

REGULATIONS OF CONNECTICUT STATE AGENCIES

Department of Energy and Environmental Protection

Public Utilities Regulatory Authority

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Description of Organization

Secs. 16-2-1—16-2-4.

Repealed, December 7, 1978.

Part 1

Introduction

Sec. 16-2-5. Creation and authority

The Public Utilities Control Authority was established in the executive branch of the state government by Public Act 486 of the 1975 General Assembly. The Authority operates according to powers conferred in various titles of the General Statutes relating to the regulation and supervision of public utilities and according to the constitutions of Connecticut and the United States. The principal title governing the operation of the Authority is Title 16.

(Effective December 7, 1978)

Sec. 16-2-6. Purpose and functions

The Public Utilities Control Authority is charged by statute with the regulation of public service companies, including railroad, street railway, motor bus, electric, gas, telephone, telegraph, pipeline, sewage, water and community antenna television companies; also motor carriers of property for hire; taxicabs, motor vehicles in livery service. This regulation function embodies the following activities: review and establishment of rates charged; investigation of complaints; inspection of plant and equipment; issuance of certificates of authority; investigation of fatal accidents; issuance of certificates and permits to motor truck and passenger carriers; and all other regulatory activities provided by law as set forth in Title 16 of the General Statutes.

(Effective December 7, 1978)

Sec. 16-2-7. Official address

The official address of the Authority is located at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06115.

(Effective December 7, 1978)

Sec. 16-2-8. Basic organization

The Public Utilities Control Authority consists of:

- (1) the Office of the Commissioners;
- (2) the Office of the Executive Secretary;
- (3) the Consumer Assistance and Information Division;
- (4) the Engineering Division;
- (5) the Rate Analysis, Statistics and Research Division;
- (6) the Utilities Operations and Management Analysis Division;
- (7) the Regulatory Accounting and Auditing Division.

(Effective December 7, 1978)

Procedures for Maintenance of Personal Data

Personal Data Act

Sec. 16-2-8a. Definitions

When used in Sections 16-2-8a to 16-2-8h inclusive, the following terms shall have the meanings herein specified, unless the context otherwise indicates.

(a) "Agency" means each state or municipal board, commission, department or officer, other than the legislature, courts, governor, lieutenant governor, attorney general or town or regional boards of education, which maintains a personal data system.

(b) "Attorney" means an attorney at law empowered by a person to assert the confidentiality of or right of access to personal data under this chapter.

(c) "Authorized representative" means a parent, or a guardian or conservator, other than an attorney, appointed to act on behalf of a person and empowered by such person to assert the confidentiality of or right of access to personal data under this chapter.

(d) "Automated personal data system" means a personal data system in which data is stored, in whole or part, in a computer or in computer accessible files.

(e) "Computer accessible files" means any personal data which is stored on-line or off-line, which can be identified by use of electronic means, including but not limited to microfilm and microfilm devices, which includes but is not limited to magnetic tape, magnetic film, magnetic disks, magnetic drums, internal memory utilized by any processing device, including computers or telecommunications control units, punched cards, optically scannable paper or film.

(f) "Maintain" means collect, maintain, use or disseminate.

(g) "Manual personal data system" means a personal data system other than an automated personal data system.

(h) "Person" means an individual of any age concerning whom personal data is maintained in a personal data system, or a person's attorney or authorized representative.

(i) "Personal data" means any information about a person's education, finances, medical or emotional condition or history, employment or business history, family or personal relationships, reputation or character which because of name, identifying number, mark or description can be readily associated with a particular person. "Personal data" shall not be construed to make available to a person any record described in subdivision (3) of subsection (b) of Conn. Gen. Stat., section 1-19.

(j) "Personal data system" means a collection of records containing personal data.

(k) "Personnel file" means that compilation of personal data, in either manual or automated form, which is necessary for the conduct of the department's business and which is kept and maintained by the department's personnel office.

