



## OFFICE OF THE FIRST SELECTMAN

**Michael R. Criss**  
**First Selectman, Town of Harwinton**

### ***ENERGY & TECHNOLOGY COMMITTEE***

March 9, 2021

Good Afternoon, my name is Michael R. Criss, I am the First Selectman for the Town of Harwinton and I am submitting testimony regarding H.B. 6442 "An Act Concerning Equitable Access to Broadband"

#### **H.B. 6442 "An Act Concerning Equitable Access to Broadband".**

Thank you for the opportunity to comment and submit testimony on proposed "An Act Concerning Equitable Access to Broadband".

We support HB 6442 but under certain conditions: That the market is open to clear and equitable competition. If there is not an open market, then holding cable and internet companies to properly invest and maintain their infrastructure to provide the level of service they claim to provide. Harwinton has received dozens of complaints within one week of surveying, in regards to Spectrum/Charter not being able to provide proper service while still charging exorbitant prices. Users complain about blacked out channels, irregular internet speeds or no internet all together leaving customers stranded while trying to work or teach from home. The 'light-touch' framework governing this industry is not working. If we are going to hold Eversource accountable to provide superior service to the residents of Connecticut, then we must hold internet and cable companies to the same standard. Consumers are already paying exorbitant prices during difficult times with little or no response from the industry as a whole.

Broadband would bring about a new age and much needed true, reliable services to the Connecticut residents and, quite honestly, should've been a priority to cable and internet companies before it got to this point.

Although these companies claim to invest in new technology and network upgrades the end result is not felt by the consumers. If anything, this pandemic has showed us how subpar the telecommunication networks are throughout state.

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Furthering the problem is the lack of true response to communities during major storms and events and to properly fix and credit customers accordingly for prolonged outages. Most of the time, leaving downed wires staples to a tree or scrap piece of pole dangling over the roadways. Something needs to be done in order to be able to deliver true broadband to the northwest corner. We believe this bill is the first step. There should be no cost to the customer, in fact they should be credited for lost service and inconvenience.

It's time to open the market to see who is ready to help move Connecticut forward.

Thank you for allowing me to submit testimony in support, with revisions as suggested by CCM testimony, of H.B. 6442 on behalf of the Town of Harwinton. If you have any further questions, please feel free to contact me at any time.

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# 2021 Testimony

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## *Energy and Technology Committee*

March 9, 2021

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members representing 168 towns and cities.

H.B. 6442, "An Act Concerning Equitable Access to Broadband."

### **CCM supports with revisions H.B. 6442.**

On behalf of cities and towns across Connecticut, the Connecticut Conference of Municipalities would like to thank the Governor for his attention to broadband access and equity in Connecticut; we appreciate the opportunity to provide input on H.B. 6442.

While we overwhelmingly support the intention behind this proposal, we do have a few suggestions. Over the last month or so CCM has worked through an internal working group to discuss the broadband equity and access issues across our state in anticipation of this proposal being presenting by the Governor. During those discussions and then subsequently specifically related to the bill before you, we propose the following improvements to the bill:

1. Related to the levels of mandated service, as required in sections 18-19, we are proposing they be eliminated from the bill related to specific megs up and down. These levels should not be written into statute, but instead be managed through regulation or oversight by the Office of the State Broadband (OSB). This will eliminate the need to make changes through the legislative process.
2. Additionally we request the bill explicitly prohibit data and speed caps.
3. In section 7 – regarding the use of LOCIP funding, the question was raised as to whether when using these monies on BB projects if the connection of buildings/infrastructure that are not municipal could be part of that use. Municipalities may only use these funds for municipal broadband initiatives, which we assume would include buildings across the community municipally owned or not, correct? We would like to ensure that these funds can be used to support public private partnerships for these municipal broadband initiatives and that towns can use these funds to connect all buildings within the

community.

4. Section 6, language in lines 139-143, which seeks provide that if a municipality to sell its right on the gain to a third party, such third party will be required to pay any such fees required to attach to the utility pole. We are requesting these lines be deleted. It is unclear what the word “sell” means in this section. C.G.S. 16-233 provides municipalities the right to occupy the municipal gain space, for free, on the utility pole. That being said, should a municipality seek to build a broadband network by entering into a public private partnership, the company who partners with such municipality for such project should be provided the same rights on the utility pole, essentially acting as the municipality.
5. Finally, CCM would suggest that the funding, deployment, mapping, oversight and other such provisions under the bill related to broadband expansion in the state should be centralized under the Office of the State Broadband (OSB) within the Office of the Consumer Council (OCC). This legislative body in 2015 enacted P.A. 15-5, which created and empowered the OSB to, (1) facilitate the availability of broadband access to every citizen and the adoption of ultra-high-speed gigabit capable broadband networks, and (2) work in collaboration with public and private entities, and (3) procure grants for such purpose. H.B. 6442 presents an opportunity to continue to support the OSB and its work to expand broadband across the state – centralizing the initiatives under this bill will make more efficient and realistic the process to achieve goals for universal access in Connecticut.

### **UNIVERSAL COVERAGE MANDATE**

CCM supports provisions in the bill that mandate universal coverage of broadband across the state by 2027. The last year has called attention to the states lack of equitable broadband access across all communities. This was and remains especially problematic for our children who, across city and town borders, have not had and still do not have equitable access to education and remote learning. Mandating universal access ensures the internet service providers make critical investments in areas that are unserved and underserved in Connecticut.

### **MAPPING**

It is critical that the state understand where our current infrastructure exists now and continues to understand where this infrastructure is as we build out broadband across those areas that are unserved and underserved.

### **ONE-TOUCH MAKE READY**

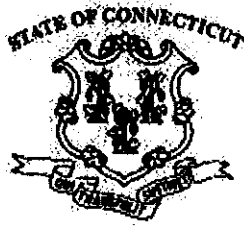
CCM supports provisions of this bill that support the adoption of what is a “state of the art” system for deploying telecommunications infrastructure. This system is known as the “one-touch make-ready” process, streamlines the entire pole attachment process by reducing as many as 5-6

truck rolls, by diverse attachers, down to a single truck roll. It enables a single qualified entity to do all necessary new attachments and rearrangements of existing attachments in the communications space. This process provides a very useful framework for expediting pole attachments that provide broadband service.

CCM encourages the **committee to support H.B 6442 with the revisions suggested above.**

★★★★

If you have any questions, please contact Donna Hamzy, Advocacy Manager of CCM at [dhamzy@ccm-ct.org](mailto:dhamzy@ccm-ct.org) or (203) 843-0705.



