

# Western Connecticut COUNCIL OF GOVERNMENTS



February 23, 2026

Esteemed Chairs Needleman and Steinberg,  
Members of the Energy and Technology Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to comment on Raised Bill 5249, *An Act Amending the Charter of the South Central Connecticut Regional Water Authority Concerning the Potential Acquisition of a Water Company*.

WestCOG **supports** this bill. Special Session Public Act 24-1 was enacted with the understanding that any proposed change in control of a regulated water company would remain subject to the full statutory review authority of the Public Utilities Regulatory Authority (PURA). Nothing in that act was intended to narrow or constrain PURA's existing powers under Connecticut law.

Raised Bill No. 5249 gives the Legislature an opportunity to affirm that intent clearly and explicitly. The attached substitute language confirms that PURA's review of any proposed change of control must occur in the full exercise of its authority under the statutes governing such proceedings, including Sections 16-47 and 16-22 of the Connecticut General Statutes.

This is not an expansion of PURA's authority, nor a change in policy direction. It is a targeted clarification to ensure that the statutory framework operates as originally contemplated.

Change-of-control proceedings are among the most consequential matters before PURA. They implicate ratepayer protection, long-term infrastructure investment, financial stability, governance, and public accountability. Clear statutory direction that preserves PURA's full review authority is therefore essential.

**WestCOG requests that the Committee advance the attached substitute language** in lieu of the file copy. WestCOG would be pleased to provide any additional information that may assist the Committee in its deliberations.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Francis R. Pickering". The signature is written in a cursive, flowing style.

Francis R. Pickering  
Executive Director

**Proposed Technical Corrections to Public Act 24-1**

Purpose: To clarify responsibility of the Public Utilities Regulatory Authority to conduct statutory review of change of control of Aquarion Water Company.

Sec. 1. Section 5 of special act 77-98, as amended by section 4 of special act 78-24, ~~and~~ section 4 of special act 24-7, and public act 24-1 is amended to read as follows (*Effective from passage*):

(a) A public corporation, to be known as the "South Central Connecticut Regional Water Authority," constituting a public instrumentality and political subdivision, is created for the purposes, charged with the duties and granted the powers provided in sections 1 to 33, inclusive, of special act 77-98, as amended by special act 78-24 and this act. On and before December 31, 2024, the authority shall consist of five members who shall be residents of the district and not be members of the representative policy board. On and after January 1, 2025, except as provided in subsection (c) of this section, the authority shall consist of seven members who shall reside in Connecticut and not be members of the representative policy board, and not fewer than five such members shall be residents of the district. All members shall be appointed without regard to political affiliation by a majority of the total votes of those members of the representative policy board present at a meeting at which at least two-thirds of the weighted vote, excluding vacancies, is present, for terms of five years, not to exceed four consecutive full terms, and until their successors are appointed and have qualified, except that of the members first appointed, one shall be appointed for a term ending January 1, 1983, one for a term ending January 1, 1982, one for a term ending January 1, 1981, one for a term ending January 1, 1980, and one for a term ending January 1, 1979. The sixth member first appointed shall be appointed for a three-year term ending January 1, 2028, and the seventh member first appointed shall be appointed for a five-year term ending January 1, 2030. Any vacancy occurring on the authority shall be filled in the same manner for the unexpired portion of the term. Any member of the authority may be removed from office by the representative policy board for cause. Members of the authority shall receive such compensation to be adjusted every three years by the Consumer Price Index factor, as described in section 4 of special act 77-98, as amended by special act 78 24, special act 84-46, public act 02-85, special act 03-11, special act 13-20 and this act, if approved by the majority of weighted votes of

the membership of the representative policy board, excluding vacancies, and shall be reimbursed for their necessary expenses incurred in performance of their duties.

(b) The members of the South Central Connecticut Regional Water Authority board shall have the authority to act on behalf of the Aquarion Water Authority, as described in section 35 of section this act, until such time as the members of the Aquarion Water Authority board ~~are~~ may be appointed.

