantz, you have a -- a partner in this Senator regarding that issue. I put it front and center on the table in our ability to do something right away so that towns wouldn't experience what they did. And as I said earlier in my remarks, how we

heard from many first selectmen, one very articulate mayor who spoke about how he understood there'd be days in his town that power wouldn't be restored. But to not be able to get emergency vehicles to critical locations where people possibly facing life-threatening situations could not get that help, it's an intolerable situation. We cannot allow it to continue.

But when we learned about what's involved in that process, it behooves us to take a methodical approach to this, so that while it's clear we want -- and I look forward to working with you and any member of this Circle on this issue going forward -- that we keep the heat on. I think there is some reluctance, candidly, on the part of the utilities to let others into addressing making safe and road clearing, when you have power there and when someone believes that maybe power has been reconnected and it hasn't or it -- it -- it's a quite complicated and dangerous process. We have to do it right, but the current system is intolerable. We must do better for the reasons you've articulated and as we -- we lived through in those two storms. So I look forward to working with you on this in this next year. Through you.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

And through you, Madam President, I appreciate that answer; I very much look forward to working with you. Whatever it takes to get through those complexities and come up with a -- a plan or a -- a bill next year to allow that to happen, I think will be critical in terms of being able to expedite repairs.

On the -- on the issue of performance standards, just so that PURA has some guidance, I know you talk to them all the time and they'll -- they'll be coming to you on the committee for guidance here. But in the bill, around line 40, you refer to performance

standards for utilities in a very, very general sense. Can you just briefly give us an idea of what sort of guidance you would give PURA if they come back to you and say, okay, what exactly do you mean in terms of performance standards?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, I'll go over the primary of -- items that we are directing and giving guidance to PURA to look at, although these are not exclusive. Certainly PURA can consider others, but the primary ones that we identify in the amendment are minimum staffing and equipment levels that the companies must meet, targets for recovery and restoration of service, communication, a communication plan between utilities and its customers. You may recall that was a, for many of us as elected officials, a very frustrating experience when constituents were calling first selectmen, mayors, others were calling town managers to -- to understand what was happening in the towns.

I experienced that personally, in the Town of Wethersfield, where almost all of the town was out for the first three days, and it wasn't until we learned that half the town, as an example, is fed by one feeder coming out of the Town of Rocky Hill and that that feeder line had four crews working on it, and until that was restored, you wouldn't see half the town being reenergized. Once we learned of that, after some, a number of calls of inquiry -- and I chair the Energy Committee -- it took that many days, and we communicated that through FaceBook to our constituents, Representative Russ Morin and I, that many people responded not positively, not because their power was going to be going on any quicker but they had an understanding of what the problem was. And that helped them at least have an appreciation of where -- why was their power out, what was causing the number of days of delay.

I think that kind of information is critical for all of us. It may not change the number of days; that's what this bill is intending to do. But communication in that process, as power is being worked on to be restored, is very important for people. Particularly in a day and age when you -- we can go on the Internet and learn what's happening in another part of the world, we ought to do better to learn about what's happening down our street or in the next town over that may be affecting our quality of life and our public health and safety. So that's another major component of the standards.

Mutual aid agreements, enhancing those, that protocol so that we don't experience what we did, particularly in the second storm where, where we thought more mutual aid was coming and it wasn't. We need to have stronger agreements, more reliable agreements, maybe go outside of the traditional utility-to-utility agreements to get private contracting, as long as they meet the standards that are expected.

Making sure that we have the proper staffing right here in Connecticut; we learned that maybe we need to do better in having our workers, a greater number of workers of -- on-line, on a continuing basis.

Tree-trimming, as we spoke about before, we need to do better in this area, in a responsible way, and we will.

And, lastly, communications' protocols between utilities and the state municipal and emergency operations; those are the highlights of the -- of the standards that PURA will be addressing along with those they feel are necessary that have not been enumerated in the bill.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

Thank you for those answers, through you, Madam President. And on the whole issue of communication, I'm very happy to hear that that's a big one of the performance standard areas that you're -- you're looking at, and not just to let people know their power is out, which is pretty obvious, and it may be 48 hours or whatever the case might be for restoration purposes.

But, you know, we all know our experiences, for example, on an air -- airplane going to Chicago, and you're delayed and the captain comes on and says there will be a 45-minute delay. The first question in every single passenger's mind is why? What's going -- do we have a mechanical problem? Is there a problem with a security breech? Is it traffic; you know, what's going on? And it's very simple to get some very easy to understand circumstances out to -- or descriptions out to the power users, the consumers that will allay their concerns. And -- and I -- I agree with you that that is at least half the battle. It also allows them to feel a little more empathetic for the crews that out there working very hard to restore their power.

Interestingly, I -- I visited, as I'm sure all of you in the Circle did, visited your local emergency response centers, and I have to say I was very impressed with all three of mine. They were staffed at least where they needed to be, if not well beyond, and the energy that went into the communication effort there and the restoration effort was truly magnanimous.

And interestingly, Facebook, Facebook, which is not anything having to do with the utility companies, not anything having to do with Connecticut State Government was the focal point for communications between people who were in need of emergency services, who were reporting major damages in areas where -- where power restoration crews could go in and make immediate repairs that would affect, in a positive way, literally thousands of people instead of a few hundred people. It was an amazingly helpful tool, and hopefully that becomes integrated into the communication plan going forward, because it exists, it's -- it's free, and it's incredibly effective,

according to all the people who I spoke with. And I actually saw them -- them using Facebook, and it was quite remarkable.

Through you, Madam President, another question for Senator Fonfara which has to do with the tree-trimming and tree-removal components of this bill. We live in a town where we have a --

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you. Thank you, Madam President.

Through you, to Senator Fonfara. We -- we live in a town, I live in a town where people adore trees. And it's a very difficult town, arguably the hardest in the state to go through the hoops that you have to go through to get permission to take down limbs, to take down an entire tree. And as I drive up various arteries in my district, many of those trees that have already been trimmed as a part of this program are sitting their precariously over wires, and you just know that they're going to come down and take out power lines because they're substantial limbs and substantial trees. In -- in your, I guess as far as legislative intent is concerned, through you, Madam President, is it designed to get much more aggressive and to perhaps supersede some of the local regulations or obstacles?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, the committee recognizes that this issue is a sensitive one for people in our state. And some of here, of us in this Circle may recall reading that shortly after or during the storm, there was criticism of -- of how quickly this power was being restored

and -- and in some towns in our state, and then shortly thereafter, it was some weeks or months later, criticism of how many trees were being cut to minimize outages in the future. And so we, I think it's fair to say that we're, you know, we have a -- we're ambivalent on this issue. But it's clear, the importance of the infrastructure, the grid to maintaining so much of what we expect -- and that's a critical word, what we "expect" -- and while there may be those that expect to have trees growing through and on power lines, that during a storm that power will be restored in a matter of minutes, it's unrealistic.

This bill does not address the issue of private property and -- and changing those rules, the current laws and ordinances across our state. It does address tree cutting and trimming on public property, but what this bill will do is establish a process through the DEEP, Department of Energy Environmental Protection, and PURA, to look at how we can balance these issues better, to what extent the utility will be able to move ahead with tree trimming in a responsible way, hopefully more effectively than has been the case.

There need to be more resources applied in this regard so the utilities can do a better job, but not in a way where people come home from work and they find that half their yard has been removed; that's irresponsible and unacceptable. But that's why we have regulators and that's why we have the -- we've created the Department of Energy and Environmental Protection to think through these things and come up, and come back to us with responsible recommendations on how to balance these interests.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

And through you, Madam President, I appreciate that answer. That will make a lot of people in my district happy, yet on the other hand, I am optimistic and confident that we will work our way through the

regulatory and permission-seeking process to come about with a good solution to some of those problems, problem trees that are so beautiful, that are so appreciated but could possibly take down some major arteries in terms of power supply.

Two more quick questions, through you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you, Madam President.

Yeah, I noticed in here that the mutual aid agreements with the utilities are exempt from Freedom of Information, and I think I can understand why. But it does raise a concern to me which is that if we don't know or if even PURA doesn't know -- I'm not sure whether they're privy to that information or not -- we may get ourselves into another situation where we were in Irene, where it was very obvious to most who were tracking this storm that it was on a -- on a northerly track coming up from due south, 182 degrees on the compass, coming up and it was going to go through New England. And most of our mutual agree -- mutual assistance agreements are with companies to the north, some to the west, but mainly to the north. And so the fact that this storm was going to be going up into Massachusetts, Vermont, New Hampshire, and Maine made it clear early on, probably three-to-four days before the storm hit, that we would have a problem with those that traditionally support us.

And I think what happened with New Jersey and points to the south and west of us was they -- they got a little more aggressive and they started to contract with crews from Ohio and western Pennsylvania, and unfortunately those convoys of power restoration trucks were speeding to the east as fast as they could, and once they got to the New Jersey Turnpike, they took a right, unfortunately. And that might have explained why many people in my district, and I'm sure

yours as well, didn't see these trucks for six or seven days anywhere.

So that -- that's a concern that I have, Madam President, and I'm wondering if Senator Fonfara, through you, could address the component of it being tree of FOI but that we can -- we can rest assured, that we can rest assured that we will not be put into the same kind of situation, power restoration crews, you know, so that we -- we can count on crews coming in from a place that's not going to be hit by the hurricane that's coming.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I think the primary reason and -- first of all, that PURA will be able to examine these agreements and that they will be able -- I think they understand and this colloquy will hopefully help them understand how -- how much we care about that those agreements are enhanced. I think the utilities got that message on their own during the storms and are already taking steps to enhance that. But I think primarily it's, these are contracts between utilities and other corporations; in some ways, I think it's a competitive situation that they want to protect. It also may be a public safety issue, so that -- that those that might want to somehow, might have less than -- than a positive reasons for why they might want to use that information and could impact the -- the safety, public safety of our state. I think those are primarily the reasons why they've asked that they be protected.

But (a) I would say that it is critically important that PURA get this right, that we have ample assistance and redundancy in that regard. I can tell you in my conversations with the officials from CL&P, United Illuminating during those two storms that there were firm expectations of -- of those mutual aid agreements being honored, and for various reasons they weren't. And I think that they know full well, following that, that they need to do better but that

PURA will undertake this examination and -- and ensure that they will do better. And they will be reporting back to us in a general sense as to how the utilities are responding in that regard without specifically making the contracts available to the public.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

And through you, Madam President, I thank Senator Fonfara for an excellent answer and one that will, one that does make me feel very confident that this work out for everybody's benefit.

My final question, through you, Madam President, to Senator Fonfara is having to do with Section 12 -- no need to look it up -- through you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you.