General Assembly

January Session, 2021

**Governor's Bill No. 6442**

LCO No. 3274



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:

Request of the Governor Pursuant  
to Joint Rule 9

**AN ACT CONCERNING EQUITABLE ACCESS TO BROADBAND.**

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

1 Section 1. (NEW) (*Effective July 1, 2021*) As used in this section:

2 (1) "Broadband Internet access service" means a mass-market retail  
3 service by wire or radio that provides the capability to transmit data to  
4 and receive data from all or substantially all Internet endpoints,  
5 including any capabilities that are incidental to and enable the operation  
6 of the communications service, but excluding dial-up Internet access  
7 service;

8 (2) "Broadband Internet access service provider" means any person or  
9 entity that provides broadband Internet access service through facilities  
10 occupying public highways or streets authorized by the Public Utilities  
11 Regulatory Authority, including through a certificate of public  
12 convenience and necessity, a certificate of video franchise authority, a  
13 certificate of cable franchise authority, or as a certified

14 telecommunications provider;

15 (3) "Content, applications and services" means all traffic transmitted  
16 to or from end users of a broadband Internet access service; and

17 (4) "End user" means any person or entity that uses a broadband  
18 Internet access service.

19 Sec. 2. (NEW) (*Effective July 1, 2021*) In carrying out the provisions of  
20 this act, the state agencies shall consider the extent to which their  
21 programs or policies provide for affordable, high-speed broadband  
22 Internet access service that is vital to the welfare and development of  
23 our society; will promote economic development in the state; will  
24 expand educational and employment opportunities for residents of the  
25 state; will improve access to telehealth services, as that term is defined  
26 in section 19a-906 of the general statutes; and will enhance the delivery  
27 of services by public, private and not-for-profit institutions and entities.  
28 Such programs and policies shall (1) ensure the universal availability  
29 and accessibility of high-speed broadband Internet access service to all  
30 residents and businesses in the state, (2) establish an advanced standard  
31 for broadband Internet access service that increases with consumer  
32 demand and technological developments, (3) ensure that broadband  
33 Internet access service is available and affordable on a  
34 nondiscriminatory basis for all segments of the state's population,  
35 regardless of income, race, ethnicity and religion, (4) study and create  
36 structures that allow partners and providers to successfully build and  
37 sustain broadband Internet access service infrastructure in all corners of  
38 the state, (5) ensure that state, municipal and private educational  
39 institutions have continual access to broadband Internet access service  
40 at all times for educational and learning purposes, (6) encourage  
41 existing and new broadband Internet access service providers to pilot  
42 and offer affordable services for residents, businesses and state and  
43 municipal governments, (7) create a regulatory environment that  
44 protects consumers and incentivizes innovation, competition and robust  
45 services from broadband Internet access service providers, and (8)  
46 invest in the development of a diverse broadband Internet access service

47 technology workforce by encouraging strong ties to the state's  
48 educational community to grow the talent pipeline.

49 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) The Office of Policy and  
50 Management shall, in accordance with sections 4d-90 and 4-67p of the  
51 general statutes and in consultation with the Department of Energy and  
52 Environmental Protection, the Office of State Broadband, the  
53 Department of Economic and Community Development and other state  
54 agencies deemed appropriate by the Office of Policy and Management,  
55 develop a plan and reporting requirements to produce up-to-date maps  
56 of broadband availability and upload and download speeds in the state.  
57 Broadband Internet access service providers shall be consulted in the  
58 development of the plan and reporting requirements for producing and  
59 maintaining detailed and accurate broadband maps for the state. The  
60 Office of Policy and Management may employ outside consultants in  
61 the development of such maps.

62 (b) The Commissioner of Economic and Community Development  
63 shall make recommendations to the Office of Policy and Management,  
64 for inclusion in the joint report pursuant to subsection (c) of this section,  
65 concerning the needs of the business community and economic  
66 development.

67 (c) On or before January 31, 2022, the Office of Policy and  
68 Management, the Office of State Broadband and the Department of  
69 Energy and Environmental Protection shall jointly report to the  
70 Governor concerning the status of the plan described in subsection (a)  
71 of this section.

72 (d) The Commission for Educational Technology shall, in  
73 consultation with the Department of Education, the Office of State  
74 Broadband, the Office of Policy Management, the Connecticut State  
75 Colleges and Universities, the Office of Higher Education and the  
76 Department of Economic and Community Development, conduct an  
77 analysis on the availability of broadband Internet access service and  
78 learning devices for students in prekindergarten to grade twelve,



79 inclusive, and post-secondary education, including vocational and  
80 technical opportunities, in concert with and informed by state  
81 broadband mapping activities.

82 (e) On or before July 1, 2023, the Commission for Educational  
83 Technology shall submit a report to the Governor and the General  
84 Assembly. Such report shall provide the status of the analysis required  
85 pursuant to this section.

86 Sec. 4. (NEW) (*Effective July 1, 2021*) (a) On or before January 31, 2022,  
87 the Department of Energy and Environmental Protection shall, in  
88 consultation with the Office of State Broadband, the Department of  
89 Economic and Community Development, the Commission for  
90 Educational Technology and the Office of Policy and Management,  
91 establish a broadband Internet speed classification metric of (1) well  
92 served, (2) adequately served, and (3) underserved communities in the  
93 state to inform state policy, investment strategy and consumer  
94 awareness. Such Internet speed classification metrics shall include both  
95 upload and download speed metrics and other applicable standards, as  
96 determined by the Department of Energy and Environmental  
97 Protection, and shall be adjusted annually, as provided in subsection (c)  
98 of this section, as of the following October first and each subsequent  
99 October first.

100 (b) On or before January 31, 2022, and annually thereafter, the  
101 Department of Energy and Environmental Protection, in consultation  
102 with the Office of State Broadband, the Office of Policy and  
103 Management and the Department of Economic and Community  
104 Development, shall report on the broadband Internet speed  
105 classification metrics, described in subsection (a) of this section, and  
106 additional data sharing requirements developed in subsection (a) of  
107 section 3 of this act, to the Governor and the joint standing committee of  
108 the General Assembly having cognizance of matters relating to energy.

109 (c) On or before January 31, 2022, and annually thereafter, the  
110 Department of Energy and Environmental Protection, in consultation

111 with the Office of State Broadband, the Office of Policy and  
112 Management and the Department of Economic and Community  
113 Development shall report on the status and progress made towards a  
114 state-wide goal of attaining, on or before January 1, 2027, universal  
115 access to (1) broadband Internet download speeds averaging one gigabit  
116 per second, and (2) broadband Internet upload speeds averaging two  
117 hundred megabits per second to the Governor and the joint standing  
118 committee of the General Assembly having cognizance of matters  
119 relating to energy, until such time as said goal is met.

120       Sec. 5. (NEW) (*Effective July 1, 2021*) (a) Each broadband Internet  
121 access service provider shall maintain and make available to an Internet  
122 service account holder and to the owner of the serviced property, free of  
123 charge, records of the property's available broadband Internet upload  
124 and download speeds for the preceding twelve months of occupation.

125       (b) For any property, the property owner shall, at the time the  
126 property is publicly listed for sale or rent, disclose, upon request, the  
127 broadband Internet upload and download speeds for the preceding  
128 twelve months of occupation.