(l) "Record" means any collection of personal data, defined in subsection (i), which is collected, maintained or disseminated.

(m) "Category of personal data" means the classifications of personal information set forth in the Personal Data Act, Conn. Gen. Stat. Sec. 4-190 (9).

(n) "Other Data" means any information which because of name, identifying number, mark or description can be readily associated with a particular person.

(o) "Employee personal data file" means that compilation of personal data, in either manual or automated form, which is necessary for the conduct of the department's business and which is kept and maintained by the department's personnel office.

(Effective August 22, 1986)

Sec. 16-2-8b. Categories of information in the department's personal data system

(a) Records Maintained

(1) Affirmative Action Plan

- (2) Applications for employment
 - (3) Arbitration folder
 - (4) Certification and exam request forms
 - (5) Certification of eligibles
 - (6) CETA
 - (7) Correspondence relating to personnel action
 - (8) Credit Union deductions
 - (9) Employee Health Benefit form after termination other than retirement
 - (10) Employee history cards
 - (11) Employee performance appraisals, including Managerial MIP
 - (12) Employees' time sheets
 - (13) Former employees' permanent files
 - (14) Inquiry regarding availability for appointment
 - (15) Job specifications
 - (16) Longevity increases
 - (17) Medical certificates
 - (18) Medical forms/Option changes in medical coverage
 - (19) Military service
 - (20) Monthly Personnel Status Reports
 - (21) MPS exam and records
 - (22) Notice of Personnel Action
 - (23) Personnel Position Change
 - (24) Prior State service
 - (25) Record of overtime pay
 - (26) Records of grievances
 - (27) Records of recruitment for individual vacancies
 - (28) Request for temporary service
 - (29) Request for temporary service in higher class
 - (30) Request for transfer
 - (31) Resumes
 - (32) Retirement forms including retirement applications, refund of retirement money
 - (33) Routine correspondence
 - (34) Salary schedules
 - (35) Tuition reimbursements
 - (36) Unemployment slips
 - (37) Waiver of appointments
 - (38) Workers' Compensation records
- (Effective August 22, 1986)

Sec. 16-2-8c. General nature and purpose of personal data system

(a) The nature and purpose of the employee personal data file system is to maintain accurate and current information regarding department employees' employment qualifications; employment history; relevant tax information; payroll related data and any other information necessary for the conduct of the department's personnel and employee related functions.

(b) The employee personal data file system is both manual and automated and is located at the office of the Department of Public Utility Control, One Central Park Plaza, New Britain, Connecticut. The department is responsible for maintaining

the system and requests for disclosure or amendment of information should be made in care of the department's personnel director.

(c) Employee personal data system is comprised of information contained in the individual employment files of each department employee.

(Effective August 22, 1986)

Sec. 16-2-8d. Maintenance of personal data

(a) Any personal data not relevant and necessary to accomplish the lawful purpose of the agency shall be disposed of in accordance with the department's record retention schedule, or upon permission from the Public Records Administrator to dispose of said records under Connecticut General Statutes, Section 11-8a.

(b) The department shall when practical and consistent with its needs and purpose, collect personal data directly from the person to whom a record pertains.

(c) All employees who function as custodians for the department's employee personal data file system, or are involved in the operation thereof, shall be given a copy of the provisions of the Personal Data Act; these regulations; and a copy of the Freedom of Information Act.

(d) All such departmental employees shall take reasonable precautions to protect personal data under their control or custody from the danger of fire, theft, flood, natural disaster and other physical threats.

(e) The department shall incorporate by reference the provisions of the Personal Data Act and these regulations in all contracts, agreements or licenses for the operation of a personal data system or for research, evaluation and reporting of personal data for the department or on its behalf.

(f) Another state agency requesting personal data from the department must insure that the personal data is maintained in accordance with the provisions of the Personal Data Act.

(g) Access to the employee personal data system is restricted to agency employees who the director of personnel has determined requires such information as necessary to discharge their supervisory, administrative, or management responsibility. In each instance the employee shall have a specific need to review the personal data records for a lawful purpose.

