

REGULATIONS OF CONNECTICUT STATE AGENCIES

Department of Energy and Environmental Protection

Public Utilities Regulatory Authority

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Excessive Rates Pursuant to Public Act 94-219
Comparatively Excessive Rates

Sec. 16-10a-1. Definitions

As used in this section:

(a) "Company" means any public service company as defined in § 16-1 (4) of the Connecticut General Statutes, that has 5,000 or fewer customers, other than a community antenna television company as defined in section 16-1 (14), and including any water company as defined in section 16-1 (10) regardless of the size of the customer base.

(b) "Customer" means any person, firm, corporation, company, association, governmental unit, or lessee who by the terms of a written lease is responsible for a water bill or owner of property furnished utility service by a service company.

(c) "Department" means the Department of Public Utility Control.

(d) "Economic Development" means the maintenance and improvement of business, industry and commerce and tourism in the state.

(e) "Petition" means a request for department review of a company's rates that meets the requirements of section 16-10a-2 and is in compliance with the provisions governing petitions to the department in general, sections 16-1-10 through 16-1-15 and sections 16-1-45 to 16-1-52, the suitable form to be provided by the department.

(f) "Rates" means any tariff, rate, charge, or contract authorized by the department pursuant to sections 16-19 or 16-19e of the General Statutes.

(g) "Same or similar service" means a company provides the types and mix of services (residential only; residential and commercial; residential, commercial and industrial) offered by a company that is the subject of the petition.

(h) "Unreasonable cost" means that rates are excessive based upon factors including but not limited to, tax liability, size, supply source, age/condition of infrastructure and compliance with state and federal regulations, and other relevant factors pertinent to public service companies.

(Effective October 26, 1995)

Sec. 16-10a-2. Petitions

The petition must contain information establishing that another company (or companies) with the same or similar service has comparatively lower rates. The petition must also contain information that the comparatively higher rates charged by the company have been at that level for five consecutive years preceding the filing of the petition; and inhibit the economic development of the area served by the company or impose an unreasonable cost on the customers. The petition must contain information establishing that the costs of the subject company are unreasonable when compared with another company (or companies) with the same characteristics.

(Effective October 26, 1995)

Sec. 16-10a-3. Hearing

The department may hold a hearing on a petition regarding comparatively excessive rates if (1) it determines that the petition satisfies the criteria set forth in section 16-10a-1 (e), and (2) a previous petition has not been acted upon by the department in the 18 month period prior to the petition or within an 18 month period subsequent to a rate proceeding involving the Company.

(Effective October 26, 1995)