129       Sec. 6. Section 16-233 of the general statutes is repealed and the  
130 following is substituted in lieu thereof (*Effective July 1, 2021*):

131       Each town, city, borough, or fire district [or] and the Department of  
132 Transportation shall have the right to occupy and use for any purpose,  
133 including, but not limited to, the provision of broadband Internet access  
134 service by any town, city or borough to the public in such town, city or  
135 borough, either directly or through commercial arrangements with  
136 third-party entities, without payment therefor, one gain upon each  
137 public utility pole or in each underground communications duct system  
138 installed by a public service company within the limits of any such  
139 town, city, borough or district, provided, if a town, city or borough sells  
140 its right to occupy and use said gain to a private third-party company,  
141 such company shall pay any public utility pole administration or  
142 attachment fees applicable, notwithstanding the provisions of this

143 section. The location or relocation of any such gain shall be prescribed  
144 by the Public Utilities Regulatory Authority. Any such gain shall be  
145 reserved for use by the town, city, borough, or fire district [or] and the  
146 Department of Transportation.

147 Sec. 7. Subdivision (4) of subsection (a) of section 7-536 of the general  
148 statutes is repealed and the following is substituted in lieu thereof  
149 (*Effective July 1, 2021*):

150 (4) "Local capital improvement project" means a municipal capital  
151 expenditure project for any of the following purposes: (A) Road  
152 construction, renovation, repair or resurfacing, (B) sidewalk and  
153 pavement improvements, (C) construction, renovation, enlargement or  
154 repair of sewage treatment plants and sanitary or storm, water or sewer  
155 lines, including separation of lines, (D) public building construction  
156 other than schools, including renovation, repair, code compliance,  
157 energy conservation and fire safety projects, (E) construction,  
158 renovation, enlargement or repair of dams, bridges and flood control  
159 projects, (F) construction, renovation, enlargement or repair of water  
160 treatment or filtration plants and water mains, (G) construction,  
161 renovation or enlargement of solid waste facilities, (H) improvements to  
162 public parks, (I) the preparation and revision of local capital  
163 improvement plans projected for a period of not less than five years and  
164 so prepared as to show the general description, need and estimated cost  
165 of each individual capital improvement, (J) improvements to emergency  
166 communications systems and building security systems, including for  
167 schools, (K) public housing projects, including renovations and  
168 improvements and energy conservation and the development of  
169 additional housing, (L) renovations to or construction of veterans'  
170 memorial monuments, (M) thermal imaging systems, (N) bulky waste  
171 and landfill projects, (O) the preparation and revision of municipal  
172 plans of conservation and development adopted pursuant to section 8-  
173 23, provided such plans are endorsed by the legislative body of the  
174 municipality not more than one hundred eighty days after adoption by  
175 the commission, (P) acquisition of automatic external defibrillators, (Q)  
176 floodplain management and hazard mitigation activities, (R) on-board

177 oil refining systems consisting of a filtration canister and evaporation  
178 canister that remove solid and liquid contaminants from lubricating oil,  
179 (S) activities related to the planning and construction of a municipal  
180 broadband network, provided the broadband Internet download speed  
181 of the network shall be not less than [three hundred eighty-four  
182 thousand bits per second] one gigabit per second and the broadband  
183 Internet upload speed of the network shall be not less than two hundred  
184 megabits per second, (T) establishment of bikeways and greenways, (U)  
185 land acquisition, including for open space, and costs involved in making  
186 land available for public uses, (V) acquisition of technology related to  
187 implementation of the Department of Education's common core state  
188 standards, (W) technology upgrades, including for improvements to  
189 expand public access to government information through electronic  
190 portals and kiosks, (X) for the fiscal years ending June 30, 2013, and June  
191 30, 2014, acquisition of snow removal equipment, capital expenditures  
192 made to improve public safety, and capital expenditures made to  
193 facilitate regional cooperation, and (Y) for hazardous tree removal or  
194 trimming for nonutility-related hazardous branches, limbs and trees on  
195 municipal property or within a municipal right-of-way. "Local capital  
196 improvement project" means only capital expenditures and includes  
197 repairs incident to reconstruction and renovation but does not include  
198 ordinary repairs and maintenance of an ongoing nature. As used in this  
199 subdivision, "floodplain management" and "hazard mitigation" have the  
200 same meanings as provided in section 25-68j;

201 Sec. 8. Section 16-11 of the general statutes is repealed and the  
202 following is substituted in lieu thereof (*Effective July 1, 2021*):

203 The Public Utilities Regulatory Authority shall, so far as is  
204 practicable, keep fully informed as to the condition of the plant,  
205 equipment and manner of operation of all public service companies and  
206 broadband Internet access service providers in respect to their adequacy  
207 and suitability to accomplish the duties imposed upon such companies  
208 by law and in respect to their relation to the safety of the public and of  
209 the employees of such companies. The authority may order such  
210 reasonable improvements, repairs or alterations in such plant or

211 equipment, or such changes in the manner of operation, as may be  
212 reasonably necessary in the public interest. The general purposes of this  
213 section and sections 16-19, 16-25, 16-43 and 16-47, as amended by this  
214 act, are to assure to the state of Connecticut its full powers to regulate  
215 its public service companies and broadband Internet access service  
216 providers, to increase the powers of the Public Utilities Regulatory  
217 Authority and to promote local control of the public service companies  
218 and broadband Internet access service providers of this state, and said  
219 sections shall be so construed as to effectuate these purposes.

220 Sec. 9. Section 16-12 of the general statutes is repealed and the  
221 following is substituted in lieu thereof (*Effective July 1, 2021*):

222 Any person or any town, city or borough may make complaint, in  
223 writing, to the Public Utilities Regulatory Authority, of any defects in  
224 any portion of the plant or equipment of any public service company,  
225 broadband Internet access service provider or electric supplier, or of the  
226 manner of operating such plant, by reason of which the public safety or  
227 the health or safety of employees is endangered; and, if he or it so  
228 requests, the name of the complainant shall not be divulged unless in  
229 the opinion of the authority the complaint is such that publicity is  
230 demanded.

231 Sec. 10. Section 16-16 of the general statutes is repealed and the  
232 following is substituted in lieu thereof (*Effective July 1, 2021*):

233 Each public service company, broadband Internet access service  
234 provider and electric supplier subject to regulation by the Public  
235 Utilities Regulatory Authority shall, in the event of any accident  
236 attended with personal injury or involving public safety, which was or  
237 may have been connected with or due to the operation of its or his  
238 property, or caused by contact with the wires of any public service  
239 company, broadband Internet access service provider or electric  
240 supplier, notify the authority thereof, by telephone or otherwise, as soon  
241 as may be reasonably possible after the occurrence of such accident,  
242 unless such accident is a minor accident, as defined by regulations of the

243 authority. Each such person, company, broadband Internet access  
244 service provider or electric supplier shall report such minor accidents to  
245 the authority in writing, in summary form, once each month. If notice of  
246 such accident, other than a minor accident, is given otherwise than in  
247 writing, it shall be confirmed in writing within five days after the  
248 occurrence of such accident. Any person, company, broadband Internet  
249 access service provider or electric supplier failing to comply with the  
250 provisions of this section shall be fined not more than five [hundred]  
251 thousand dollars for each offense.