(c) Notwithstanding the provisions of subsection (a) of this section, ~~upon if~~ the Public Utilities Regulatory Authority's, in the full exercise of its powers pursuant to sections of the general statutes applicable to its review of a proposed change of control of a water company, including determinations under sections 16-47 and 16-22 of the general statutes, grants approval of to the South Central Connecticut Regional Water Authority or the Aquarion Water Authority to own and operate the Aquarion Water Company or one or more of its subsidiaries, the authority board shall, only if the change of control is so approved, consist of eleven members who shall reside in Connecticut and not be members of the representative policy board, six of whom shall be residents of the South Central Connecticut Regional Water District appointed by the representative policy board, and five of whom shall be appointed by the representative policy board of the Aquarion Regional Water District, as described in section 35 of section 41 of this act, in accordance with section 38 of section 41 of this act. The six members appointed by the representative policy board of the authority shall have the authority to act on behalf of the Aquarion Water Authority until such time as the members of the Aquarion Water Authority ~~are~~ may be appointed. All such authority members shall be appointed without regard to political affiliation by a majority of the total votes of those members of the representative policy board present at a meeting at which at least two thirds of the weighted vote, excluding vacancies, is present, for terms of five years, not to exceed four consecutive full terms, and until their successors are appointed and have qualified. The sixth member first appointed shall be appointed for a three-year term ending January 1, 2028, and the seventh member first appointed shall be appointed for a five-year term ending January 1, 2030. Any vacancy occurring on the authority shall be filled in the same manner for the unexpired portion of the term. Any member of the authority may be removed from office by the representative policy board for cause. Members of the authority shall receive such compensation to be adjusted every three years by the Consumer Price Index factor, as described in section 4 of special act 77 98, as amended by special act 78-24, special act 84-46, public act 02-85, special act 03-11, special act 13-20, special act 24-7 and this act, if approved by the majority of weighted votes of the membership of the representative policy board,

excluding vacancies, and shall be reimbursed for their necessary expenses incurred in performance of their duties.

Sec. 2. Sections 37 and 38 of Special act 77-98, as amended by special act 78-24, special act 84-46, special act 99-12, special act 02-85, special act 03-11, special act 13 20, special act 17-5, special act 18-04, ~~and~~ special act 24-7 and Section 41 of public act 24-1, is-are amended to read as follows (*Effective from passage*):

Sec. 37. (a) The Aquarion representative policy board shall consist of one elector from each city and town within the district who shall be appointed by the chief elected official of such city or town, with the approval of its legislative body, and one elector of the state who shall be appointed by the governor. The term of the initial members of the Aquarion representative policy board shall commence when each member is first appointed and each member shall serve for a term of three years, except that members first appointed from Beacon Falls, Bethel, Bridgeport, Brookfield, Burlington, Canaan, Cornwall, Danbury, Darien, East Derby, East Granby, East Hampton, Easton, Fairfield, Farmington, Goshen, Granby, Greenwich, Groton, and Harwinton shall serve until June 30, 2026, the members first appointed from Kent, Lebanon, Litchfield, Mansfield, Marlborough, Middlebury, Monroe, New Canaan, New Fairfield, New Hartford, New Milford, Newtown, Norfolk, North Canaan, Norwalk, Norwich, Oxford, Plainville, Redding, and Ridgefield shall serve until June 30, 2027, and the members first appointed from Salisbury, Seymour, Shelton, Sherman, Simsbury, Southbury, Southington, Stamford, Stonington, Stratford, Suffield, Torrington, Trumbull, Washington, Weston, Westport, Wilton, Wolcott, and Woodbury shall serve until June 30, 2028, and the member first appointed by the governor shall serve for a term commencing upon appointment and ending on the third June thirtieth thereafter; provided members shall continue to serve until their successors are appointed and have qualified. In the event of the resignation, death or disability of a member from any city or town or the state, a successor may be appointed by the chief elected official of such city or town, or in the case of the member appointed by the governor, by the governor, for the unexpired portion of the term. Members shall receive two hundred fifty dollars, adjusted as provided in this subsection, for each day in which they are engaged in their duties and shall be reimbursed for their necessary expenses incurred in the performance of their duties. Such two-hundred-fifty dollar compensation amount shall be adjusted on January 1, 2027, and every third year thereafter to reflect changes in the Consumer Price Index for All Urban Consumers, Northeast Urban, All Items (1982-84=100) published by the United States Bureau of Labor Statistics or a comparable successor

index. They shall elect a chairman and a vice-chairman, who shall be members of the Aquarion representative policy board, and a secretary. The chairman shall receive a per diem payment of one and one-half times the amount paid to members and provisional members. The Aquarion representative policy board shall meet at least quarterly with the authority and such members of the staff of the authority as the Aquarion representative policy board deems appropriate.