I have noticed that the ability of the Commissioner of DEEP, instead of granting a 30-day, emergency restoration period has gone to 60, to 90 days. And the first thing I want to say is the commissioner is a very reasonable, intelligent, good person when it comes to this. We've had a lot of experience over the last 18 months with storm-damage repair, and he has been outstanding, as have his staff.

The fact that you, Senator Fonfara and Senator Fasano have extended this period to 60-to-90 days in terms of being able to give a business owner or a property owner a chance to restore their property with the blessing of the -- of -- of DEEP on an emergency basis, I think is a huge step forward and not only in terms of being able to affect these problem areas that

could be, for example, a sea wall that is hanging by a thread and another three days of wave action on it is going to cause $350,000 worth of damages, whereas if you can get to work on it immediately to shore it up, you're not going to incur that expense of $350,000, and it may just cost you $10,000 to make that repair with the blessing of Commissioner Esty. He -- he's been excellent and -- and I would say you and Senator Fasano have been excellent to recognize the needs of those people. I know New Haven and -- and -- and Branford, and -- and points east of there were hit just as hard, and I know that this will mean the world to them as it will to anybody else who is on the shoreline who is affected by a storm adversely. So not a question, it's really just a thank you for that.

With that, Madam President, I urge all of my colleagues in the Circle today and in the Chamber to support this bill. It's a -- it's not a baby step; this is a big, huge step in the right direction towards a very real set of circumstances that -- that we are absolutely going to face again in the future.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Cassano.

SENATOR CASSANO:

Thank you, Madam Chair.

I rise to support the amendment and the bill. I had the opportunity as Chairman of P & D, along with our leadership, to participate in the panels following the storm where we heard firsthand from -- from citizens, from utility companies, communication companies, municipalities, regions, and so on, some of their concerns and some of their experiences that everybody shared during this terrible event. We list it, by the way, as probably one of the more serious that we've ever encountered. We can still be thankful that it didn't take place in February; it was 70 degrees out

at that period of time and so on, so we always have to be prepared.

I mentioned the panels because the panels were important. It told me that perhaps our utilities and our communication companies were focusing more on profit, perhaps, than on some of the things that needed to be done, at what expense was necessary to make those profits. It told me that communication was not taking place the way it should between private and public sector, between municipalities and -- and those of the next area and within their regions. This was a shocker and a wakeup call, and hopefully this legislation will go a long ways to make sure that we don't get back to the period that we were in at that time. We're in a period of complacency. We just assumed everything is fine and rolls along, and all of a sudden we got whacked and we got whacked big time. We're still paying the price for it.

The bill can't solve everything but it's a great start. Sometimes in this building we want to do everything all at once. That doesn't work. And so this is the beginning, I think, of a sensible process that lets us look to the future. And there are still going to be many, many questions and many things that need to be done. There's flexibility here to allow that to take place. So from the Planning and Development point of view, and particularly from my own point of view, I think it's a great beginning and I have nothing but praise for the committee for its efforts.

Thank you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR RORABACK:

Madam President, through you, if I may, a few questions to the distinguished and learned Chair of the Energy and Technology Committee.

THE CHAIR:

Please proceed, sir.

SENATOR RORABACK:

Thank you, Madam President.

Through you, to Senator Fonfara, my -- my particular area of focus is on the issue of trying to ensure that in times of power outage, citizens still have an ability to communicate with one another and with emergency officials, via their cell phones.

Madam President, I, like many citizens of Connecticut, in the -- at the height of the storm, first the power went down, then the landline went down, and then the cell phone went down. So for a period of more than 72 hours, we were incommunicado with the outside world. And God forbid something happened, a fire or a medical emergency, you were really on your own. And what amazed me, Madam President, was that in the days following the storm, our commercial cell phone providers scurried to install -- and God bless them; they were trying to do the right thing -- more than 300 emergency generators at cell phone sites across the state. And it's always been my belief that given the capital expenditures required in the first instance to build the cell phone tower, that the incremental, added cost of backup power shouldn't be prohibitive when you weigh it against the benefits that would provide in emergency situations.

And I had conversations with some of my colleagues and said, well, it's a market thing; right? You should buy a cell phone from a company that you know has emergency backup generators. It's like, well, I never thought of that when I was buying my cell phone or it wasn't a question that was on my mind; you think of it when it goes down. But to expect consumers to -- to kind of have that on their, the front of their brain

when they're trying to -- usually it's how many extra minutes or you can -- this -- this -- you call this many people for free; it's not do you have backup generators are your towers.

And so through you, Madam President, to Senator Fonfara, I'm looking at Section 5 of the bill, which appears to dabble PURA's toes in the waters of the question of to what degree it would be desirable or appropriate to have backup power at our cell towers. Through you, Madam President, to Senator Fonfara, maybe he could -- this is his -- his good work; maybe he could share with us in a little bit greater detail what's in the offing on this important issue.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, and I want to thank the gentleman for his support in this area and -- and inquiry with me prior to this day regarding this issue. And I know particularly in many of towns that Senator Roraback represents, that these issues are critical where -- where unlike urban areas, as I represent where trees are even a greater problem, in northeastern and northwestern parts of our state.

The -- the responsibility going forward, following October 1 of 2002 [sic], on an annual basis that the cell tower owners, which are not always cell tower or cell providers, that many systems lease space on towers, but that there will be a report to the Department of Emergency Services and Public Protection on the ability of those owners to provide backup power.

And following that, there will be a study by the Public Utility Regulatory Authority in consultation with the Department of Energy and Environmental Protection as well as the Department of Energy, Emergency Services and Public Preparedness and the Siting Council to study the feasibility of requiring

backup power for telecommunications' towers and antennas.

So we're taking this very seriously, Senator Roraback. And while we're -- unlike the electric utility aspect of our responsibilities here, because we've deregulated a large part of this industry and the cell tower industry is deregulated, our reach is not as complete at it might be, but we've had many discussions with -- with providers, this regard. I believe that they're -- they are sincere in increasing the number of cell towers that have backup power. In some cases, it's a matter of zoning and of private property rights. It may not be that, in those agreements with property, private property owners where a cell tower is located that the leases allow for backup power. So those things have to be worked out.

But I'll just say in enough -- in -- in the discussions I've had that this is viewed in the very manner that you addressed, Senator Roraback, that it's a competitive advantage to be able to have backup power. And I think you'll see the market working well in that regard but also with us being vigilant and finding ways to increase the number of cell towers in this state that have backup power. It is a very, very important issue.

There are a number of people, as you know, younger people in particular, who've never had landline service. They've never had a landline; they only have cell phone service. And I think you'll see more and more individuals going that way, where the reliance on the cell phone and the cell towers that deliver that signal becomes increasingly a major staple of how we communicate in this state. Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

I appreciate Senator Fonfara's thorough and exhaustive response. And I guess there are a lot of different ways we could go about addressing it. I don't know, Madam President, through you to Senator Fonfara whether he knows whether the Siting Council, when it approves applications for these facilities could condition its approval, for instance, on a requirement that the tower come equipped with backup power. Through you, Madam President, to Senator Fonfara.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I -- as I think of that, and candidly, I'd not thought of it prior to now, that we make that a part of the PURA study to look at the Siting Council doing just that and making it a condition going forward, wherever feasible. Through you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And the reason I inquire on this subject is because it is, quite literally, or could, quite literally, be a matter of life or death in these situations. And God forbid that someone's in an emergency situation -- we have to understand there was a foot of wet snow on the ground, some people were stranded in their homes, couldn't move about -- an emergency happens, and for want of a generator which might -- I don't know what it would cost, but whatever the cost is would seem small against the backdrop of a house burning down or someone being severely injured or losing their life because they couldn't communicate with an emergency responder. So I -- I think it's an area that there are times when we let the market do its thing and there are competitive advantages and competitive

disadvantages, but there are also times when the overriding public benefit to having a reliable system of communications, I think, might be a higher -- a higher goal for us to achieve. And in this particular case, that's kind of where my bias leads me.

But I also had a few questions with -- to Senator Fonfara with respect to Section 10 of the bill which speaks to when a road project is being done, that the DOT should let people know. And I'm guessing, Madam President, through you to Senator Fonfara, that the idea is when you've got the road ripped up for something that DOT has in mind, it's probably not a bad idea to let utilities know so that they might do work that they would like to do while the road is being ripped up, so it doesn't have to be ripped up a second time or maybe they could do the work less expensively if the DOT is going to come in at the end and patch it up. So through you, Madam President, to Senator Fonfara, is that what Section 10 is intended to accomplish?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, yes. Thank you.

That is precisely the objective here, and to the extent that the Department of Transportation is not already coordinating with the municipalities, and there's a reason to believe that they are, this takes on an added responsibility within the regulatory authority never before having that responsibility. This puts some responsibility with the PURA to coordinate with the various agencies and municipalities to ensure that that communication goes forth prior to a road being -- being repaired or reconstructed. Through you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I was curious why, in line 483, the section of the state highway or other public highway had to be five miles long or greater in order to trigger this requirement -- or go through a commercial area. Was that a -- a scientific measure or was it just, you know, if you're going to patch a culvert or a catch basin, you ought not to go through this process; it's got to be when you're doing some real serious work? Through you, Madam President, to Senator Fonfara.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, again, the gentleman accurately describes the -- the thinking here. Whether five miles is the appropriate measurement or not, I think, again -- and Senator Williams has taken a lot of interest in this area -- trying to balance the -- the objective of undergrounding and to coordinate, of coordination in this regard with cost so that we don't have a substantial increased cost to the system, to ratepayers, to taxpayers, where maybe only 500 feet of the road is being torn up. So I think it's more of a balancing of need with cost, the cost involved in -- in not only the communication but the actual undergrounding cost involved. Through you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And the last section of the bill that I have a few questions about is Section 13. Madam President, thousands and thousands of Connecticut families faced the unhappy responsibility of figuring out what to do with a freezer full of food that had spoiled. And through you, Madam President, it was a disappointment

to me that the relief that was offered to people who had lost food or had lost other things because of the power going out was limited to mostly residential customers.

I had a -- small inns is any district that had a lot of -- a lot of food in their freezers, and the inns lost a lot of business -- this was peak foliage season -- a lot of people that were going to travel and enjoy all that Litchfield County has to offer in October. The inns were really left holding the bag, and they have no way to recover their losses. And it was a big blow to them, following the September storms; it was a big -- a big hit.

And it looks like Section 13 is directing PURA to see if they could create a program when -- when food was spoiled because of an interruption in electric power, there would be a way for consumers to be reimbursed for the value of the food that was lost. And through you, Madam President to Senator Fonfara, does he know, would that program apply to restaurants as well as individual households or institutions, schools? You know, the food can spoil in anybody's freezer; it doesn't have to be in our homes. Through you, Madam President, to Senator Fonfara.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

I apologize, Madam President. Could the gentleman repeat the question?