252 Sec. 11. Section 16-47 of the general statutes is repealed and the  
253 following is substituted in lieu thereof (*Effective July 1, 2021*):

254 (a) As used in this section and section 16-47a, (1) "holding company"  
255 means any corporation, association, partnership, trust or similar  
256 organization, or person which, either alone or in conjunction and  
257 pursuant to an arrangement or understanding with one or more other  
258 corporations, associations, partnerships, trusts or similar organizations,  
259 or persons, directly or indirectly, controls a gas, electric distribution,  
260 water, telephone or community antenna television company, certified  
261 telecommunications provider, certified competitive video service  
262 provider, certified video franchise authority provider or broadband  
263 Internet access service provider, and (2) "control" means the possession  
264 of the power to direct or cause the direction of the management and  
265 policies of a gas, electric distribution, water, telephone or community  
266 antenna television company, certified telecommunications provider,  
267 certified competitive video service provider, certified video franchise  
268 authority provider, broadband Internet access service provider or a  
269 holding company, whether through the ownership of its voting  
270 securities, the ability to effect a change in the composition of its board  
271 of directors or otherwise, provided, control shall not be deemed to arise  
272 solely from a revocable proxy or consent given to a person in response  
273 to a public proxy or consent solicitation made pursuant to and in  
274 accordance with the applicable rules and regulations of the Securities  
275 Exchange Act of 1934 unless a participant in said solicitation has  
276 announced an intention to effect a merger or consolidation with,

277 reorganization, or other business combination or extraordinary  
278 transaction involving the gas, electric distribution, water, telephone or  
279 community antenna television company, certified telecommunications  
280 provider, certified competitive video service provider, certified video  
281 franchise authority provider, broadband Internet access service  
282 provider or the holding company. Control shall be presumed to exist if  
283 a person directly or indirectly owns ten per cent or more of the voting  
284 securities of a gas, electric distribution, water, telephone or community  
285 antenna television company, certified telecommunications provider,  
286 certified competitive video service provider, certified video franchise  
287 authority provider, broadband Internet access service provider or a  
288 holding company, provided the authority may determine, after  
289 conducting a hearing, that said presumption of control has been  
290 rebutted by a showing that such ownership does not in fact confer  
291 control.

292 (b) No gas, electric distribution, water, telephone or community  
293 antenna television company, certified telecommunications provider,  
294 certified competitive video service provider, certified video franchise  
295 authority provider, broadband Internet access service provider, or  
296 holding company, or any official, board or commission purporting to  
297 act under any governmental authority other than that of this state or of  
298 its divisions, municipal corporations or courts, shall interfere or attempt  
299 to interfere with or, directly or indirectly, exercise or attempt to exercise  
300 authority or control over any gas, electric distribution, water, telephone  
301 or community antenna television company, certified  
302 telecommunications provider, certified competitive video service  
303 provider, certified video franchise authority provider or broadband  
304 Internet access service provider engaged in the business of supplying  
305 service within this state, or with or over any holding company doing the  
306 principal part of its business within this state, without first making  
307 written application to and obtaining the approval of the Public Utilities  
308 Regulatory Authority, except as the United States may properly regulate  
309 actual transactions in interstate commerce.

310 (c) No corporation, association, partnership, trust or similar

311 organization, or person shall take any action that causes it to become a  
312 holding company with control over a gas, electric distribution, water,  
313 telephone or community antenna television company, certified  
314 telecommunications provider, certified competitive video service  
315 provider, certified video franchise authority provider or broadband  
316 Internet access service provider engaged in the business of supplying  
317 service within this state, or acquire, directly or indirectly, control over  
318 such a holding company, or take any action that would if successful  
319 cause it to become or to acquire control over such a holding company,  
320 without first making written application to and obtaining the approval  
321 of the authority. Any such corporation, association, partnership, trust or  
322 similar organization, or person applying to the authority for such  
323 approval shall pay the reasonable expenses incurred by the authority in  
324 carrying out its duties under this subsection, and accordingly, shall  
325 deposit with the authority a bond, executed by a surety company  
326 authorized to do business in this state, in the amount of fifty thousand  
327 dollars, conditioned to indemnify the authority for such expenses.

328 (d) The Public Utilities Regulatory Authority shall investigate and  
329 hold a public hearing on the question of granting its approval with  
330 respect to any application made under subsection (b) or (c) of this  
331 section and thereafter may approve or disapprove any such application  
332 in whole or in part and upon such terms and conditions as it deems  
333 necessary or appropriate. In connection with its investigation, the  
334 authority may request the views of the gas, electric distribution, water,  
335 telephone or community antenna television company, certified  
336 telecommunications provider, certified competitive video service  
337 provider, certified video franchise authority provider, broadband  
338 Internet access service provider or holding company which is the subject  
339 of the application with respect to the proposed acquisition. After the  
340 filing of an application satisfying the requirements of such regulations  
341 as the authority may adopt in accordance with the provisions of chapter  
342 54, but not later than thirty business days after the filing of such  
343 application, the authority shall give prompt notice of the public hearing  
344 to the person required to file the application and to the subject company



345 or holding company. Such hearing shall be commenced as promptly as  
346 practicable after the filing of the application, but not later than sixty  
347 business days after the filing, and the authority shall make its  
348 determination as soon as practicable, but not later than two hundred  
349 days after the filing of the application, provided it may, before the end  
350 of such period and upon notifying all parties and intervenors to the  
351 proceedings, extend the period by thirty days, provided that  
352 community antenna television companies, holders of a certificate of  
353 cable franchise authority and holders of a certificate of video franchise  
354 authority shall be determined by the authority within one hundred  
355 twenty days, or unless the person required to file the application agrees  
356 to an extension of time. The authority may, in its discretion, grant the  
357 subject company or holding company the opportunity to participate in  
358 the hearing by presenting evidence and oral and written argument. If  
359 the authority fails to give notice of its determination to hold a hearing,  
360 commence the hearing, or render its determination after the hearing  
361 within the time limits specified in this subdivision, the proposed  
362 acquisition shall be deemed approved. In each proceeding on a written  
363 application submitted under said subsection (b) or (c), the authority  
364 shall, in a manner which treats all parties to the proceeding on an equal  
365 basis, take into consideration (1) the financial, technological and  
366 managerial suitability and responsibility of the applicant, (2) the ability  
367 of the gas, electric distribution, water, telephone or community antenna  
368 television company, certified telecommunications provider, certified  
369 competitive video service provider, certified video franchise authority  
370 provider, broadband Internet access service provider or holding  
371 company which is the subject of the application to provide safe,  
372 adequate and reliable service to the public through the company's plant,  
373 equipment and manner of operation if the application were to be  
374 approved, and (3) for an application concerning a telephone company,  
375 the effect of approval on the location and accessibility of management  
376 and operations and on the proportion and number of state resident  
377 employees. The authority shall only grant its approval of an application  
378 filed on or after January 1, 2021, made under subsection (c) of this  
379 section, if the holding company effects a change in the composition of

380 the board of directors to include a proportional percentage of  
381 Connecticut-based directors equivalent to the percentage that  
382 Connecticut service areas represent of the total service areas covered by  
383 the holding company.