(b) Notwithstanding the provisions of subsection (a) of this section, no members shall be appointed to the board of the authority or the Aquarion representative policy board unless and until the such date of as the Public Utilities Regulatory Authority's, in the full exercise of its powers pursuant to sections of the general statutes applicable to its review of a proposed change of control of a water company, including determinations under sections 16-47 and 16-22 of the general statutes, may grant approval of the South Central Connecticut Regional Water Authority or the Aquarion Water Authority to own and operate the Aquarion Water Company or one or more of its subsidiaries. The South Central Connecticut Regional Water Authority shall send written notice to each entity with appointment authority pursuant to subsection (a) of this section upon such approval.

(c) In voting upon all matters before the Aquarion representative policy board, the vote of each member from a city or town shall be accorded a weight, determined as follows: The sum of (1) the quotient obtained by dividing the number of customers in the city or town from which such member is appointed by the total number of customers in all cities and towns from which members have been appointed, taken twice, and (2) the quotient obtained by dividing the number of acres of land owned by the authority within the city or town from which such member is appointed by the total number of acres of land owned by the authority in all cities and towns from which members have been appointed, shall be divided by three, the quotient thereof multiplied by one hundred and the product thereof shall be rounded to the nearest whole number. The weighted vote of the member appointed by the governor shall be one. For the purposes of this section, "number of customers" means the number of premises or groups of premises treated as units for ordinary billing or other ordinary receipt of charges by the authority and shall be determined from the records of the authority on the last day of its preceding fiscal year and "number of acres of land" means the number of acres of land rounded to the nearest whole number as may appear on the records of the authority on the last day of its preceding fiscal year. Whenever a vote is taken on any matter by the Aquarion representative policy board, the vote shall be determined in accordance with this subsection. Members of the Aquarion representative policy board holding a majority of the votes so weighted shall constitute a quorum.

(d) The Aquarion representative policy board shall adopt and may amend such rules of procedure and bylaws for the conduct of its affairs as it deems appropriate. It shall establish (1) a standing committee on land use and management to consult with the authority on all matters of land use and management, including acquisition and sale, recreational use, cutting of timber and other products, mining and quarrying; (2) a standing committee on finance to consult with the authority on matters relating to financial and budgetary matters and the establishment of rates; and (3) a standing committee on consumer affairs to consult with the authority and the officer of consumer affairs established pursuant to section 48 of this act on matters concerning the interests of people residing within the district. The Aquarion representative policy board may appoint such other committees as it considers convenient from time to time.

Sec. 38. (a) A public corporation, to be known as the "Aquarion Water Authority", constituting a public instrumentality and political subdivision, is created for the purposes, charged with the duties and granted the powers provided in section 34 to 65, inclusive, of this act. On and after December 31, 2025, if approval is granted by the Public Utilities Regulatory Authority as set forth in section 37(c) of this act and section 37(b) of section 41 of this act for the Aquarion Water Authority to own and operate the Aquarion Water Company or one or more of its subsidiaries, the authority shall consist of eleven members. If so approved, ~~F~~five of the members shall be residents of the Aquarion Regional Water District who are appointed by the Aquarion representative policy board and shall not be members of the Aquarion representative policy board, and six of the members shall be members of the South Central Connecticut Regional Water Authority who are appointed by the South Central Connecticut Regional Water Authority representative policy board. The eleven members of the board for the Aquarion Water Authority shall be and remain the same eleven members of the board of the South Central Connecticut Water Authority. All authority board members shall be appointed without regard to political affiliation by a majority of the total votes of those members of the Aquarion representative policy board present at a meeting at which at least two-thirds of the weighted vote, excluding vacancies, is present, for terms of five years, not to exceed four consecutive full terms, and until their successors are appointed and have qualified, except that of the members first appointed, two shall be appointed for a term ending January 1, 2026, two for a term ending January 1, 2027, two for a term ending January 1, 2028, two for a term ending January 1, 2029, and three for a term ending January 1, 2030. Any vacancy occurring on the authority shall be filled in the same manner for the unexpired portion of the term. Any member of the authority may be removed from office by the Aquarion representative policy board for cause. Members of the authority shall receive such

compensation, to be adjusted every three years by the Consumer Price Index factor, as described in section 37 of this act, if approved by the majority of weighted votes of the membership of the Aquarion representative policy board, excluding vacancies, and shall be reimbursed for their necessary expenses incurred in performance of their duties.

(b) Notwithstanding the provisions of subsection (a) of this section, no members shall be appointed to the board of the authority or the Aquarion representative policy board unless and until the such date of as the Public Utilities Regulatory Authority's may grant approval, pursuant to section 37(c) of this act and section 37(b) of section 41 of this act, of the South Central Connecticut Regional Water Authority or the Aquarion Water Authority to own and operate the Aquarion Water Company or one or more of its subsidiaries.