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you.

And actually, I'm looking on line 554 and line 555 of the bill, and my question goes to why would we limit -- if we're going to study a program which

reimburses people when their food spoils because the power is out for a long time, why is it that we should limit that study to only reimbursing residential customers, when I know that there are many inns and restaurants that also can suffer large losses when the power goes out and their freezer turns rancid? And through you, Madam President, to Senator Fonfara, do you think there might be an opportunity to ask PURA to expand the docket to include seeing if there's a way to help out those small, commercial enterprises which suffer harm as well?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I see no reason why that PURA would limit this to -- to some who have been disadvantaged in this way in a storm, that -- that businesses that may be impacted negatively, through negligence -- and I think that's the most important word here -- to have, to hold the utility responsible for acts of God where a storm hits and -- and/or even in a nonstorm event where you might have a car that strikes a -- a telephone pole that has, a utility pole that has transformers on it and for some reason or another can impact an entire neighborhood for days on end, and for some reason they are unable to repair that, I think that's the balance that needs to be struck here as well as to whether or not there was malfeasance, misfeasance or negligence on the part of the utility in that regard. And whether that be residential or commercial, I think there ought to be some consideration being given to this and with respect to this study.

And I think our colloquy here today will give PURA that guidance, and I encourage that it -- it do so. Again, it is a study. It's looking at the issue as -- as opposed to establishing a policy, and it will have to come back to the General Assembly.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I think it might be helpful for members of the Circle, including myself, who are not fortunate enough to serve on the Energy and Technology Committee and don't have as complete an understanding as Senator Fonfara does as to the -- the components of this bill.

Through you to Senator Fonfara, when this bill or if this bill passes -- and I intend to support the bill; I think it's a good bill; I recognize there's a lot of work that went into it -- if this bill had passed before the storms that we experienced last fall, what would have been different, if Senator Fonfara can kind of give us a picture? If this had been on the books before those storms, what might have been different for the better? Through you, Madam President, to Senator Fonfara.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I think we must take a minute to discuss the premise of if this bill had passed, and I'm not certain that this bill would have passed if we had been impressioned enough to put the time in; I suspect that we might not. Unfortunately or otherwise, much of what we do -- and I know you have said this on the floor of this Circle in the past, and -- and others have said it -- that much of what we do in the Legislature is in response to things that happen to us across this state. And rarely do we have the ability to see ahead as to what could affect us, and maybe not the will, given the limited resources, time-wise, in terms of being able to afford to invest.

But circumstances now say this is something that we know we can't avoid. We'll never avoid having outages but we might be able to -- and I believe with this bill, and if it had been law -- I think you would have

seen far fewer outages and the length of those outages would have been reduced, because we would have addressed responsibly tree trimming, which is at the heart of those outages. There are states, many states across the country that don't have anywhere near the tree problems that we do, and it was in almost every instance the impact of trees, branches, limbs that caused the overwhelming number of outages that we experienced and then the aftereffect of trying to get to those locations following that.

This bill addresses that issue in a responsible way. It focuses on prevention as well as response. And I think that's important that we not just say what did you do and how well did you do it after the storm but how did you prepare. I think the public and our constituents require us to look at that aspect of it and to say how can we limit the number of outages in the beginning? How can we reduce the amount of time that we have?

I'll give you an example. If -- this bill looks at system hardening; it looks at increasing the amount of covered wire. Simply a -- a branch sitting on a wire that is uncovered can lead to a short that leads to many more outages than might have been otherwise. This bill calls for the increased investment in covered wire in this state so that we can reduce those kinds of outages. And it calls for a host of other ways to respond to, once those outages are occurring, to reduce the time that they're out. And I think that that, more than any other way, will -- would have had the effect on the two storms that we had. And we hope that we won't experience it again but if and when we do, that we'll be better prepared for it.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

I appreciate the gentleman's response and I -- I do particularly appreciate his reference to the reality that the likelihood of a bill like this passing before

we experienced the calamity is probably not great, because it was the calamity that triggered us to reexamine what went wrong. So the better way for me to have framed the question wouldn't have been what would have happened if this bill had passed before the storms; I should have framed the question the next time we have a storm of this magnitude, what will be different? And I think Senator Fonfara answered that question in the -- in the course of responding to my prior inquiry.

And, Madam President, I -- I really do appreciate all of the time and effort that the Energy and Technology Committee has given to identifying what went wrong and putting in place a process to ensure that next time we are subjected to such a storm, we will not be hit quite as hard, and we can expect a more responsible and consumer-friendly response.

So I appreciate the Chamber's time, Madam President, and I thank Senator Fonfara for his answers.

THE CHAIR:

Thank you.

Will you remark?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

Thank you, Senator Fonfara for I know what has been a lot of hard work and in putting this bill together and -- and responding to so many constituent issues. I -- I think the storm was a wake-up call to or these storms were wake-up calls to -- to all of us on a personal level, on a municipal level, even on a state level.

And -- and less there be any -- any thought that we get special reference here as State Senators, I was out of power for eight or nine days; and, in fact, my street was one of the last streets to come on, notwithstanding all the surrounding streets had power

on. And -- and were it not for the fact that a very popular Democrat mayor also happens to live on that street, I might have gotten a little bit suspicious.

But -- but nonetheless, that was a -- a great lesson to -- to my family, personally. When -- when we have to think about emergency preparedness, you know, we're thinking about food stores for -- for nine people and the dog. And that -- that's a lot to think about, and it's something we hadn't thought about until -- until we were actually faced with the very harsh reality. We had trees down across our -- our driveway; and shame on me, my chain saw was electric. So, you know, these are some of the -- the -- the many, many lessons that I think my family has taken away with respect to personal preparedness; in fact, we're still cleaning up from the storms. I mean, here we are months and months later, and not all the -- the damage at our house has been completely addressed.

And -- and one more personal note, and then I -- I think we need to turn to the municipal and -- and state impacts, and -- and what this bill seeks to address. The -- my -- my boys actually enjoyed being out of power, and I think they're probably the few people in the state that -- that were. And they have requested that we have power-out days, every now and then throughout the year and light the candles and pull out the board games and fire up the wood stove and cook the rice and beans. For some reason, unlike their parents, they were able to find some enjoyment through that all.

And so that, then I guess, brings us to what this bill tries to do, and that is address the -- the municipal and state issues. And -- and as we think about those, if I may, through you, Madam President, ask a question to the proponent of the bill.

THE CHAIR:

Senator Fonfara, prepare yourself.

Please proceed, sir.

SENATOR WELCH:

Thank you, Madam President.

One of the -- the -- the -- the things I've heard a lot from with respect to my constituents in the 31st State Senate District has to do with our response, and I understand that that's what's trying to be addressed here. But they often compare Connecticut to, say, Massachusetts, Vermont, New Jersey and New York, other states that were severely impacted by the storm yet seemed to have maybe a little bit more ease in getting the power back on, et cetera.

And so my first question, through you, Madam President, as -- as you looked at the processes and came up with the ideas that we find in the bill today, were you looking at how other states responded and maybe what other preparedness plans that they had in place? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, we have and -- and -- but more importantly, we have required that in the standard development and the study prior to that to look at the standards across the country, national and individual state standards, the first part of the standard development process is to look at what is the state of the industry here in Connecticut, how does that compare to national standards; how's that compare to other states' standards? So I think they'll, the PURA will -- will -- and the DEEP will learn a lot in that process and answer a lot of the questions you just posed.

Additionally, in terms of a preliminary understanding of this, I think it's important that we consider how the level of devastation, the impact of the storms, particularly the nor'easter storm and how that hit Connecticut versus other states, I think we might find that Connecticut was hit particularly hard in that storm over Massachusetts and with respect to New Hampshire and beyond.

I would also say that I think it's fair to say that other states had kept their crews home to repair damage a lot longer than maybe might have been the case previously. I can say that in the case of Massachusetts, which has a similar standard provision to the one we're -- we have before us here today, with penalties. It may be anecdotal but there may be some accuracy there that they kept their crews home because of the concern about being penalized if they had not met their standards, where previously they might have released their crews to Connecticut in areas where they might not have hit -- been hit as hard.

So these are the things we have to examine. Sometimes it's easy to say we need to do what they do; maybe what today do isn't always good for Connecticut. And that's the deliberative process that I expect will happen as these standards are developed. Through you.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you. Thank you, Madam President.

I appreciate the example with respect to state fines that I guess would require or at least have the utilities keep their crews home so they can make sure they're meeting their -- their time lines and goals as opposed to helping us meet -- I guess we didn't have time line and goals.

But was there anything else, through you, Madam President, that -- that stood out that might be a lesson from Massachusetts or Vermont or New York that -- that we intend will either, that's either, one, already reflected in the bill or we would expect to be reflected as the reports come forward? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, none that come to mind.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

And that's fair. Thank you, Madam President.

Well I, you know, I remember this like it was yesterday, not only from a personal standpoint but also just touring the damage throughout the -- the 31st District, whether it be, you know, the roads or -- or neighbors or businesses or shelters or -- or whatever it might have been. And -- and what comes to mind is that this often seemed to bring out the best in people, and it also brought out the worst at times. And it, I think, has created or I was able to observe a number of situations that I just want to make sure that -- that there's either an answer in here or there's a way to get an answer, so when I go back to the 31st District, I can say yes, we are addressing that issue and -- and here's how or at least here's our plan as to how we're going to address that issue.

And I guess the first person I'm going to have to respond to is my wife and the example that I have with respect to an issue she had, which I think kind of underscores the problem we were all facing. It was about five or six days into the power outage. Like I said, a number of the -- the roads around us all had their power back; we didn't have our power back. And a person came in a utility truck, and it wasn't -- it wasn't one of ours; it wasn't CL&P or UI or anything like that -- I can't recall what it was -- came driving down the road and was kind of slowing down, doing a little bit of a survey. And so my wife, excited, maybe here's some good news, came charging out of the house, waving her hands saying, you know, hey, can I talk to you? Can you talk to you? And she asked them, you know, what -- what is it you're doing here? And -- and he said that, well, we're just confirming that you all have your -- your power back on now, and it looks like everybody does. This is a

street that's totally dark, totally, totally dark. And, of course, that's the wrong answer you give to somebody who's been out of power for five days. You've got your power on; don't you? Thank you; I'm -- I'm driving -- I'm driving on.