384 (e) During any proceeding under subsection (b) or (c) of this section,  
385 the authority may order any party to such proceeding and the officers,  
386 directors, employees and agents of such party to refrain for a specific  
387 time period from communicating, directly or indirectly, with the record  
388 and beneficial owners of securities of the gas, electric distribution,  
389 water, telephone or community antenna television company, certified  
390 telecommunications provider, certified competitive video service  
391 provider, certified video franchise authority provider, broadband  
392 Internet access service provider or holding company which is the subject  
393 of such proceedings, in regard to the matters submitted to the authority  
394 for its approval under said subsection (b) or (c). If the authority issues  
395 such an order, it shall also order all other parties to the proceeding and  
396 the officers, directors, employees and agents of such parties to refrain  
397 for the same time period from communicating, directly or indirectly,  
398 with such record and beneficial owners of such securities, in regard to  
399 such matters. No order issued pursuant to this subsection shall prohibit  
400 any party from complying with disclosure and reporting obligations  
401 under any other provision of the general statutes or under federal law.

402 (f) Each holding company shall, not later than three months after the  
403 close of its fiscal year, annually, file with the authority a copy of its  
404 annual report to stockholders for such fiscal year. If the holding  
405 company does not print such an annual report, it shall file instead, not  
406 later than the same date, a comprehensive audit and report of its  
407 accounts and operations prepared by an independent public accounting  
408 firm approved by the authority. The provisions of this subsection shall  
409 not apply to any holding company in the form of a person.

410 (g) Any action contrary to the provisions of subsections (b) or (c) of  
411 this section shall be voidable on order of the authority.

412 (h) Whenever any corporation, association, partnership, trust or  
413 similar organization, or person takes or engages in any action which  
414 may or would violate subsection (b) or (c) of this section or any order  
415 adopted pursuant to said subsection (b) or (c), the Superior Court, upon  
416 application of the authority or any holding company or gas, electric  
417 distribution, water, telephone or community antenna television  
418 company, certified telecommunications provider, certified competitive  
419 video service provider, certified video franchise authority provider or  
420 broadband Internet access service provider affected by such action, may  
421 enjoin any such corporation, association, partnership, trust or similar  
422 organization, or person from continuing or doing any act in violation of  
423 said subsection (b) or (c) or may otherwise enforce compliance with said  
424 subsection (b) or (c), including but not limited to, the reinstatement of  
425 authority or control over the holding company or gas, electric  
426 distribution, water, telephone or community antenna television  
427 company, certified telecommunications provider, certified competitive  
428 video service provider, certified video franchise authority provider,  
429 broadband Internet access service provider or holding company to those  
430 persons who exercised authority or control over such company before  
431 such action.

432 (i) The provisions of this section shall not be construed to require any  
433 person to make written application to or obtain the approval of the  
434 authority with respect to any telephone company or holding company  
435 of a telephone company over which such person exercises authority or  
436 control or operates as a holding company on June 30, 1987.

437 Sec. 12. Section 16-49 of the general statutes is repealed and the  
438 following is substituted in lieu thereof (*Effective July 1, 2021*):

439 (a) As used in this section:

440 (1) "Company" means (A) any public service company other than a  
441 telephone company, that had more than one hundred thousand dollars  
442 of gross revenues in the state in the calendar year preceding the  
443 assessment year under this section, except any such company not

444 providing service to retail customers in the state, (B) any telephone  
445 company that had more than one hundred thousand dollars of gross  
446 revenues in the state from telecommunications services in the calendar  
447 year preceding the assessment year under this section, except any such  
448 company not providing service to retail customers in the state, (C) any  
449 certified telecommunications provider that had more than one hundred  
450 thousand dollars of gross revenues in the state from  
451 telecommunications services in the calendar year preceding the  
452 assessment year under this section, except any such certified  
453 telecommunications provider not providing service to retail customers  
454 in the state, (D) any electric supplier that had more than one hundred  
455 thousand dollars of gross revenues in the state in the calendar year  
456 preceding the assessment year under this section, except any such  
457 supplier not providing electric generation services to retail customers in  
458 the state, [or] (E) any certified competitive video service provider issued  
459 a certificate of video franchise authority by the Public Utilities  
460 Regulatory Authority in accordance with section 16-331e that had more  
461 than one hundred thousand dollars of gross revenues in the state in the  
462 calendar year preceding the assessment year under this section, except  
463 any such certified competitive video service provider not providing  
464 service to retail customers in the state, or (F) any broadband Internet  
465 access service provider that had more than one hundred thousand  
466 dollars of gross revenues in the state from broadband Internet access  
467 services in the calendar year preceding the assessment year under this  
468 section;

469 (2) "Telecommunications services" means (A) in the case of  
470 telecommunications services provided by a telephone company, any  
471 service provided pursuant to a tariff approved by the authority other  
472 than wholesale services and resold access and interconnections services,  
473 and (B) in the case of telecommunications services provided by a  
474 certified telecommunications provider other than a telephone company,  
475 any service provided pursuant to a tariff approved by the authority and  
476 pursuant to a certificate of public convenience and necessity; and

477 (3) "Fiscal year" means the period beginning July first and ending

478 June thirtieth.

479 (b) On or before July 15, 1999, and on or before May first, annually  
480 thereafter, each company shall report its intrastate gross revenues of the  
481 preceding calendar year to the Public Utilities Regulatory Authority,  
482 which amount shall be subject to audit by the authority. For each fiscal  
483 year, each company shall pay the authority the company's share of all  
484 expenses of the department's Bureau of Energy and Technology, the  
485 Office of Consumer Counsel, the Office of Policy and Management's  
486 expenses related to the duties under sections 3 and 4 of this act, and the  
487 operations of the Public Utilities Regulatory Authority for such fiscal  
488 year. On or before September first, annually, the authority shall give to  
489 each company a statement which shall include: (1) The amount  
490 appropriated to the department's Bureau of Energy and Technology, the  
491 Office of Consumer Counsel, the Office of Policy and Management's  
492 expenses related to the duties under sections 3 and 4 of this act, and the  
493 operations of the Public Utilities Regulatory Authority for the fiscal year  
494 beginning July first of the same year; (2) the total gross revenues of all  
495 companies; and (3) the proposed assessment against the company for  
496 the fiscal year beginning on July first of the same year, adjusted to reflect  
497 the estimated payment required under subdivision (1) of subsection (c)  
498 of this section. Such proposed assessment shall be calculated by  
499 multiplying the company's percentage share of the total gross revenues  
500 as specified in subdivision (2) of this subsection by the total revenue  
501 appropriated to the department's Bureau of Energy and Technology, the  
502 Office of Consumer Counsel, the Office of Policy and Management's  
503 expenses related to the duties under sections 3 and 4 of this act, and the  
504 operations of the Public Utility Regulatory Authority, as specified in  
505 subdivision (1) of this subsection.

506 (c) Each company shall pay the authority: (1) On or before June  
507 thirtieth, annually, an estimated payment for the expenses of the  
508 following year equal to twenty-five per cent of its assessment for the  
509 fiscal year ending on such June thirtieth, (2) on or before September  
510 thirtieth, annually, twenty-five per cent of its proposed assessment,  
511 adjusted to reflect any credit or amount due under the recalculated

512 assessment for the preceding fiscal year, as determined by the authority  
513 under subsection (d) of this section, provided if the company files an  
514 objection in accordance with subsection (e) of this section, it may  
515 withhold the amount stated in its objection, and (3) on or before the  
516 following December thirty-first and March thirty-first, annually, the  
517 remaining fifty per cent of its proposed assessment in two equal  
518 installments.

