

APPENDIX 1: SUMMARY OF CHANGES IN P.A. 24-144

In addition to the requirement in Section 12 for DEEP to prepare this report, P.A. 24-144 made several other important changes related to the work of the CSC, as summarized below.

1. Transmission Lines

Many of the amendments contained within [Public Act 24-144](#) relate to the process for the siting of transmission lines. The timeframe within which an applicant must meet with local representatives to discuss applications for transmission lines was changed from at least 60 days prior to filing the application, to at least 90 days prior to filing the application. Additionally, the applicant is now required to provide a report, at the pre-application meeting(s) for transmission facilities, which includes a summary of the status of negotiations with property owners about right-of-way access, easements, or land acquisition.¹

The applicant for a transmission facility is now also required to produce additional information in the application. This includes an independent appraisal evaluating individual landowner compensation for the use of a right of way, including any easements or land acquisition. Also, information must be submitted about initial and life-cycle costs, regional and localized costs, non-transmission alternatives, load evaluations, and planning studies. Further, if an applicant for a transmission line intends to submit another application within 5 years for additional related facilities located within 5 miles of the original facility, it must be discussed in the application and information must be given to the CSC.²

For any Certificate proceeding regarding transmission facilities, the CSC must now grant intervenor status to any person: (1) who is the owner of any property that abuts the proposed facility or that abuts a right of way in which the proposed facility is to be located and (2) who submits a written petition to the Siting Council.³ On or after October 1, 2025, the Siting Council must find and determine additional criteria to grant a Certificate for a transmission line. The new findings must include: (1) the estimated initial and life-cycle costs for the facility and for feasible and practical alternatives; (2) the estimated regionalized and localized costs for the facility and for any feasible and practical alternatives; and (3) that estimated localized costs are reasonable compared to the benefits. The CSC must also find, after October 1, 2025, that there is a public need⁴ for the facility and must consider neighborhood concerns with respect to several factors including, inter alia, public safety, and the impact that the proposed facility will have on the municipal tax base.⁵

¹ [CGS Sec. 16-50l \(f\)](#) amended by [P.A. 24-144](#).

² *Id.* at [Sec. 16-50l \(a\)\(1\)](#) amended by [P.A. 24-144](#).

³ *Id.* at [Sec. 16-50n \(b\)](#) amended by [P.A. 24-144](#).

⁴ *Id.* at [Sec. 16-50p \(a\) \(3\)\(D\)\(ii\)](#) amended by [P.A. 24-144](#). “Public need exists when a facility is necessary for the reliability of the electric power supply of the state.”

⁵ [CGS Sec. 16-50p \(c\)\(2\)\(A\)](#) amended by [P.A. 24-144](#).

2. Municipalities

Public Act 24-144 also established an increased municipal role in the siting process. The process for pre-application municipal consultations has been expanded. Prior to the application being filed, in addition to using good faith efforts to meet with the chief elected official, an applicant must now also use good faith efforts to meet with the legislative body of the municipality and each member of the CT legislature in whose assembly or senate district the facility or alternative location is located and must provide certain additional information at the meeting. The municipal participation fee for Certificates was increased from \$25,000 to \$40,000 (or \$80,000 if the facility is in more than one municipality).⁶ Municipalities are able to utilize these funds to offset their expenses of participating as a party in the CSC process. Any remaining funds, after payments are made to municipalities, are refunded to the applicant.

If an application for a Certificate is for either a telecommunications tower or now, under the amendment, for a proposed transmission line, the CSC must request that the municipality in which that facility is to be located provide the CSC with its location preferences or criteria for the siting of the facility. Those preferences must now be provided by the municipality within thirty days of the request.⁷

Ad hoc members in hazardous waste matters are now specified to be appointed by the chief elected official of the municipality that each member represents.⁸

Finally, on and after October 1, 2025, if a municipality seeks judicial review of an order issued on an application, and such municipality is a prevailing party, the court may award the municipality reasonable attorneys' fees and costs.⁹