So there's a lot of miscommunication. It seems that utility companies didn't even know what was live and -- and wasn't live. So how do I go back to my wife, Elizabeth, and say, hey, we've at least solved or have a plan to solve this part of the problem, here it is in the bill or -- or here's what we're going to do about it? Through -- through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, you, the gentleman may or may not have heard the exchange between Senator Frantz and myself, but I will say that that is a very important part of the work that is codified in this bill, that communication by the utilities be improved significantly with respect to that type of situation that you and your wife experienced and so many people across the state did. It may not be the answer that your wife wanted to hear in terms of how much longer her power was going to be on or your power would be out or your neighbors or you, as an elected official who many look to, to say how -- what -- what are you doing for us in this situation and the frustration that many of us experienced of just trying to get answers of why, not when will it be restored but necessarily what's causing this outage. We know it's trees. We know it's power lines that are down, but specifically what are the issues impacting this town, this neighborhood.

People deserve that information and this bill will go a long way to enhancing that effort. And we will stay on that and -- and make sure that not only that it's written into policy but that it's, in practice, improved. And candidly, it may be that like so much

that -- of what this bill is trying to address, historically, you know, you had engineers. They know best of what -- how to handle a system. It's a very technical, very complicated, very dangerous system in the wrong hands, and in the past, you know, we -- we have not -- we've, I think you may have heard the statistics in terms of the number of outages that the -- the number of poles that were damaged, the number of transformers that had to be replaced, on and on and on, unprecedented numbers.

So I think there are lessons that not only did we learn but that the utilities learned about not only the technical side of it but the communication side of it as well. They've taken steps already, but this bill takes that a step further in making it a responsibility of PURA to ensure that communication is enhanced. It may not be communication of your power will be on in the next hour, but at least people will be not only literally in the dark but hopefully no longer figuratively in the dark as well.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I appreciate that not only communication between the utilities and the customers was lacking but it seemed also the communication amongst the utilities and -- and the workers. So I'm glad that we're addressing that.

One, another scenario that presented itself, and there was a lot of discussion about this and in the media and then also with my constituents, is -- has to do with -- with the gas stations being out of power. And, you know, God forbid this is a scenario that happens where we not only lose power but we're in a place where we need to evacuate and we need to evacuate a number of people, and yet we don't have the -- the petroleum resources to do that because these gas stations are out of power.

You probably will recall, Senator Fonfara, the discussions on the radio or in the newspaper about how Florida would have evacuation routes and they would have gas stations with respect, you know, on those routes that would always have power, via a generator or something like that. I'm sure you even heard the -- the further extreme of requiring every gas station in the state to have a backup generator, which seems to be maybe a little bit much from a cost perspective. So when I go back to the constituents in the 31st and I say here's -- here's what we're doing about, you know, getting energy to gas stations so everybody can have fuel, what do I tell them, Senator Fonfara, that -- that this bill does? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, the $15 million that this bill authorizes to be spent for microgrids will go a long way towards addressing that in the pilot program. We're hoping that as many as 10 to 15 municipalities throughout the state will participate in that. We don't know exactly how many but we hope that the $15 million will go as -- be stretched as far as possible to include a number of communities, small, medium, and large-size communities.

In addition, there is a section of the bill that calls for a study to look at how to harden locations as well as to provide power that is protected, along the lines you're talking about, that may not be part of a microgrid situation. The utilities have abilities to protect certain locations; it may not be through a microgrid, it might be part of the broader grid, but where the likelihood of outages happening are reduced. And this bill has an aspect of it that calls for a study of how to do that, where it is necessarily a microgrid. Not all situations allow for a microgrid to be placed and they may not be affordable to do that. And there are other means in which the utilities can protect locations, gas stations, town hall facilities, nursing homes, hospitals, and other

critical locations that we in communities believe are important, that outside of the microgrid process this bill will -- will study ways to do that and -- and protect those locations around our state. Through you.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And -- and -- and maybe the answer, then, I guess, for my next situation or scenario is -- is the same, and that has to do with -- with heating oil. My home is an oil-heated home. We weren't able to use it because we didn't have power. Thank God we had, and we have, a wood stove, and we had some wood but not enough wood; that's another personal lesson for us. So if -- if you do have a generator, if you're able to get it going and you use oil heat, is there a different answer than the one you just gave me with respect to microgrids that would help us to ensure the -- the -- the timely, responsible delivery of -- of heating oil in such situations? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I don't think so. Heating oil is delivered as, as you know, by way of -- primarily by truck. And I -- I don't know if that aspect was impacted the way gas stations were, where they're out of power. And clearly heating systems in homes and businesses require electricity, almost all of the time. And so we learned that not only did we lose power and we couldn't turn on our lights and our televisions and our washers and dryers and so many other elements of our lives that we take for granted every day, including in this room here today, microphones and lights and what have you, but also in terms of our heat. Because our heating sources

require electricity to fire up that burner, whether it be natural gas, propane or -- or -- or oil that is being utilized to create the energy. Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And I do just have one more question for Senator Fonfara, and --

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

Thank you, Madam President.

I -- I see we address telecommunications in the bill as well. One thing I didn't see, and maybe it was there and I just missed it, I actually heard from people who were having issues with respect to cable TV and -- and things like that. Frankly, that would have been a nice luxury to have during -- during that time. But is there anything in this bill that -- that -- I guess does it fall within telecommunications? Is it outside the telecommunications? Is there anything within this bill that addresses the cable systems? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, no, not specifically cable TV. We focused on what we believed were the primary issues involving public health and safety, electricity and telecommunications through telephonic services. But to the extent that cable TV, that cable

is utilized for now fully, approximately half of all homes in this state that have landline telephone service, they receive that through cable. So to the extent that we bring in companies to demonstrate their ability to meet the standards, then the answer to that is yes. I -- I don't think they would -- I don't think they've figured out how to send the telephone signal through the cable without the -- without the cable signal being delivered as well. So I -- I feel that the -- that, to that extent, we are also addressing that aspect of it. Through you.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I do appreciate that answer, because, yes, so much more nowadays and so much more in the future will be delivered through, through that telecommunication meeting. So I -- I appreciate that.

I -- I -- I want to thank you, Senator Fonfara. This was a very difficult time for all of us at that -- not this debate, the storms -- and the aftermath. And clearly there was a hue and cry from the people of the state that we act and that we -- we do something. And I think this is a -- a very solid start to addressing some very serious problems. It's -- it's not the -- the end-all and the be-all; I recognize that. I think the people of Connecticut are going to recognize that, but it at least puts in a process and requires more feedback and more input to help us get to the end-all and be-all, if that is even a possibility. Mother Nature seems to continuously throw curve balls, and I don't think we could ever completely be a hundred percent prepared, but I think this is going to help us get closer to that goal.

So thank you for the Senate's time, Madam President. Thank you, Senator Fonfara for your hard work. I will be supporting this bill.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark?

Senator Kane.

SENATOR KANE:

Thank you, Madam President. Happy Saturday to you.

THE CHAIR:

I thought we did that last night.

SENATOR KANE:

Yeah, right? I -- I did. I wished you good morning. That's right; it's was like two or two o'clock or so, something like that.

Through you, I have a number of questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

Senator Fonfara, I -- obviously all of us remember the storms that this is -- bill is in regard to. Hurricane Irene, I believe, was the first one in -- in August, and I never lost power, actually, ironically and it -- thankfully, it wasn't too bad. But obviously a number of my constituents in my area did. And then the winter storm, if you want to call it a winter storm because it obviously was during the fall, I think it was Alfred, I believe it was called, we did lose power for -- for a number of days. And -- and -- and I can understand the plight of what people went through because we went through that ourselves. So I'm not alone; of course, the majority of the state had many difficulties. And I remember seeing the Lieutenant Governor on TV, quite a bit.

THE CHAIR:

Yes.

SENATOR KANE:

And -- and the Governor, of course, and -- and -- and along with the utility companies and having press conferences and speaking about what was taking place and how they were putting in their plans of action in -- in response to the storm. And -- and I actually commend all that were involved, did a very good job for the constituents and for our citizens of the State of Connecticut.

But I guess my first question, if -- if, I will, is in regard to the actual plan. Have we not had a civil preparedness plan prior to this bill, through you, Madam President?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, we have, but we have not included the utilities in that plan. Through you.

THE CHAIR:

Senator Kane..

SENATOR KANE:

Thank you, Madam President.

And through you, to Senator Fonfara, do you know why we never did that, I mean, why we never included the utilities up until point, you know? Through you.

THE CHAIR:

Senator -- Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I -- I think, like so much of this bill, we did not envision the -- the impact. We had not had storms like this in -- in the case of the nor'easter ever before, and -- and prior to that, I believe it's been 20 years since we experienced or maybe even longer than 20 years of experiencing anything of this magnitude. And so in that regard, it -- it has us rethinking so much of how we manage our energy resources, how we protect the system, and -- and candidly how much effect and how reliant we are on electricity and other natural -- other energy sources, much more so than ever, ever before. And that requires us to review all aspects of it, including -- including the utilities with respect to the overall plan of civil preparedness.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And -- and I -- I -- I could appreciate that answer. I -- I -- I agree with that and especially how much we are reliant upon the utilities that provide us, whether it be the electric, electricity or wireless or wire line, Internet, all -- all of -- all of the above, I guess. But certainly we've lost power prior to this set of storms. I mean, you mentioned 20 years ago. I would imagine that -- well, let me ask you this: The outages that we had this time around, if you can, comparatively were they more or less than those storms 20 years ago? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

They were significantly greater, as I indicated in my opening marks, several fold greater for a number of

outages, how many repairs had to be made, how many poles were damaged or had to be replaced, over and over and over again, exponentially greater numbers of -- of outages and the effects on the system than had ever been experienced, even in the largest of storms in the most significant outages previous to these. As I stated earlier, prior to these two storms, the largest number of customers that had to be registered were 225,000; these two storms had over a million each. And in the case of the October nor'easter, 1.4 million customers restored. Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

That's -- that's incredible amount of difference, certainly. And, you know, in reading some of the news reports and watching some of the news reports, I think part of it -- and I'll ask this question: Is it because of also the tree growth that we had? I know that, you know, we've had a lot of these trees maturing and, you know, I think there was some statistic that said we had, I don't know, 10 times as many trees now than we did 20 years ago, what have you. Is -- was that part of it, that -- through you, Madam President -- part of the study or part of the difference between now and 20 years ago?

THE CHAIR:

Senate -- Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I -- I think the gentleman is very -- is correct in that not only are we apparently much more a -- a treed state, a foliage state than we were before, but I would -- I would add to that, Senator Kane, that the pressure that this state has experienced over the last decade or more with high rates, the pressure not only on utilities to

keep rates low, the pressure on regulators to keep rates low, to -- to the pressure on utility or -- or consumer advocates, the Office of Consumer Counsel and the Attorney General's Office, that do a fine job of advocating for consumers, the pressure on them to keep rates low. And I think there's evidence, at least an argument can be made that that has had some effect on what our investment has been. You couple that with we haven't had major storms for a number of years, and so I think we began to accept that the norm was a storm would hit, there'd be outages for a day or two, and that would be the extent of it.