519 (d) Immediately following the close of each fiscal year, the authority  
520 shall recalculate the proposed assessment of each company, based on  
521 the expenses, as determined by the Comptroller, of the department's  
522 Bureau of Energy and Technology, the Office of Consumer Counsel, the  
523 Office of Policy and Management's expenses related to the duties under  
524 sections 3 and 4 of this act, and the operations of the Public Utilities  
525 Regulatory Authority for such fiscal year. On or before September first,  
526 annually, the authority shall give to each company a statement showing  
527 the difference between its recalculated assessment and the amount  
528 previously paid by the company.

529 (e) Any company may object to a proposed or recalculated  
530 assessment by filing with the authority, not later than September  
531 fifteenth of the year of said assessment, a petition stating the amount of  
532 the proposed or recalculated assessment to which it objects and the  
533 grounds upon which it claims such assessment is excessive, erroneous,  
534 unlawful or invalid. After a company has filed a petition, the authority  
535 shall hold a hearing. After reviewing the company's petition and  
536 testimony, if any, the authority shall issue an order in accordance with  
537 its findings. The company shall pay the authority the amount indicated  
538 in the order not later than thirty days after the date of the order.

539 (f) The authority shall remit all payments received under this section  
540 to the State Treasurer for deposit in the Consumer Counsel and Public  
541 Utility Control Fund established under section 16-48a. Such funds shall  
542 be accounted for as expenses recovered from public service companies,  
543 broadband Internet access service providers and certified  
544 telecommunications providers. All payments made under this section

545 shall be in addition to any taxes payable to the state under chapters 211,  
546 212, 212a and 219.

547 (g) Any assessment unpaid on the due date or any portion of an  
548 assessment withheld after the due date under subsection (c) of this  
549 section shall be subject to interest at the rate of one and one-fourth per  
550 cent per month or fraction thereof, or fifty dollars, whichever is greater.

551 (h) Any company that fails to report in accordance with this section  
552 shall be subject to civil penalties in accordance with section 16-41.

553 Sec. 13. (NEW) (*Effective July 1, 2021*) (a) The Public Utilities  
554 Regulatory Authority shall receive, process and record consumer and  
555 business complaints for each broadband Internet access service  
556 provider.

557 (b) A broadband Internet access service provider shall implement a  
558 process for handling inquiries from the authority and customer  
559 inquiries, billing issues, service issues and other complaints. In the event  
560 an issue is not resolved through such process, a customer may request  
561 of the authority a confidential, nonbinding mediation with the  
562 broadband Internet access service provider, and a designated member  
563 of the authority staff shall serve as the mediator. If the mediation is  
564 unsuccessful, the customer may file a formal complaint with the  
565 authority. If the provider is found to be in noncompliance with any  
566 provision of this section, the authority shall order such provider to  
567 remedy such noncompliance within a reasonable period of time. Failure  
568 to comply may subject the provider to civil penalties under section 16-  
569 41 of the general statutes and injunctive relief under section 16-10 of the  
570 general statutes.

571 Sec. 14. (NEW) (*Effective July 1, 2021*) No broadband Internet access  
572 service provider shall (1) block, restrict or interfere with an end user's  
573 use of nonharmful devices, (2) interfere with an end user's ability to  
574 select a broadband Internet access service provider, or (3) deny a  
575 potential customer broadband Internet access service based on  
576 discriminatory financial terms, credit scores or arrearage on charges for

577 other services offered by the broadband Internet access service provider.

578       Sec. 15. (NEW) (*Effective July 1, 2021*) (a) Broadband Internet access  
579 service providers shall restore broadband Internet access service to such  
580 provider's customers within twenty-four hours after the restoration of  
581 electrical service following an electrical outage, unless the Public  
582 Utilities Regulatory Authority provides an extension of time due to the  
583 severity of a weather, or other catastrophic, event.

584       (b) Notwithstanding any other provision of the general statutes, each  
585 broadband Internet access service provider shall provide to any affected  
586 customer a credit or refund, on the balance of such customer's account,  
587 for any outage, continuous or intermittent, of broadband Internet access  
588 service that occurs for such customer for more than twenty-four  
589 consecutive hours, unless the outage was caused by such customer.

590       (c) Any broadband Internet access service provider with a service  
591 outage of more than twenty-four consecutive hours, not caused by the  
592 affected customer, shall file a report with the authority and the Office of  
593 State Broadband within fifteen days of such service outage.

594       (d) On or before December 31, 2021, the authority shall initiate a  
595 proceeding to investigate the resiliency of service and infrastructure  
596 provided by wireline cable, telecommunications and broadband  
597 Internet access service providers to ensure proper planning for the  
598 timely restoration of broadband Internet access services following  
599 electrical or other outages.

600       Sec. 16. (NEW) (*Effective July 1, 2021*) (a) At the time of initial  
601 activation of broadband Internet access service, and annually thereafter  
602 or upon request, each broadband Internet access service provider shall  
603 provide customers with a notice (1) listing all available options for  
604 broadband Internet access service, including upload and download  
605 speeds, (2) charges for each option of broadband Internet access service,  
606 (3) credit policies, including any finance charges or late payment  
607 charges, and (4) a description of network management practices related  
608 to an end user's usage of broadband Internet access service.



609 (b) Not less than thirty days prior to implementing any changes to (1)  
610 charges for broadband Internet access service or equipment use, (2)  
611 upload or download speeds, and (3) network management practices  
612 related to an end user's usage of broadband Internet access service, each  
613 broadband Internet access service provider shall inform the Public  
614 Utilities Regulatory Authority, the Department of Energy and  
615 Environmental Protection, the chairpersons of the joint standing  
616 committee of the General Assembly having cognizance of matters  
617 relating to energy, the Office of State Broadband and each customer  
618 within the affected service area.

619 Sec. 17. (NEW) (*Effective July 1, 2021*) On or before March 1, 2022, and  
620 annually thereafter, each broadband Internet access service provider  
621 shall file a report with the Public Utilities Regulatory Authority, the  
622 Department of Energy and Environmental Protection, the chairpersons  
623 of the joint standing committee of the General Assembly having  
624 cognizance of matters relating to energy, the Office of State Broadband  
625 and the Department of Economic and Community Development  
626 concerning its operations within the state, including availability of  
627 broadband Internet access service areas, broadband Internet upload and  
628 download speeds in each service area, service outages and other  
629 requirements as determined by the authority. The annual report shall be  
630 provided in a form designated by the authority, in consultation with the  
631 Department of Energy and Environmental Protection, the Department  
632 of Economic and Community Development and the Office of State  
633 Broadband.