3. Landowners

Individual landowners are also provided with more consideration in the Siting Council process. As described above, abutting property owners now have a clear pathway to intervene in Certificate proceedings concerning transmission lines.¹⁰ Also, as set forth above, in the case of transmission lines, the application must include an appraisal of fair compensation to be provided to a property owner in connection with entering a right of way, including any easements or land acquisition.¹¹

There are amendments regarding the impact solar facilities can have on neighboring residents. An applicant must notify each owner of property that abuts the proposed primary or alternative sites on which the solar facility would be located of any material changes to solar facility configuration before a Certificate is granted.¹² Additionally, the Siting Council cannot grant a Certificate without

⁶ *Id.* at [Sec. 16-50l\(a\)](#) amended by [P.A. 24-144](#).

⁷ *Id.* at [Sec. 16-50gg](#) amended by [P.A. 24-144](#).

⁸ *Id.* at [Sec. 16-50j\(c\)\(4\)](#) amended by [P.A. 24-144](#).

⁹ *Id.* at [Sec. 16-50q\(b\)](#) amended by [P.A. 24-144](#).

¹⁰ *Id.* at [Sec. 16-50n\(b\)](#) amended by [P.A. 24-144](#).

¹¹ *Id.* at [Sec. 16-50l\(a\)\(1\)\(G\)](#) amended by [P.A. 24-144](#).

¹² *Id.* at [Sec. 16-50l\(c\)](#) amended by [P.A. 24-144](#).

evaluating potential noise levels of the proposed facility and ensuring that the distance between any inverters or transformers and the property line is greater than 200 feet.¹³

When a public service company intends to acquire residential real property by condemnation, there are new notice requirements to inform landowners of the condemnation and time limitations regarding that notice.¹⁴

Finally, the definition of “modification” was expanded to include any change that requires the exercise of eminent domain or that expands an existing easement.¹⁵

4. Expanded Penalties

The CSC now has more powers and direction to enforce compliance with the Certificates it issues. If the Siting Council finds that any person has failed to secure a Certificate or has failed to comply with a Certificate, condition of such Certificate, or any other requirements, the CSC can issue a fine, order restitution, or order a combination of a fine and restitution. Public Act 24-144 also establishes a procedure for the CSC to address the violation with a process for notice and a hearing.¹⁶ Further, as indicated above, beginning in October 2025, the superior court can award fees and costs to a municipality if it prevails on an appeal.¹⁷

5. General Process and Procedure

There were general procedural and process changes as well. Before the CSC holds hearings on a Certificate proposal, it is required to solicit written comments from certain state agencies. The Public Act added the Office of Consumer Counsel to the list of agencies that CSC needs to consult with and solicit written comments from and now requires that the CSC provide summaries and written responses to the comments they receive, specifically comments or concerns related to environmental justice. The CSC also must provide written responses to the positions of each intervenor.¹⁸

Changes were also made to membership and administration provisions. The CSC must now retain employees as it deems necessary, who must have aggregate expertise in engineering and financial analysis. Also, changes were made to more specifically define conflicts of interest for public members. Public members cannot have a substantial financial interest in, be employed by, or be professionally affiliated with any utility, facility, hazardous waste facility, or ash residue disposal area for three years prior to the public member’s appointment to the CSC.¹⁹

¹³ *Id.* at [Sec. 16-50p \(c\)\(5\)](#) amended by [P.A. 24-144](#).

¹⁴ *Id.* at [Sec. 16-50z\(c\)](#) amended by [P.A. 24-144](#).

¹⁵ *Id.* at [Sec. 16-50i\(d\)](#) amended by [P.A. 24-144](#).

¹⁶ *Id.* at [Sec. 16-50u](#) amended by [P.A. 24-144](#).

¹⁷ *Id.* at [Sec. 16-50q \(b\)](#) amended by [P.A. 24-144](#).

¹⁸ *Id.* at [Sec. 16-50j \(i\)](#) and [Sec. 16-50p \(c\)\(6\)](#) amended by [P.A. 24-144](#).

¹⁹ *Id.* at [Sec. 16-50j\(b\)](#) amended by [P.A. 24-144](#).