This changed the paradigm completely. And I think the public has spoken, our leaders along with Legislators have said we cannot accept that as -- it's not acceptable. There may be parts of the country where that is acceptable but not here in Connecticut. We're never going to prevent in its entirety outages, but -- but we can do better in prevention and we can do better in restoration after the storms have hit.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I know part of the plan that I've read through here is on the tree-trimming policies, and -- and that's why I asked you that question about the number of trees that we've had from that 20-year period up until now. And you spoke to that, obviously, in regards to that.

So a lot of constituents who called me or e-mailed me or -- or just quite honestly spoke to me during the response to these storms would ask about underground utilities. I know in my development, it's fairly new; I think my development is about seven years old, where I live, and we have all underground utilities. So I don't think that would be one of the -- the causes of a problem where I live, but certainly what comes into our development, there would have to be maybe issues there where -- where the -- the grids are, I guess, I suppose.

So I was just wondering if at all during the discussions of the plan that maybe there were some discussion as opposed to tree trimming -- because I'm assuming that, well, I'll ask in a -- in a -- in a minute or two what the dollars were in regards to tree trimming -- but was there any talk of underground utilities as opposed to the -- the wire lines that we currently have, through you, Madam President?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, significant talk and discussions regarding undergrounding, and that -- that continues. The costs are significant, prohibitive and -- and to a large extent, although they will be part of the mix, wherever feasible and cost effective to look at undergrounding. There are -- there are times and places where it makes sense, but it has already been demonstrated that the costs are several-fold greater than the current system we have. But we will not eliminate that as a -- as an aspect of the overall review of how to protect the system.

Where possible, as I said earlier, covered wire will be increased, tree trimming will be increased, tree removal, in some cases, will be increased, undergrounding will be a part of the mix as -- as -- as well as microgrids, wherever feasible, and, as I said earlier, nonmicrogrid situations where we enhance the likelihood of protecting critical locations but may not be part of a microgrid component. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

That mix that you speak of, is that in the underlying bill or is that what's going to come out of the report that the plan ultimately provides at the -- at the -- at the end or after its inception? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, it is part of the report that will be reviewed to look at how to ensure the resiliency of the system and to look at the balance, as we spoke about earlier, of how to maximize tree trimming and tree cutting and removal but protecting our state's beauty as it relates to trees and as well as private-property rights. And so that -- that -- getting that balance right will take time but that -- that is a critical component, something that I've felt we've -- very strongly about that we needed to do and not just focus our resources on addressing outages and restoration after the storm hits and after the number of outages but to do what -- whatever we can within reasonable costs, within concerns for private-property rights and the visual nature of our state that we balance those issues off to try to ensure that -- that we're presenting as many outages as possible.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And I -- I thank the Chairman of the Energy Committee for -- for answering that question.

Obviously it was your committee, and I -- I think it may have been a couple of other committees, if I remember correctly, that participated, but the plan according to the bill would -- if I could just find it -- it says that the commissioner shall present it to the Governor for his or her approval -- her could be you, Madam President. But my question is wouldn't

the plan be best to be reported to the committee of cognizance, which would be your committee that developed this bill as opposed to the Governor or within conjunction to the Governor? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Senator Kane, could you direct me to the specific section you're referring to?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

We are LCO 5079; correct? I just want to make sure I'm on the right -- I do have the right one. It says, in Section 1, Subsection (b), it says that the commissioner shall present it to the Governor for his or her approval, this civil preparedness plan that we're -- is the underlying bill is to be presented to the Governor. So my question is: Would it also or be presented to the Legislature or at least the committee of cognizance; wouldn't it be best either to the committee of cognizance, which in this case would probably be the Energy and Technology Committee or in conjunction or along with the committee to the Governor? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, that is, as the gentleman has correctly identified and noted, that

this is current law and the -- the civil preparedness plan has always been presented to the Governor as an executive responsibility. There is no reason to believe that if the Energy Committee and Technology Committee were interesting in weighing it on that, that it could, but it's also been an executive function and responsibility regarding these issues because issues involving civil preparedness can happen at any time, whereas the Legislature is, as you know, a part-time institution. Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

No, I could appreciate that. I believe that it -- it is in -- an executive or administrative function and -- and the Governor has that right to put forth executive orders. But the -- it's certainly obvious that the Legislature can be called into action, if you will or back at any time; I mean, obviously the committee is what held these hearings after the two storms. So it's not as if we couldn't get the committee together. So that's why I was just curious if there was any thought to that. Certainly it is an administrative function, but since the committee held these meetings, these public hearings and -- and put together this legislation, I just thought that maybe they would look to be involved as well.

There's another section in regard to the bill that speaks to minimum staffing levels. I was hoping maybe you can speak to that. Is -- is that -- I'm -- I'm thinking that that's minimum staffing levels for the utility companies in response to these storms. Is that -- so that's something that this -- this plan will look at, based on the two storms that we just had? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, yes, the initial stage will review staffing levels as they currently exist for utilities, look at that from a standard, nationally, where we stand with respect to that -- will we -- are we understaffed; are we adequately staffed -- and then look at it from a standpoint of what we experience in these two storms, and should we have increased staffing that's in place on an ongoing basis and how that balances out with mutual aid agreements that we would bring in, in larger storm events. And that is one of the areas that we'll look at. But the entire area of what is the state of the industry, staffing levels, maintenance levels, all the way from what is the percentage of wires that are covered, how old are the tree -- are the -- are the poles to equipment that the companies have, there'll be a top-down review of this to -- to get a sense as to where our -- our utilities are, not only in the terms of what's good for Connecticut but where we've -- how we match up to industry standards nationally.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And can that be mandated? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, yes.

THE CHAIR:

And Senator Kane.

SENATOR KANE:

That's interesting. Thank you, Madam President.

Senator Fonfara, can you tell me, I just -- maybe it's silly, I don't know, but I just found it interesting -- the State Vegetation Management Task Force? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

I'm sorry, Madam President. Could the gentleman repeat the question?

THE CHAIR:

Yes. Could you repeat the question, Senator --

SENATOR KANE:

Of course.

THE CHAIR:

-- Kane, please?

SENATOR KANE:

Thank you, Madam President.

I -- I was curious what the State Vegetation Management Task Force is, through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, that is the result of the two-storm panel and the efforts of -- of the Governor to put together as quickly as possible a

process for looking at management of trees and other vegetation throughout our state as a -- as a consequence of the impact of the two storms on our, not only on our electrical system but also in terms of communication as well as just for public safety in general.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

So that's something that would only take place after an event like this, it's not something that would be ongoing, no need for funding or -- or anything like that? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, that is my understanding.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

In the bill, it talks about the communication plan and -- and I believe it was a plan for utilities to speak to the residential users. But -- and I know there's a section in here for municipalities -- but one of the things that came up in my district was the -- and I know this is -- this -- this certainly got worked on in the second storm and -- and was much better in the second storm, but it was the communication between the utilities and the towns, your town manager, your first selectmen, what have

you. And what I was told is they, the utilities, that is, knew exactly where their outages were but was not providing that information to the towns in an appropriate fashion or in a timely fashion, where the town could respond to those areas in their own community with, let's say, resources or need or if it's a fire engine, whatever it may be. So I'm just wondering if -- if part of this plan, this communication plan has to do with the utilities and their communication with the local officials when these type of events occur. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, yes. Section 6 speaks to the emergency plan and it adds communication and coordination with municipalities, as well as doing training exercises, so that their -- you involve municipalities in that process. Couldn't agree more with the gentleman who spoke about that earlier, as well, that that's an area that needs dramatic improvements. I think both the utilities understand that but this -- this aspect of the bill will address it and -- and codify it into regulation what that process would be. And the utilities will have to include that, both in their report and in their plans in terms of how they -- in term -- they intend to meet the standards on an annual basis. Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

That certainly satisfies my question because that -- I know dealing with -- with a couple of my municipalities, that was one of the things that came up and one of the concerns that they have. And I appreciate that part being in -- being in the bill.

There's another portion, and -- and forgive me, I don't -- you know the sections certainly better than I do; I -- I just happened to read it and then jot down notes. So I -- and I should have written down what section each portion of it was, and I -- and I didn't. I apologize. But there's another part of the bill that speaks to providing bill credits for customers. And I know, even in my own experience, that the utility companies as well as the -- the telecommunication carriers were very good. You know, I called them up and I said, hey, I -- I lost power for three days or -- or didn't have this or didn't have that, and they were great. They were, oh, yeah, we'll give you a credit; here's, you know, prorated for those days and think nothing of it. They didn't ask twice, so I'm wondering why that is mandated in the bill. It seemed to me, at least in my own experience, that they were very helpful and -- and obviously they knew what was going on; they knew that we were without power or we were without telecommunication, if you will, whatever it may be.

So if I'm incorrect, then please correct me, but I thought I read it that it would be almost mandated that they provide bill credits to individuals. Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, this is a world that is in transition, Senator Kane, in that some acts -- aspects of our telecommunication system is completely deregulated, some has some level of regulation, and other aspects more heavily regulated, and so it's difficult to write law to cover each and every entity that is doing business in Connecticut, depending on how much or if they're regulated at all. In some cases, we don't have reach to some of those providers. But we have written this in a way to indicate that we would hope they would include, in their own operations, if there are outages more than 24 hours

and if more than 10 percent that they will respond with credits.

And -- and currently in Connecticut law, if you lose cable service for more than that period of time, the law requires that credits be prorated based on the number of days out on a monthly basis. We've, in some cases, required but other cases encouraged that that happen as well for -- for communications' companies. Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Thank you, Senator Fonfara, for that answer.

I -- I just have a couple more. I know that -- I know you spoke with Senator Welch about the cable companies and that how they're into landline or what they would call "Voice over IP." And I know in my business, ironically, I didn't lose power but I lost my cable. And at my business, I have it bundled with the television, the Internet, and the phone lines. So although my business was open because I had flicked the switch and the power was on, I couldn't have -- nobody could call in. So, you know, it was very difficult to do business. We -- we rely, obviously on the phones that ring in from customers but also the Internet and fax machine, if you will, and whatever else. And, again, the carrier was great. I won't say who they were, but they actually forwarded my landline number over to my cell phone.

But did you find that that was a big concern, meaning the traditional landline? I don't believe you need power; you could still -- you still have a traditional landline, even if you don't have power, whereas the Voice over IP required power. Yet I had power and I had no Voice over IP. So I'm just curious what the makeup of that question was or the concern was and -- and how it corresponded, because I would assume more

and more people are moving towards that -- that medium. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, thank you, Senator Kane, for explaining it far better than I could.