(h) The personnel office will maintain a complete up-to-date record of individuals entitled to review the department's employee personal data file system.

(i) Information contained in the department employee personal data file system shall not be duplicated, except when necessary, and for good cause. All information contained in the employee personal data file system will be considered confidential, will be transmitted in a manner to protect confidentiality, and will be maintained in a locked file system where access is controlled. In the event it is necessary to send personal data records through interdepartmental mail such records will be sent in envelopes or boxes sealed and marked "confidential."

(j) The automated data system equipment and records shall be located in a limited access area.

(k) The personnel office will require visitors to the limited access area to sign a visitors' log before permitting access to said area. Access shall be permitted only on a bona fide need-to-enter basis.

(l) Regular access to the limited access area shall be limited to its operations personnel.

(Effective August 22, 1986)

Sec. 16-2-8e. Disclosure of employee personal data file system information

(a) Any individual may request from the department whether the agency maintains personal data on that individual; the category and location of the personal data maintained on that individual and procedures available to review said information. Within four business days of receipt of said written request, the agency shall mail or deliver to the requesting individual a written response in plain language.

(b) Except where prohibited by law, the department shall disclose to any person upon request all personal data concerning that person which is maintained by the department. Such disclosure shall be conducted so as not to disclose any personal data concerning persons other than the individual requesting such information.

(c) Agency personnel shall verify the identity of any person requesting access to his or her own personal data.

(d) The department may refuse to disclose to a person medical, psychiatric or psychological data regarding that person if it is determined by the agency that such disclosure would be detrimental to the person, or if such nondisclosure is otherwise permitted or required by law. If the department refuses to disclose medical, psychiatric or psychological data to a person, it must inform the person of his or her right to seek judicial relief pursuant to the Personal Data Act.

(e) If the department refuses to disclose medical, psychiatric or psychological data to a person based on its determination that disclosure would be detrimental to that person and the nondisclosure is not mandated by law, the department shall, at the written request of such person, permit a qualified medical doctor to review the personal data contained in the person's record to be determined if the personal data should be disclosed. If nondisclosure is recommended by such person's medical doctor, the department shall not disclose the personal data and shall inform such person of the judicial relief provided under the Personal Data Act.

(f) A record shall be maintained of each person, individual, agency or organization who has obtained access to or whom disclosure has been made of personal data in accordance with Section 4-193 (c) of Connecticut General Statutes, together with a reason for each such disclosure or access. This log must be maintained for not less than five years from the date of such disclosure or access or for the life of the personal data record, whichever is longer.

(Effective August 22, 1986)

Sec. 16-2-8f. Procedures for contesting content

The following procedure shall be used in order to provide an opportunity to contest the accuracy, completeness or relevancy of personal data:

(a) Any individual may file a request with this department for correction of personal data pertaining to him or her.

(b) Within thirty days of receipt of such request, the department shall notify such individual that it will make the correction, or if the correction is not to be made as submitted, the department shall state the reason for its denial of such request and notify the person of his or her right to add his or her own statement to his or her employee personal data file.

(c) Following such denial by the department, the individual requesting such correction shall be permitted to add a statement to his or her personal data record setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the department's employee personal data system and shall be disclosed to any individual, agency or organization to which the disputed personal data is disclosed.

(Effective August 22, 1986)

Sec. 16-2-8g. Uses to be made of the personal data

(a) The following types of users have routine access to the records listed, for the purpose set forth:

- (1) Administrative Services Officer 3: administers personal policies;
- (2) Administrative Services Officer 1: administers personnel policies;
- (3) Senior Affirmative Action Officer: monitors personnel actions for compliance with affirmative action policies;
- (4) Business Services Officer: performs payroll related functions;
- (5) Personnel Assistant: processes and files personal data records;
- (6) Administrative Secretary: files and maintains personal data records;
- (7) Payroll Clerk: performs payroll related functions;
- (8) Senior Clerk: files and maintains personal data records.