634 Sec. 18. Section 16-331f of the general statutes is repealed and the  
635 following is substituted in lieu thereof (*Effective July 1, 2021*):

636 [(a) The Public Utilities Regulatory Authority shall not require a  
637 certified competitive video service provider to comply with any facility  
638 build-out requirements or provide video service to any customer using  
639 any specific technology. The Public Utilities Regulatory Authority shall  
640 initiate a contested case proceeding, in accordance with the provisions  
641 of chapter 54, three years after the issuance of the certificate of video

642 franchise authority to such provider to investigate the availability of the  
643 certified competitive video service provider's video services and report  
644 its findings to the joint standing committee of the General Assembly  
645 having cognizance of matters relating to energy and technology.]

646 (a) On or before September 30, 2022, each certified competitive video  
647 service provider shall submit an affidavit to the Public Utilities  
648 Regulatory Authority, the Department of Energy and Environmental  
649 Protection, the chairpersons of the joint standing committee of the  
650 General Assembly having cognizance of matters relating to energy, the  
651 Office of State Broadband and the Department of Economic and  
652 Community Development certifying that the provider has facilities in  
653 the public highways, streets or other public rights-of-way, in its service  
654 areas, capable of providing video service, and all other services that the  
655 provider offers, to each residential, governmental and commercial  
656 address. Any such provider may consider the use of existing state  
657 broadband assets to comply with this section.

658 (b) The authority shall not impose any provision regulating rates  
659 charged by certified competitive video service providers for video  
660 service, or impose any other requirements or conditions for video  
661 service, except as set forth in sections 16-331e to 16-331o, inclusive.

662 [(c) The rights and responsibilities under section 16-333a regarding  
663 service and wiring to multiunit residential buildings shall apply to a  
664 certified competitive video service provider.]

665 (c) No certified competitive video service provider may assess a  
666 contribution in aid of construction or any other charge to any potential  
667 customer for the build out of any facilities in the public highways, streets  
668 or other public rights-of-way.

669 (d) Upon failure to comply with subsection (a) or (c) of this section,  
670 the authority may impose civil penalties pursuant to sections 16-41 and  
671 16-331o and undertake a proceeding to revoke the certificate of video  
672 franchise authority for substantial noncompliance pursuant to section  
673 16-331o.

674 Sec. 19. Section 16-331q of the general statutes is repealed and the  
675 following is substituted in lieu thereof (*Effective July 1, 2021*):

676 [(a) The Public Utilities Regulatory Authority shall not require a  
677 company issued a certificate of cable franchise authority to comply with  
678 any facility build-out requirements or provide community antenna  
679 television service or video service to any customer using any specific  
680 technology.]

681 (a) On or before September 30, 2022, each holder of a certificate of  
682 cable franchise authority shall submit an affidavit to the Public Utilities  
683 Regulatory Authority, the Department of Energy and Environmental  
684 Protection, the chairpersons of the joint standing committee of the  
685 General Assembly having cognizance of matters relating to energy, the  
686 Office of State Broadband and the Department of Economic and  
687 Community Development certifying that the provider has facilities in  
688 the public highways, streets or other public rights-of-way, in its service  
689 areas, capable of providing video service, and all other services that the  
690 provider offers, to each residential, governmental and commercial  
691 address. Any such provider may consider the use of existing state  
692 broadband assets to comply with this section.

693 (b) No holder of a certificate of cable franchise authority may assess  
694 a contribution in aid of construction or any other charge to any potential  
695 customer for the build out of any facilities in the public highways, streets  
696 or other public rights-of-way.

697 (c) Upon failure to comply with subsection (a) or (b) of this section,  
698 the authority may impose civil penalties pursuant to sections 16-41 and  
699 16-331aa and undertake a proceeding to revoke the certificate of cable  
700 franchise authority for substantial noncompliance pursuant to section  
701 16-331aa.

702 [(b)] (d) The Public Utilities Regulatory Authority shall not impose  
703 any provision regulating rates charged by a community antenna  
704 television company holding a certificate of cable franchise authority,  
705 except as set forth in federal law.

706 Sec. 20. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

707 (1) "Make-ready" means the modification or replacement of a public  
708 utility pole, or of the lines or equipment on the public utility pole, to  
709 accommodate additional facilities on the pole; and

710 (2) "One-touch make-ready" means make-ready in which the person  
711 attaching new equipment to a public utility pole performs all of the  
712 make-ready work.

713 (b) On or before January 31, 2022, the Public Utilities Regulatory  
714 Authority shall develop a process in an uncontested proceeding for the  
715 construction of facilities in the public highways, streets or other public  
716 rights-of-way to ensure timely and nondiscriminatory procedures that  
717 accomplish public utility pole attachments and conduit excavations for  
718 telecommunications service providers and broadband Internet access  
719 service providers.

720 (c) On or before January 31, 2022, the authority shall develop a one-  
721 touch make-ready process in an uncontested proceeding for  
722 attachments of telecommunications service and broadband Internet  
723 access service facilities on public utility poles to be implemented by the  
724 owners of such public utility poles.

725 (d) On or before January 1, 2022, the authority shall submit a report  
726 to the joint standing committee of the General Assembly having  
727 cognizance of matters relating to energy, the Office of State Broadband,  
728 the Department of Energy and Environmental Protection, the  
729 Department of Economic and Community Development and the  
730 Department of Transportation. Such report shall include the authority's  
731 fully developed one-touch make-ready process.

732 (e) Upon application by the Internet access service providers for the  
733 construction of underground facilities that will contain conduit for  
734 telecommunications service providers or broadband Internet access  
735 service providers, the authority shall condition any approval of such  
736 application on the following conditions:

737 (1) The size of such conduit must be consistent with industry best  
738 practices and sufficient to accommodate potential demand;

739 (2) Any handholes and manholes for fiber optic cable access and  
740 pulling with respect to each such practice are placed at intervals  
741 consistent with industry best practices;

742 (3) Such conduit shall be installed with a pull tape and capabilities of  
743 supporting additional fiber optic cable;

744 (4) The applicant shall notify telecommunications service providers  
745 and broadband Internet access service providers of the proposed  
746 excavation to reduce the potential for future street excavations in the  
747 same location;

748 (5) Any requesting telecommunications service provider or  
749 broadband Internet access service provider shall be able to access such  
750 conduit on a competitively neutral and nondiscriminatory basis and for  
751 a charge not to exceed a cost-based rate; and

752 (6) The applicant shall report to the authority upon completion of any  
753 approved construction verifying that it has complied with the  
754 provisions of this subsection.

755 (f) For excavations in the state highway rights-of-way, the applicant  
756 shall comply with the Department of Transportation's encroachment  
757 permit process, including the payment of any applicable fees. Any  
758 application for construction in the public highways, streets or other  
759 public rights-of-way shall require the applicant to install a conduit for  
760 the benefit of the Department of Transportation, as required by section  
761 16-233 of the general statutes, as amended by this act.

762 (g) The Commissioner of Transportation is authorized to lease space,  
763 or enter into any other contract or agreement to permit access to such  
764 space, in any conduit installed by the Department of Transportation in  
765 the public highways, streets or other public rights-of-way on such terms  
766 and conditions, and for any purpose, deemed to be in the public interest

767 by said commissioner.