The issue of how to address that is a complicated one because there's a -- there's a debate and question as to whether we have any regulatory authority over Voice over Internet Protocol in the first place. But I can tell you that there -- there is great interest on the part of the industry to participate in restoring power as quickly as possible. They need electricity in order to turn that on. And to the extent that our efforts to encourage them to meet the standards that we will, that PURA will lay out for telecommunication companies, we'll address the cable aspect of it. It doesn't -- cable is not written into this specifically but anyone who provides telecommunication services are either required or encouraged to meet the standards that will be developed. And we fully expect and anticipate that that will be done, and I -- I hope that and believe that these standards will have an effect in restoring power to your particular circumstance and other businesses and residents throughout our state who are getting their information in the manner that you -- you are and others are as well. Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And -- and I -- I literally had -- just have two more questions, if I may. One of the things --

THE CHAIR:

Please proceed --

SENATOR KANE:

-- that --

THE CHAIR:

-- sir. Sorry.

SENATOR KANE:

Thank you, Madam President.

One of the things that you spoke with Senator Roraback about was the spoilage of food items. And I don't know if this is apropos or analogous, but I remember during that time there was a lot of fraud in regard to, I think -- was it D-Snap, maybe I think it was -- the -- the fraud that occurred?

But how do we prevent that and in this case? You know, I, you know, how do we show that the customer lost all that food and -- and I -- and are there protocols for that? Is there some safety mechanism in here for that, I mean? And where do they go for that? Who -- who gives them a credit for that? The utilities give them a credit for that? I mean, I don't know, I -- it just struck a chord in my mind when I saw that section and when -- and you and Senator Roraback spoke. Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, that is why, among many other reasons why, this is a study as opposed to a policy enactment codified in this amendment. I -- I think your question has been raised by a number of people, along with many others as to how this policy might be carried out. And if -- if the recommendations come

back that we do establish as a policy that would have to be enacted by the Legislature and signed by the Governor, then those answers and probably several others would have to be worked through before we were to consider anything. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I have one last question, and it has to do --

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

It has to do with traffic, red lights, and traffic areas. And -- and I know there were many instances where intersections were out, and the local PDs, the local police, would put up stop signs at all four parts of the intersection. And people were pretty much gracious, actually. I think they understood the first one to the stop sign goes through, let the next guy go, and so on and so forth.

But -- but I can understand where some people are inpatient, they got to -- they're late for work; they want to, what have you. And thankfully it didn't cause too much chaos, but I think people understand courtesy. I think we learn that at a young age when we're in school and they tell us to wait our turn. But I -- I'm just curious if any of those type of conversations came up in regards to the red lights at these intersections and the reaction to that. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President; directly to that question, no, but again, with respect to the microgridding pilot, that certainly is something that towns could entertain as part of -- if they feel those are critical needs, some towns may have a critical location that they want to ensure continues to have power. And they could propose that it be part of that microgrid proposal in the pilot. Through you.

THE CHAIR:

SENATOR KANE:

Thank you, Madam President.

I -- I appreciate Senator Fonfara. Obviously his depth of knowledge on the subject is -- is immense, and -- and I appreciate the -- what all the committee's work. He certainly answered all my questions on the underlying bill, on the amendment, of course, but on the bill. And I -- I -- I look forward to voting in favor of the -- of the bill.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator McLachlan -- oops, Senator Fonfara.

SENATOR FONFARA:

If I could just ask that when the vote is taken, it be taken by roll, please?

Thank you.

THE CHAIR:

A roll call vote will be ordered, sir.

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President.

I've listened carefully to the description of this bill this afternoon. I want to thank the good Senator Fonfara and his committee for their work on it.

Certainly in -- in western Connecticut, in the greater-Danbury area where I live, this "megastorm," as it's often been referred to, was a big challenge for the residents of -- of all of Connecticut but certainly in western Connecticut. It was unusual, though, an observation made by some residents in the area that it seemed -- because we are right on the New York border -- it seemed that NYSEG, the New York State Electric & Gas Company didn't have some of the same challenges that Connecticut Light & Power had. Of course, that could be partially a change in weather patterns or whatever, but there were people noticing, for instance in Sherman, where the state highway in and out of the Town of Sherman -- we have two state roads that go in and out -- both were blocked by downed trees. And it was local Department of Public Works and State DOT that were awaiting arrival of the -- the power company crews to turn the power off so those trees could be removed. And yet a very short distance across the border, in the town in New York neighboring Sherman, they didn't have those similar challenges. So I think what that tells me is that there was a communications breakdown.

I believe Senator Fonfara has talked about the frustrations felt across the State of Connecticut with regards to communications, and that breakdown in communications translated to the inability of emergency services to reach residents of Sherman with an ambulance. And, in fact, the fire department had to advance the ambulance and cut trees so that the ambulance could get through and then take a very roundabout way to get to the hospital, which was about three-and-a-half-times the normal trip, time-wise to get to the hospital because of all the blocked roads. So it was a challenge for Sherman, a very serious challenge.

But it's still amazing to me how the residents and the volunteer emergency personnel in a small community like Sherman really stepped up to the plate and rolled up their sleeves and did everything possible to make residents comfortable and looked out for the elderly residents of -- of the town who were living alone and in some cases in isolated areas outside of town. So on a town level I think that their emergency response went reasonably well, given the very extreme nature of the obstructions that they experienced.

Their neighbor in New Fairfield was equally incredible in their response. I say so -- the First Selectman John Hodge from New Fairfield did a stellar job, absolutely spectacular job in the way that he responded with his team of emergency personnel, public works employees, and a cadre of volunteers that really came out of the woodwork. It was -- it was delightful to watch a community come together. And I think that this storm sort of showed us Yankee ingenuity, I think, in a lot of ways, and it showed us how much we can be good neighbors. I was -- I was just very pleasantly -- I don't want to say surprised -- but I was pleasantly disposed to know that -- that what I expect of my fellow Connecticut residents, I think came true. I saw some of the best of the best really give their heart to helping their neighbor in this bad storm.

But in New Fairfield, same problems, state roads, couple of state roads that were blocked, and in this case, the local Department of Public Works employees were ready, willing, and able to remove downed trees from the state roadways but were unable to have that good communication link with the power company that -- that could help facilitate that.

Now, I'm not telling you any stories that certainly Senator Fonfara has probably heard 169 times from every community in the state that was affected. Certainly some parts of the state, I guess, were only mildly affected. But I say this because it seems that the local municipalities who had written their emergency plans -- in the case of New Fairfield, had just very recently, earlier last year, done a tabletop of their emergency plan -- they were very organized

and they had just gone through the planning process. And so it was fresh in their minds and -- and it was perfectly executed, I think.

First Selectman Hodge had been able to recruit generation equipment, the big ones that come in on tractor trailers, had been able to recruit several of these and lit up the -- the education park, the high school building, so that it was lit up like a Christmas tree, and they fed thousands of people three meals a day. It was unbelievable that a small town like New Fairfield could respond the way they did so that the residents, assuming they could get out of their road from downed trees and able to get to New Fairfield High School, were able to go there to a shelter for showers, fresh water that was trucked in, bottled water was trucked in, and -- and have three meals a day. That was a pretty incredible undertaking, and kudos to the local volunteers that worked so hard to make that happen.

In fact, I can't help but mention as part of that description of what happened in New Fairfield, the Civil Air Patrol cadets that visited us here in the State Senate Chambers, just a couple of weeks ago, and I was very proud to welcome them and introduce you to them, they were some of the stellar volunteers that staffed this terrific shelter at New Fairfield High School and -- and did an awful lot of work.

And -- and shifting to Danbury, just briefly, the -- I live in downtown Danbury, and my neighbors at Crosby Manor, which is a -- a housing facility that's owned by the Housing Authority of the City of Danbury is literally across the street from my house. And so Crosby Manor's building is a multistory building with elevators; they weren't -- were not working, and that had backup generators that failed. And I think Senator Fonfara mentioned that that was happening across the state during this storm. So their generators failed, and now all of these residents had to be evacuated, mostly senior citizens, many who were medically challenged in -- in varying degrees of -- of need. And so they were all evacuated to the war memorial, which was converted to a shelter, also in downtown Danbury. But, once again, now the Red Cross

and a whole cadre of volunteers stepped up to the plate to make things happen.

I think the challenge of all of those three cases -- and -- and Bethel had similar challenges, too, but I'm -- just want to focus on those three that I've mentioned -- communications was key or lack of. All of those three communities had emergency plans in place and executed in their storm response, almost exactly as could be anticipated as they wrote their plans. But it was the communication breakdown with multiple, other outside organizations -- and it's not limited to the power companies -- but DOT had the same challenges trying to respond accordingly to -- to all the communities and even the state Emergency Management, because it was such an overwhelming, overwhelming storm.

I thought back to the time when Governor Grasso closed the roads in Connecticut. Certainly we didn't have that amount of snow, but it seemed that -- that the storm that we had in October was as dramatic an impact on the state as it was back in the days of Governor's Grasso's response to close the roads in Connecticut.

So I'm hopeful, based upon what I'm hearing and all the hard work that's been put into this bill by the Energy and Technology Committee, that coordination is once again priority one. In defense of all of those very dedicated people who were on the front lines in this response, this disaster -- it surely was a -- a disaster for the state -- time and time again I came across people who were my constituents who were volunteer firefighters, who were volunteer Red Cross workers, who were CL&P front-line personnel, firefighters, police, all of these people that really had to step up and -- and go the extra mile. They all gave 110 percent; you could see it. Many of them were tired, but -- but as I spoke to them, as I visited the storm response and all of the shelters across the district, time and time again I was heartened to speak to the people who were so dedicated in what they were doing, and in some cases not for a dime. Absolutely amazing, don't you think? Not for a dime their response. And I'm -- I'm just eternally grateful for all of their dedication, as I'm sure my colleagues here in -- in the Circle would agree.

One other point that -- that arose in my observation was what happens to the critically ill or those who are at home, not in a nursing home but at home and have exceptional medical needs? We came across a large number of senior citizens, and in some cases people younger than I, who were homebound, whose lives are in a wheelchair, who are on oxygen and have some more exceptional needs than you and I. And when they had to be moved to a shelter because their home was now entering its second-or-more days of no electricity, it was inappropriate to send them to the regular shelter, staffed by the Red Cross. And now this was another amazing undertaking wherein a collaborative effort by Danbury Hospital and the Western Connecticut State University Nursing Program, they came together and staffed a special needs' shelter.

Now, I share all of these stories because it just seems appropriate to highlight, as I've said, all the good work that people did in response to this storm but also that as this planning process continues and as we look to engage the utility companies in a far greater way of coordination with state Emergency Management and I believe, even more importantly, local municipality response to emergency management, that -- that those who are going through that planning process are able to understand the intricacies of the micromanagement, the neighborhood management that has to occur in such a storm response. I am very hopeful and thankful that this bill seems to be moving us in the right direction of refocusing the State of Connecticut's attention on all of this appropriate planning.

