



**The Energy and Technology Committee
Public Hearing, March 7, 2013**

Office of Consumer Counsel

Elin Swanson Katz, Consumer Counsel

Testimony of Elin Swanson Katz

**Senate Bill No. 839,
An Act Concerning Statutory Changes to Advance
Connecticut's Energy Policies**

The Office of Consumer Counsel (OCC) generally agrees with and supports this bill, which makes needed amendments to statutes relating to the Public Utilities Regulatory Authority (PURA or Authority), the Department of Energy and Environmental Protection (DEEP), and the State's energy policies, with the suggested changes and clarifications noted.

First, OCC is very supportive of the change in title of PURA members from "director" to "utility commissioner." This change conforms Connecticut's practice to the parlance and practice of the industry. The term "commissioner" also appropriately conveys the gravity and responsibility of the position. OCC also strongly supports the changes that give greater authority, responsibility, and independence to the PURA commissioners to organize their agency and staff, coordinate the activities of PURA, manage their budget, and otherwise engage in the administration of the Authority. These changes clarify and reinforce the Authority's role as an independent arbiter of just and reasonable utility rates and regulations.

Second, OCC supports the addition of language in Section 16-2(m) [Section 3, lines 172-178] stating that the decisions of the Authority shall be “guided by” the enumerated policies of DEEP, as this appears primarily to copy language from Sections 16a-3a(h) and 16a-3d(e). However, in copying the language from the prior section to 16-2(m), this bill eliminated the requirement that PURA’s decisions also be based on the evidence in the record of each proceeding. In order to provide due process to all parties to a proceeding and to ensure that the basis for any decision is properly supported by the record before the Authority and adequately articulated in its decision, this language should be included in this Section 16-2(m).

For similar reasons, OCC is confused as to why DEEP’s obligation to hold a public hearing on the integrated resources plan is removed from Section 16a-3a [Section 10, lines 429-432], perhaps inadvertently. In developing an essential and broad-reaching policy such as the IRP, it is of course important to ensure adequate process and opportunity to be heard for all stakeholders. This obligation should be added back in, here or in another part of the statutes governing the IRP.

Finally, in Section 16a-3d(b) [Section 11, lines 562-563], the bill creates an obligation by PURA to comment on the Comprehensive Energy Strategy’s (CES) impact on natural gas and electric rates. While this is certainly an important and appropriate role for the Authority, OCC suggests adding a timeframe for providing such comments, to clear up any confusion as to whether the comments are to be provided during development of the CES or after it has been finalized.

As the statutory representative for ratepayers, I believe the changes proposed in this bill, with the additions detailed above, will provide important benefits and protections to ratepayers.