(b) When an individual is asked to supply personal data to the department, the department shall disclose to that individual, upon request:

- (1) The name of the department and division within the department requesting the personal data;
- (2) The legal authority under which the department is empowered to collect and maintain the personal data;
- (3) The individual’s right pertaining to such records under the Personal Data Act and department regulations;
- (4) The known consequences arising from supplying or refusing to supply the requested personal data;
- (5) The proposed use to be made of the requested personal data.

Sec. 16-2-8h. Record retention schedule

<i>Record Title</i>	<i>Minimum Retention Required</i>
Affirmative Action Plan	7 years or until superceded, whichever is later
Applications for employment (hired)	permanent employee file*
Applications for employment (not hired)	5 years
Arbitration folder (suggested arrangement by subject)	5 years
Certification and Exam request forms (form 8 and 9)	1 year after life of list
Certification of Eligibles	1 year after life of list
CETA	1 year after audit—Central CETA file kept by State Personnel
Correspondence relating to personnel action	3 years
Credit Union Deductions	until audited, or 3 years, whichever is later
Employee Health Benefit form after termination other than retirement	1 year after date of employee termination
Employee history cards	55 years after termination
Employee performance appraisals, including Managerial MIP	permanent employee file*
Employees’ time sheets	until audited, or 3 years, whichever is later
Former employees’ permanent files (terminated files)	55 years after termination
Inquiry regarding availability for appointment	5 years
Job Specifications	until superceded
Longevity Increases	until audited, or 3 years, whichever is later
Medical Certificates (P33)	permanent employee file*

Medical Forms/Options changes in medical coverage	permanent employee file*
Military Service	permanent employee file*
Monthly Personnel Status Reports (sent to OPM)	1 year
MPS exam and records	5 years or as prescribed by an inhouse plan, whichever is later
Notice of Personnel Action (201)	permanent employee file*
Personnel Position Change (200)	3 years
Prior State Service	permanent employee file*
Record of Overtime Pay	until audited, or 3 years, whichever is later
Records of grievances	5 years
Records of recruitment for individual vacancies	5 years
Request for Temporary Service	1 year
Request for Temporary Service in Higher Class	permanent employee file*
Request for Transfer	varies depending on collective bargaining agreement
Resumes (not hired)	5 years
Retirement Forms including retirement application, refund of retirement money, etc.	permanent employee file*
Routine Correspondence	2 years
Salary Schedules	until superceded
Tuition Reimbursements	until audited, or 3 years, whichever is later
Unemployment slips (UC-61)	permanent employee file*
Waiver of Appointments	1 year after life of list
Workers' Compensation Records	permanent employee file*

* Fourteenth item entitled "Former employees' permanent files (terminated files)," specifies retention period for this record

(Effective August 22, 1986.)

Part 2

Course and Method of Operation

Subpart A. Office of the Commissioners

Sec. 16-2-9. Commissioners

The Authority consists of five commissioners who have overall responsibility for the operation of the Authority. Each commissioner is appointed by the governor with the advice and consent of the general assembly. The commissioners exercise equal responsibilities and duties in all policy, planning and quasi-judicial functions. The commissioners elect a chairperson and vice-chairperson who serve one year terms. The commissioners are assisted in performing their administrative and quasi-judicial functions by assistants to the commissioners.

(Effective December 7, 1978)

Sec. 16-2-10. Chairperson

The chairperson may assign panels of three commissioners to any matter coming before the Authority. The chairperson serves as the chief executive of the Authority

for administrative purposes. The chairperson is assisted in his administrative and quasi-judicial functions by an assistant to the chairperson.

(Effective December 7, 1978)

Sec. 16-2-11. Vice-chairperson

The vice-chairperson serves as the Authority's chief executive in the absence of the chairperson.

(Effective December 7, 1978)

Sec. 16-2-12.