I'm also intrigued by the idea of microgrids being considered in this bill before us. Danbury is home to FuelCell Energy, and we are, I think at the cutting edge of manufacturing design and manufacturer of fuel cells. And fuel cells seem to be the ideal generation, source of generation for microgrids. And I'm hopeful that this means one more tool in the tool box, if you will, to enhance the idea of a Connecticut-grown industry of fuel cells, Danbury and Torrington home to a pretty spectacular industry, and that this legislative body has seen the wisdom of

honoring, highlighting, and helping to excel our own Connecticut's industries, I think that that's a move in the right direction. And although I understand that this doesn't fund the actual source of generation of fuel cells, it does seem to get local municipalities thinking that that might be a good direction to move.

So, Senator Fonfara and -- and your committee, certainly your Ranking Member Senator Witkos has participated in this, although he has recused himself in this debate, once again, I just want to say thank you for all the hard work you've done and this. And I stand firmly in support of this measure before us.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Boucher, I'm sure.

SENATOR BOUCHER:

Thank you, very much, Madam President, and great to see you this afternoon.

I may, once again, reiterate my gratitude for the consideration afforded; I know a very long day yesterday, and I promise you that this is going to be rather brief. I wanted to rise to support this particular amendment. It always gives me great pleasure to listen to my colleague Senator Scott Frantz of Greenwich when he talks about his vast knowledge in the area of weather and also his vast experience of being a seafaring gentleman and understanding the problems with flying and boating and other modes of transportation that made him such an asset on our Transportation Committee and on our Aviation Boards and Airport Boards. Given his vast experience and activities, weather is at the top of his mind, and that's great because we always learn something from him.

But this bill does highlight an issue that some of us would have rather not experienced this fall, and the

seven towns that I represent unfortunately seemed to be in the direct path and a target for the power outages that produced not one but two major catastrophes for our area. Not only did it affect us personally within our own families but also all of the residents, quite frankly, in all seven of my towns. And I would say the vast majority of them were without power a hundred percent of the time, for over a week, some ten days, some longer.

And although not everyone experienced discomfort, it became a crisis to a large degree because there a vulnerable population that often is being treated in the home, often with life-threatening illnesses, and these double power outages caused a tremendous amount of -- of pain and suffering, I might add. Some, actually, were in their last stages of an illness, of a terminal illness, and so the phone calls became fast, swift, and many of us lived every single day of those in command centers in the various towns to intercede on behalf of some of these residents. I don't think I ever received as many constituent calls as in those two power-outage periods.

In the aftermath of that period, we had some public hearings in the district to have those individuals most affected come forward and tell us what they thought and what their suggested remedies might be so that this wouldn't happen going forward. I might say that you -- your bill did touch on a number of them. It is a very good start. I think it's amazing, the expertise that we have within our communities and broached all manners of things, not just some of the failings of our largest utility companies, that was very clear that their processes failed internally and that this was a good learning experience for them to change their internal policies, it was a great learning experience for the State of Connecticut because we did have some issues with regards to commodity distribution and the issue of transportation and tree removals and the coordination between the state and local municipalities, their staff, their Department of Public Works, their law enforcement, their police and fire.

It gave us an opportunity, albeit in a very difficult environment, to get to know these individuals, our

first responders on a first-name basis and very close at hand. It also gave us on opportunity to be in the homes of some of these residents to see what we could do to help them. But it was tremendously frustrating, and they were looking for a response from the State.

And, as I said, some of us touched on the many suggestions that were brought forward, and I do commend Senator Fonfara, who has worked so long on this committee, on the Energy Committee, for actually having a bill that can be passed this year and hope that there were -- be further issues that can be worked on in next session's as well, as it really involves our Executive Branch and -- and their departments and functioning and how they interact with our local, as I said, police, fire, and first responders.

This double whammy that the state experienced, it can be very rare. But the erratic weather patterns that we're experiencing could produce many more. And it also brought to light many of the things that should have been in place post-September 11th, and it's great to see that now we actually have gotten serious about the interconnectedness, the coordination and the -- the service that we must provide for our most vulnerable citizens.

If you visited -- and it's interesting. In these communities, which some would -- would designate -- not all of the communities but some -- as more affluent in the State of Connecticut, it was remarkable how many of these shelters that were open throughout the district, that so many of our residents made use of, many in wheelchairs, many with respirators, some of them with oxygen tanks, and it was a very serious situation. Some were actually trapped in their homes because large trees fell across their yards. There was discussion about who has responsibility for these wires, these poles; was it town? Was it the local homeowner?

In particular, what was a concern to our residents is that they, many of them are on well water and on septic tanks. And as such, they are really isolated. And if they're isolated for a long period of time, those vulnerable citizens, if they can't get out of

their home and get to a shelter could really be put in very life-risking situations.

It's also about some of the towns to think about the possibility of introducing natural gas pipelines into our cities, and I've had great conversations with our Commissioner of the Department of Energy and Environment who has really thought about this very hard and has discussed his vision of making sure that each municipality that we have has a -- a center where at least major entities will have power that residents can make use of, whether it's the town hall, its library, its local grocery store, just critical services right in town. And, as I said, some of our communities are pursuing putting natural gas pipelines in there as well.

So this has spurred a tremendous amount of activity. Hopefully, it was a learning environment, and when the next occasion arises, that the residents will look forward to us, all of us handling it better, both at the utility level, the phone-company level, cable level, and the state-agency level. And I can express the gratitude of my constituents that you've put so much thought and effort into this. And, as I said, we look forward to further, you know, further additions to -- to this issue.

Thank you, Madam President; much appreciated.

THE CHAIR:

Thank you.

Will you remark?

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President, and a good afternoon to you.

THE CHAIR:

Maybe. Please proceed, sir.

SENATOR SUZIO:

Thank you, very much, Madam President.

First, I do want to congratulate Senator Fonfara in doing such a great job on developing a comprehensive bill to establish a response to the storms that we experienced last year.

And when I think about those storms, I think about my own, personal experience, in particular, like all of us do. And it just so happened that that week, ordinarily every summer and around the last week of August or so we -- we vacation up in New Hampshire. But last year, because my daughter, who now lives in New Mexico, was going to a wedding on -- scheduled for Saturday, the 26th of August -- or 7th of August in -- in Virginia Beach, Delaware, we decided to experience our vacation down in Rehoboth Beach, Delaware. And as we were leaving, we had read about this storm developing in the Caribbean, tropical storm that was developing in the Caribbean, and we thought, ah, it's just a little storm down there in the Caribbean, it's not going to bother us. But as we got down to Rehoboth Beach, and as we settled in, the reports of the storm started to get a little more concern to us.

And I remember sitting on the beach on that Tuesday, in my lounge chair, a beautiful, sunny day, and all of a sudden my chair started shaking. And I thought, oh, the wind is really blowing today; it's really blowing something else. But I turned around and everybody else was looking around, and that was, of course, the earthquake that had happened that day, which was only about not even a hundred miles away at the -- from where we were situated. So we experienced an earthquake in the middle of our vacation, for the first time. And, of course, that night the reports of the hurricane became more magnified and as it started rolling up the coast, and we realized that we were not going to be able to stay in Rehoboth Beach for the entire, planned vacation. We were ordered to leave Rehoboth Beach on that Friday, the 26th.

And it's a -- first time I've ever experienced an emergency evacuation from an area. It was quite an experience as thousands or cars were lined up to go up

the peninsula in Delaware that we were located on. They had actually changed one of the -- the -- split highways, the limited access highways so that you could go north on both -- both sides of the highway, both the typically northern -- northern-headed direction as well as the part of the highway that was typically headed south. Cars were allowed to go north, just to get them off the peninsula.

And when we arrived back in Connecticut that Friday night, before the hurricane hit, we had time to prepare for it. And, of course, it blew through on Saturday night into Sunday morning, and we thought we had escaped it because when we went to bed on Saturday night, there was plenty of electricity in the house and everything seemed to be fine and dandy. And lo and behold, of course, Sunday morning we woke up and -- and it was gone, the electricity was gone.

And I -- a few speakers ago I heard -- I heard Senator Welch talk about how his house was out for eight days; well, my house was out for eight days and then when the power was restored, within 24 hours after the power was restored, the transformer blew, and so we were out three more days. So I don't know if we should do a little, informal poll around the Circle about which Senator had the longest duration of power outage, but I would -- I would challenge anybody to beat that record of eleven days, basically.

And, of course, then we rolled into -- from Irene into the snowstorm Albert which was far more devastating, by my account. When I looked around the City of Meriden, which is my hometown, the damage, particularly damage done by fallen trees and fallen limbs was so much more obvious than it was with Hurricane Irene, as devastating as that was. I would say on a magnitude, it was -- it was triple the damage that I had seen with my own two eyes, with respect to what had been done with Hurricane Irene.

I would -- I would like, through you, Madam President, if I may, to ask the proponent some questions regarding the proposed legislation.

THE CHAIR:

Please proceed, sir.

Senator Fonfara --

SENATOR SUZIO:

Right.

THE CHAIR:

-- prepare yourself.

SENATOR SUZIO:

Thank you, very much.

I'd like to begin by saying that I represent the 13th Senate District, which represents Meriden, Middletown, Middlefield, and Cheshire, so we have basically two mid-sized, Connecticut cities and a couple of small towns in the district. And I was surprised, not only by the difference in terms of the impact of the storm, both storms on those four towns and cities but the response of the utilities, itself. In -- in Meriden, there was quite a bit. We had over a 90 percent outage, and it took several days of clamoring by our city leaders to get an orchestrated and organized response from CL&P.

And I was wondering how in the proposed legislation we can assure that with an overwhelming storm of the magnitudes that we experienced with Irene, Hurricane Irene and -- and the Storm Albert, how we are going to prioritize which areas are going to become the areas of first response and which are going to be lower down on the priority scale. So through you, Madam President, I would appreciate some insights that Senator Fonfara can --

THE CHAIR:

Senator Fonfara.

SENATOR SUZIO:

-- address with respect to that issue.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Through you, what I understand of how utilities make decisions in restoring power, it's based on a system of being able to restore as many customers per effort as possible. So if they can restore 5000 customers by fixing one area versus 500 in another area, they're going to focus on the 5000 customers first. And they start from the largest areas, obviously the transmission system and then the distribution system, and then out to the feeder system to the homes and businesses. But they will attempt to identify those fixes that are the most significant and will restore as many customers as possible first and then gradually working down to the smaller and smaller fixes to individual homes and businesses.

I will say, Senator Suzio, that one of the deficiencies of the system, and it may seem like it's antiquated -- and I happen to believe that -- that in many cases, the utilities still do not know who is out in a particular storm event or an event that may not be caused by a storm unless customers call and tell them.