768 (h) Nothing herein shall be construed to limit the use of conduit by  
769 the Department of Transportation on public highways, streets or other  
770 public rights-of-way as otherwise permitted by law.

771 (i) Any applicant for a public utility pole attachment license made to  
772 the owner or custodian of a public utility pole shall be granted a  
773 temporary license within thirty days of submitting a complete license  
774 application and a permanent license within ninety days of submitting a  
775 complete license application.

776 (j) The authority shall establish an expedited dispute resolution  
777 process to address any issues that may arise between an individual  
778 attaching telecommunications service or broadband Internet access  
779 service facilities on a public utility pole and the owner or custodian of  
780 such pole.

781 (k) All public service companies, as defined by section 16-1 of the  
782 general statutes, and other persons that are authorized by the authority  
783 to install facilities in, under or over the public highways, streets or other  
784 public rights-of-way shall obey, observe and comply with this section  
785 and each applicable order made by the authority with respect to pole  
786 attachments and underground conduit. Failure to comply with this  
787 section or applicable orders of the authority may result in a fine up to  
788 one hundred thousand dollars for a wilful violation or up to fifty  
789 thousand dollars for any other violations. The authority shall impose  
790 any such civil penalty in accordance with the procedure established in  
791 section 16-41 of the general statutes. Any such fines are not recoverable  
792 costs in any rate proceeding conducted by the authority.

793 Sec. 21. (NEW) (*Effective July 1, 2021*) Each broadband Internet access  
794 service provider shall have the same right of access to an occupied  
795 building, as defined in section 16-247l of the general statutes, as afforded  
796 to certified telecommunications service providers under section 16-247l  
797 of the general statutes.

798 Sec. 22. Section 16-247r of the general statutes is repealed and the  
799 following is substituted in lieu thereof (*Effective July 1, 2021*):

800 No telephone company or certified telecommunications provider, as  
801 defined in section 16-1, or broadband Internet access service provider  
802 shall refuse to provide telecommunications services or broadband  
803 Internet access services to, or refuse to negotiate to provide such services  
804 to any customer because of age, race, creed, color, national origin,  
805 ancestry, sex, gender identity or expression, marital status, sexual  
806 orientation, lawful source of income, economic status, disability or  
807 familial status. No telephone company, [or] certified  
808 telecommunications provider or broadband Internet access service  
809 provider shall decline to provide telecommunications services or  
810 broadband Internet access services to a customer for the sole reason that  
811 the customer is located in an economically distressed geographic area  
812 or the customer qualifies for hardship status under section 16-262c, as  
813 amended by this act, or any other provision of federal or state law. No  
814 telephone company, [or] certified telecommunications provider or  
815 broadband Internet access service provider shall terminate or refuse to  
816 reinstate telecommunications services or broadband Internet access  
817 services except in accordance with the provisions of this title. An  
818 affected person may seek enforcement of this requirement by filing a  
819 complaint with the Public Utilities Regulatory Authority. A  
820 municipality within which the potential broadband Internet access  
821 service customer resides, or the Office of State Broadband, may be  
822 considered an affected person for purposes of this section.

823 Sec. 23. Subsection (a) of section 16-262c of the general statutes is  
824 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
825 *2021*):

826 (a) Notwithstanding any other provision of the general statutes no  
827 electric distribution, gas, telephone or water company, no electric  
828 supplier or certified telecommunications provider, no broadband  
829 Internet access service provider and no municipal utility furnishing  
830 electric, gas, telephone or water service shall cause cessation of any such

831 service by reason of delinquency in payment for such service (1) on any  
 832 Friday, Saturday, Sunday, legal holiday or day before any legal holiday,  
 833 provided such a company, electric supplier, certified  
 834 telecommunications provider, no broadband Internet access service  
 835 provider or municipal utility may cause cessation of such service to a  
 836 nonresidential account on a Friday which is not a legal holiday or the  
 837 day before a legal holiday when the business offices of the company,  
 838 electric supplier, certified telecommunications provider, no broadband  
 839 Internet access service provider or municipal utility are open to the  
 840 public the succeeding Saturday, (2) at any time during which the  
 841 business offices of said company, electric supplier, certified  
 842 telecommunications provider, no broadband Internet access service  
 843 provider or municipal utility are not open to the public, or (3) within  
 844 one hour before the closing of the business offices of said company,  
 845 electric supplier or municipal utility.

846 Sec. 24. (NEW) (*Effective July 1, 2021*) The State Building Inspector and  
 847 the Codes and Standards Committee shall, in accordance with section  
 848 29-252b of the general statutes, revise the State Building Code to include  
 849 provisions requiring buildings that qualify as a new construction or a  
 850 major alteration of a commercial or multifamily building to include a  
 851 minimum infrastructure requirement to support broadband Internet  
 852 access service. The State Building Inspector and the Codes and  
 853 Standards Committee shall define such minimum infrastructure  
 854 requirements in such revisions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	New section
Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>July 1, 2021</i>	New section
Sec. 5	<i>July 1, 2021</i>	New section
Sec. 6	<i>July 1, 2021</i>	16-233
Sec. 7	<i>July 1, 2021</i>	7-536(a)(4)
Sec. 8	<i>July 1, 2021</i>	16-11

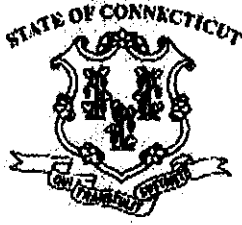


Sec. 9	<i>July 1, 2021</i>	16-12
Sec. 10	<i>July 1, 2021</i>	16-16
Sec. 11	<i>July 1, 2021</i>	16-47
Sec. 12	<i>July 1, 2021</i>	16-49
Sec. 13	<i>July 1, 2021</i>	New section
Sec. 14	<i>July 1, 2021</i>	New section
Sec. 15	<i>July 1, 2021</i>	New section
Sec. 16	<i>July 1, 2021</i>	New section
Sec. 17	<i>July 1, 2021</i>	New section
Sec. 18	<i>July 1, 2021</i>	16-331f
Sec. 19	<i>July 1, 2021</i>	16-331q
Sec. 20	<i>July 1, 2021</i>	New section
Sec. 21	<i>July 1, 2021</i>	New section
Sec. 22	<i>July 1, 2021</i>	16-247r
Sec. 23	<i>July 1, 2021</i>	16-262c(a)
Sec. 24	<i>July 1, 2021</i>	New section

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*



General Assembly

January Session, 2021

**Proposed Bill No. 5280**

LCO No. 777



\* 0 0 7 7 7 \*

Referred to Committee on FINANCE, REVENUE AND BONDING

Introduced by:  
REP. CHEESEMAN, 37th Dist.

**AN ACT ESTABLISHING TAX CREDITS FOR THE COSTS OF COVID-19-RELATED BUILDING CHANGES AND UPGRADES.**

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

- 1 That the general statutes be amended to establish tax credits for the
- 2 costs of making changes and upgrades to nonresidential buildings to
- 3 help slow the spread of COVID-19.

**Statement of Purpose:**

To establish tax credits for the costs of making changes and upgrades to nonresidential buildings to help slow the spread of COVID-19.