Repealed, February 7, 1980.

Subpart B. Adjudication Division

Sec. 16-2-13. Adjudication division

The Adjudication Division is headed by a director and consists of the adjudication unit and the executive secretary's office.

(a) There is established a division of adjudication within the Department of Public Utility Control. The staff of the division shall include but not be limited to, hearing examiners appointed pursuant to subsection (c) of Section 16-2 of the General Statutes of Connecticut. The responsibilities of the division shall include, but not be limited to, hearing matters assigned under said subsection and advising the chairperson of the public control authority concerning legal matters.

(b) The staff of the executive secretary's office is responsible for maintaining the Authority's official dockets pertaining to all applications, petitions, requests and other filings. The executive secretary's staff receives, processes, and distributes records related to the dockets to technical staff and participants in the docket. The staff provides incoming and outgoing mail service for the agency. The staff is responsible for the distribution of draft decisions, notices of hearings and meetings, the issuance of final decisions of the authority and making the same available to the public. The staff manages the agency's data processing activities by developing, revising, and maintaining computer programs, maintaining computer hardware and software, coordinating word and data processing training efforts; provides courier services, manages and dispenses office supplies, and provides functional support services. The executive secretary's staff is responsible for the issuance of transportation certificates and permits.

(Effective August 18, 1988)

Secs. 16-2-14—16-2-17.

Repealed, August 18, 1988.

Subpart C. Advocacy and Operations Division

Sec. 16-2-18. Advocacy and operations division

The division is headed by a director and consists of the Business Office, the Human Resources Development Unit, the Prosecutorial Unit, the Communications and Consumer Services Unit, the Gas Pipeline Safety Unit, and the Utility Operations and Management Analysis Unit.

(a) The business office plans and monitors budgeted resources in compliance with budget provisions; handles administrative support functions; processes travel

authorizations, reimbursements, all purchases and administers accounts receivable and accounts payable including payroll and benefits programs.

(b) The Human Resources Development Unit plans and coordinates all agency employment activity including recruitment, screening, hiring, promotion, transfer, separation, training, labor relations and develops and administers the agency's affirmative action plan pursuant to the General Statutes of Connecticut. The staff of this unit counsels and refers employees regarding personnel and affirmative action related complaints. The staff develops and implements procedural forms and maintains records for the agency relating to all personnel and affirmative action related matters.

(c) The prosecutorial unit represents the overall public interest by presenting and defending an alternative case as a party in large utility rate proceedings; offers testimony and is subject to cross-examination; attempts to ensure that the record in such cases includes full development of state energy policy and probes utility company assumptions and assertions; may serve as staff in other matters before the department and cross-examines witnesses in hearings.

(d) The Communications and Consumer Service Unit is responsible for maintaining communications between the public and the authority. The staff responds to utility customer complaints, resolves consumer/utility disputes regarding billing and service, and analyzes complaints to detect systematic problems affecting groups of customers. The staff provides decision summaries to interested ratepayers and may cross-examine witnesses in hearings. The staff also keeps the authority fully advised of consumer problems and attitudes.

(e) The Gas Pipeline Safety Unit's technical staff monitors pipeline safety plans and activities of Connecticut's gas pipelines to ensure that all relevant federal and state laws and regulations are being complied with and that the safety of the citizens of Connecticut is protected. The technical staff inspects interstate and intrastate gas pipeline operations in Connecticut.

(f) The Utilities Operations and Management Analysis Unit is responsible for the conduct of authority mandated management audits of Connecticut's utilities. These audits, under authority supervision, may be conducted by independent managerial consulting firms, authority technical staff or utility staff. The unit develops the scope of the audit, supervises the audit process, evaluates the findings, and makes final recommendations to the authority. The unit recommends implementation procedures and monitors compliance with audit recommendations.