SENATOR SUZIO:

Uh-huh.

SENATOR FONFARA:

The system is not designed at this point. Smart grids will help, the smart-grid system and smart meters will help significantly because there'll be a two-way communication system, and the utility managers will know much more quickly where those outages are and, in fact, when they repair a -- a part of the line that they'll know that beyond that there are more outages before they repair it, whereas right now they may not know until they repair certain aspects that they have more outages along the line. Through you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And I just have a couple of questions; this is not going to be long. But through you, Madam President, again, with respect to prioritizing the responses, is that something that's going to be subject to the approval of PURA or is it something that's going to be left in the discretion of the utilities, themselves, using some kind of a formula like, again, you know, where the concentration of customers are -- are out? How much leeway or discretion is going to be left to the utilities to decide what their priorities are in any given, extreme emergency? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I -- I believe with the exception of critical locations, folks who are reliant upon electricity for their immediate health needs, maybe on oxygen or other things like that, we will continue to have a system that they will repair based on the greatest number possible and then declining from there. But I believe that in this review, we will see an examination of the policies of how to communicate, how to deploy, what methods are used, how to ensure that the most efficient means available is utilized. And I suspect that that system will -- will get review as well. Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And I just have one, final question for the good Senator, and that is -- and it reflects the -- actually, ironically the situation in which I live, but it just so happens that on the street in which I live utility lines are arranged so that they are basically strung behind the houses and accessibility is -- is an issue. The CL&P announced a couple months ago that they proposed taking those behind-the-house utility lines and putting them up front, which has caused quite a stir in my particular neighborhood. And I'm certain we're not unique; there's other neighborhoods that have utilities that run behind the houses.

And one of the concerns of many people in the neighborhood is that while restoration of service might be accelerated by positioning the -- the utility lines up front, it will have a market effect on the value of the houses, because one of the things that's attractive about the neighborhood is the -- you don't have utility poles going up and down the street. And I was wondering if that's the kind of issue -- how that kind of issue, this balancing act that's going on between the aesthetic issue and the practicality but also, again, in a situation like this where it could have a very significant impact on -- on values of houses. And so people, I could tell you, I've seen people in the neighborhood, they're up in arms about it, and there's probably going to be a big fight. I was wondering what you might have, what your insights might be on that. Through you, Madam President, to Senator Fonfara.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

Senator Suzio, you've hit the nail on the head in terms of this balancing act, and I spoke about it earlier. I'll say again that it's probably one of the more difficult things that this effort to create

standards will face. And to be able to address issues such as yours, of -- I think there are going to be conversations going on around this state, in this process, where communities will have to examine their own situations, particular with their needs and where the community comes down on this. And there may be in places where towns will say, no, we would prefer to see more tree cutting going on because we want to ensure a greater number of -- of reducing the number of outages and increased reliability. There may be others where they'll say, we'll take our chances.

The difficulty comes in when you have, when somebody who wants both; they want the trees and they want their power, and that's not possible in every circumstance. So I'm hopeful that we can have a responsible debate in this regard and that depending on where towns come out and then ultimately what regulations are developed that -- that we can find a fair and balanced approach to doing this.

If we lived in Florida or other states, there might be other natural issues to contend with but trees aren't one of them. In most states in this country, trees, most states do not have covered wire, as an example, whereas as in the northeast and northwest, a very high percentage of utility lines are covered wire. It's just a -- a -- a reflection of our circumstances here. And we like our trees, we like our power as well. Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President.

Again, I do want to thank the good Senator for the time and effort he's put in. I -- I know my colleagues on my side of aisle are very supportive, and I do also support this legislation. I think it's a -- it's a right step in the right direction to address what was a very serious problem last year.

And I want to thank Senator Fonfara for all the work he put in.

And I thank you for the time, Madam President.

THE CHAIR:

Thank you.

Senator Fasano, with an F -- no Cassano, with an F. I got --

SENATOR FASANO:

That's right.

THE CHAIR:

-- it now.

SENATOR FASANO:

You got me up that first time; you tricked me.

THE CHAIR:

I'm sorry about that, sir.

SENATOR FASANO:

Thank you. Thank you, Madam President. Thank you, Madam President.

First of all, I'd like to join in the accolades for everyone who worked on this particular legislation, including the Governor's Office, who I know worked very hard, and -- and Senator Fonfara. And I know that energy bills could be quite the juggling experience in shuttle diplomacy. But I think that, you know, at times the State overreacts to situations, and I think in this case there's not an overreaction.

But if I can, I don't want to belabor the discussion on this any longer, but I need to get some legislative intent on some matters. So if I can, through you to Senator Fonfara, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO:

Thank you.

Senator Fonfara, in Section 4, which I believe are lines 181 and onward, there is discussion about electric distribution companies and participating -- and participating electric utilities. Do you consider them the same? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, could the Senator identify the particular line that -- that he's speaking to?

SENATOR FASANO:

As I understand, it's Section 4.

THE CHAIR:

Senator Fonfara.

SENATOR FASANO:

Sorry, Madam President. I'm sorry; Section 7, Madam President. I apologize. It would be Section 7.

THE CHAIR:

No problem.

Senator Fonfara.

SENATOR FASANO:

Line 358.

SENATOR FONFARA:

Through you, Madam President, the -- what we're speaking to there are electric utility companies that are investor-owned utilities and also speaking to participating municipal electric utilities that are non-profit utilities, not municipal owned. Through you.

THE CHAIR:

Senator Fasano.

SENATOR FONFARA:

Not -- not shareholder-owned, I should say.

SENATOR FASANO:

Thank you, Madam President.

So when it says electrical distribution companies and participating municipal electric companies, having the same meaning as provided in 16-1 of the Connecticut General Statutes, it's not to say that those two are the same, it's saying as they're defined in that section. Would that be a correct understanding of that section? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, yes, it is.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you.

And, Madam President, through you, would you consider an electric distribution company as a municipal --

municipal electric company? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, no.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you.

And, Madam President, through you, the municipal electric companies, would they have to report to PURA, through you, Madam President?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, specifically with respect to reporting on how they've responded to storm events, we're hoping that they would do that.

We are not in any way -- I want to put this on the record -- seeking to bring municipal utilities in under the regulatory regime that we have in this state. We have never done that. We are not seeking to get the proverbial camel's nose under the tent here with respect to municipals in any way, shape or form. But because of the impact and the magnitude of the storms that we experience, we believe that residents of the state, businesses of the state that are locating within the confines of the areas where municipal -- municipal utilities are located and have franchise areas, that they -- we want them to participate in reporting how they are managing after storm events as well. Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

And I think there's also some good that come -- can come out of that, because Wallingford did a terrific -- as a municipal electric company -- did a terrific job of getting the entire town on line, in short order. And maybe the manner in which they did it could serve as some purpose.

Madam President, there's a section in here that talks about trimming of trees, the -- the timing of trimming of trees. Would the municipal electric companies be forced to follow the maintenance plans as stipulated for UI and CL&P? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, no.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you.

And the last question I would have for the -- for Senator Fonfara is the legislative intent. Could you please state what effect this amendment would have on municipal utility companies? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, I -- I would hope it would have two effects. One is the specific objective that we just articulated with respect to the report. But additionally, I would hope that the utilities, while not in any way participating in this process other than that one area, I would hope that the municipal utilities would look at the standards that we're -- will be developed, see whether or not there is application in their towns.

There is no requirement, whatsoever, that they participate in any of these in any way. As you indicated, they did a very good job with respect to response to the storms, preparation and -- and restoring power to their customers. And we could learn a lot from how they did that, and I think we will. But anytime there's an exercise that will be undertaken to this magnitude, all of us can learn from it. And I would hope that the municipal utilities will not only participate in assisting the development of these standards, if they are asked to, but also that they review their own and as to how they might be able to improve their operations as well. But in no way are they required to or mandated to under this amendment. Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

I would like to thank Senator Fonfara again. With respect to municipal electric companies, Senator Fonfara has been a champion for these and a protector of these, and I appreciate the efforts with respect to this matter.

I just want to comment on one other section that I think Senator Frantz talked about, which was Section 12, dealing with the DEP -- DEEP's commissioner ability to work along particularly the

shoreline rivers' areas in allowing permits which he could otherwise grant through applications to do it summarily, in addition raising the 90 days or it should say 30 days to 90 days and not necessarily be consecutive days. That's a tremendous help to shoreline areas.

What we saw in East Haven was that the Tropical Storm Irene also had an abnormally high tide for a period of almost three or four months. The tides receded quite a bit since the storm, but during that short period of time, there was a necessity for folks to protect existing structures and there was a difficulty in obtaining the permits. So this will give a lot of latitude for a significant period of time for that to happen. So by incorporated new sections of the DEEP, D-E-E-P's Commissioner's responsibilities as well as extending the 90 days and not having it be consecutive, all that really works well.

There is a particular portion of the bill I'm not fond of, but you got to take the good with the bad. It's a study with respect to the food issue. I understand it but, you know, sometimes to go forward you've got to accept other things.

So with that, Madam President, I thank everybody who was involved in the Senate and in the House. I think this is a great step forward. It doesn't overreach, and I look forward to supporting it.

Thank you, Madam President.

THE CHAIR:

Will you remark? Will you remark?

If not, Mr. Clerk, will you call for a roll call vote on Senate "A?" The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate; Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senators, please stand near -- stay nearby after you vote. Thank you.

Are we waiting for one? They told me we're waiting for one. No?

If all -- if all members have voted; if all members voted, the machine will be closed.

Mr. Clerk, will you call the tally?

THE CLERK:

Senate Amendment Schedule "A," for Senate Bill Number 23.

Total number Voting	32
Necessary for Adoption	17
Those voting Yea	32
Those voting Nay	0
Absent, not voting	4

THE CHAIR:

The amendment passes.

Will you remark? Will you remark on the bill?

If not, Mr. Clerk, will you call for a roll call vote on the bill? The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate; Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members voted? If so, the -- the machine will be locked.

Mr. Clerk, will you please call the roll?

THE CLERK:

Senate Bill Number 23.

Total number Voting	34
Necessary for Passage	18
Those voting Yea	34
Those voting Nay	0
Absent, not voting	2

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would call as the -- the next item, Calendar Page 19, Calendar 443, House Bill 5024.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 19, Calendar 443, Substitute for House Bill Number 5024, AN ACT CONCERNING VOTING RIGHTS AS AMENDED BY HOUSE "A"; favorable report of the Committees on Government Administration and Elections, and Appropriations.

THE CHAIR:

Good afternoon, Senator Slossberg. How are you today?

SENATOR SLOSSBERG:

I am just fabulous, Miss -- Madam President. It is so nice so see you this afternoon.

THE CHAIR:

Oh, same here, ma'am.