(Effective August 18, 1988)

Sec. 16-2-19. Schedule for managerial audits; hearing examiners

The electric, gas and telephone utilities are audited every three years with a possible waiver to six years. Water companies are audited at the discretion of the Authority. Staff members may be appointed to conduct authority hearings and act as hearing examiners.

(Effective August 18, 1988)

Subpart D. Utility Regulation and Research Division

Sec. 16-2-20. Utility regulation and research division

The Utility Regulation and Research Division is headed by a director and consists of the Utility Regulation Unit and the Research and Policy Unit. The staff provides information and analysis to the commissioners for decisions in department cases including general rate proceedings and generic investigations. The staff reviews

filed material, submits interrogatories, cross-examines witnesses, and participates in drafting agency decisions for review by commissioners and hearing officers.

(a) The Research and Policy Unit Staff reviews, analyzes and interprets agency activities and decisions in the light of broad regulatory policy; conducts generic studies and investigations; informs commissioners and staff about regulatory actions of other states; analyzes data provided by parties in major dockets; cross-examines witnesses; and coordinates the agency's legislative activities.

(b) The utility regulation unit consists of the water section, gas section, transportation section, electric section and telecommunications section. The five sections are each headed by a supervisor who supervises technical staff trained in engineering, accounting, rates design, finance, economics and transportation. The technical staff in each section performs complex investigations of utility related rates, accounting, finance, engineering and generic matters pending before the department. The technical staff examines, calculates, and/or verifies current and proposed rates and revenues of all regulated utilities; maintains the integrity of each utility company's tariffs; addresses such other matters as new construction, electric and gas fossil fuel clauses, utility conservation, cogeneration, and various generic topics; applies results of cost-of-service analyses of utility operations. The technical staff analyzes prior expense submissions, expense projections, return on equity levels, revenue requirements, and proposals to issue new debt or equity capital; monitors company's compliance with appropriate accounting systems. The staff examines the design, construction, and cost appropriateness of utility plant; reviews depreciation schedules; monitors compliance with state and federal safety and other standards; investigates utility related fatalities and accidents.

(Effective August 18, 1988)

Part 3

Public Information

Sec. 16-2-21. Policy

The Authority shall make available for public inspection all files, records, documents and other materials within its possession and not exempt from disclosure by statute. Disclosure shall be made pursuant to Section 16-2-22 of these regulations. The executive secretary's staff is responsible for the dissemination of public records in accordance with Chapter 3 of the General Statutes.

(Effective August 18, 1988)

Sec. 16-2-22. Requests for information

The public may obtain information concerning the Authority by writing to the Authority at its office address or by visiting its office during normal business hours. Requests for information should be directed to the Department of Public Utility Control, Executive Secretary, One Central Park Plaza, New Britain, Connecticut 06051. There is no prescribed form for requests for information. Requests should be sufficiently specific to permit easy identification of the information requested. Simple requests may be made orally, in person or by telephone; detailed requests should be in writing. Persons requesting information will be required to pay reasonable reproduction costs in accordance with Section 1-15 of the General Statutes of Connecticut.

(Effective August 18, 1988)

Sec. 16-2-23. Complaints

All consumer complaints should be addressed to the Department of Public Utility Control, Communications and Consumer Service Unit, One Central Park Plaza, New Britain, Connecticut 06051. All other complaints should be sent to the Department of Public Utility Control, Executive Secretary, One Central Park Plaza, New Britain, Connecticut 06051.

(Effective August 18, 1988)

Sec. 16-2-24. Public inspection

All regulations and all other written statements of policy or interpretations formulated, adopted, or used by the Authority in the discharge of its functions and all final orders, decisions and opinions of the Authority are available to the public in the Office of the Executive Secretary, One Central Park Plaza, New Britain, Connecticut, 06051.

(Effective August 18, 1988)

Sec. 16-2-25. Authority meetings open to the public

The meetings of the Authority shall be open to the public in accordance with the provisions of Section 1-21 of the General Statutes of Connecticut.

(Effective August 18, 1988)