Sec. 3. Section 42 of section 41 of public act 24-1 is amended to read as follows (*Effective from passage*):

Sec. 42. Sections 34 to 41, inclusive, of this act shall not be effective on and after December 31, 2027, unless the Public Utilities Regulatory Authority approves the South Central Connecticut Regional Water Authority or the Aquarion Water Authority to own and operate the Aquarion Water Company, or one or more of its subsidiaries, by said date. Sections 34 to 41, inclusive, of this act shall not limit the scope of the Public Utilities Regulatory Authority's review in any proceeding brought or pending on or after October 1, 2024, of a proposed change of control of a water company pursuant to sections 16-47 and 16-22 of the general statutes, which shall include, without limitation, review of the Aquarion representative policy board membership structure set forth in section 37(a) of Special Act 77-98 and section 37(a) of section 41 of public act 24-1, review of the Aquarion representative policy board weighted voting structure set forth in section 37(c) of Special Act 77-98 and section 37(c) of section 41 of public act 24-1, review of the Aquarion Water Authority membership structure set forth in section 38 of special act 77-98 and section 38(a) of section 41 of public act 24-1, and review of the office of consumer affairs as set forth in section 40 of Public Act 24-1.

Sec. 4. Section 44 of Special act 77-98, as amended by special act 78-24, special act 84-46, special act 99-12, special act 02-85, special act 03-11, special act 13 20, special act 17-5, special act 18-04, ~~and~~ special act 24-7 and Section 41 of public act 24-1 is amended to read as follows (*Effective from passage*):

Sec. 44. Subject to the provisions of sections 34 to 65, inclusive, of this act, including approval of the Public Utilities Regulatory Authority as set forth in section 37(c) of this act and section 37(b) of section 41 of this act, the authority shall have the power: (a) To sue and be sued; (b) to have a seal and alter the same at its pleasure; (c) to acquire in the name of the authority by purchase, lease or otherwise and to hold and dispose of personal property or any interest therein, including shares of stock of a subsidiary corporation; (d) to acquire in the name of the authority by purchase, lease or otherwise and to hold and dispose of any real property or interest therein, including water rights and rights of way and water discharge rights, which the authority determines to be necessary or convenient, and to acquire any existing wastewater system or water supply system or parts thereof which are wholly or partially within the district as described under section 36 of this act. As a means of so acquiring, the authority or a subsidiary corporation may purchase all of the stock or all of any part of the assets and franchises of any existing privately owned water or wastewater company, whereupon the authority or such subsidiary corporation shall succeed to all rights, powers and franchises thereof. Sections 16-43, 16-50c and 16-50d of the general statutes shall not apply to any action by the authority or a subsidiary corporation or any action by any privately owned water company or sewage company, as defined in section 16-1 of the general statutes, taken to effectuate the acquisition of the stock or all or any part of the assets and franchises of such water company or sewage company by the authority. Notwithstanding any provision of section 25-32 of the general statutes, land may be transferred to the authority or a subsidiary corporation of the authority as part of such an acquisition; (e) to construct and develop any water supply system or any wastewater system; (f) to own, operate, maintain, repair, improve, construct, reconstruct, replace, enlarge and extend any of its properties; (g) notwithstanding any provision of the general statutes, special acts or this charter, but subject to the provisions of section 45 of this act, to sell water, however acquired, to customers within the district or to any municipality or water company; (h) notwithstanding any provision of the general statutes, special acts or this charter, to purchase water approved by the Commissioner of Public Health from any person, private corporation or municipality when necessary or convenient for the operation of any water supply system operated by the authority; (i) to adopt and amend bylaws, rules and regulations for the management and regulation of its affairs and for the use and protection of the water and properties of the authority or a subsidiary corporation and, subject to the provisions of any resolution authorizing the issuance of bonds, rules for the sale of water, the collection and processing of wastewater and the collection of rents and charges for both water supply and wastewater functions. A copy of such bylaws, rules and regulations and all amendments thereto, certified by the secretary of the authority, shall be filed in the office of the

Secretary of the State and with the clerk of each town and city within the district. Any superior court located within the district shall have jurisdiction over any violation of such bylaws, rules or regulations and the authority may prosecute actions before the superior court to enforce such bylaws, rules and regulations; (j) to make contracts and to execute all necessary or convenient instruments, including evidences of indebtedness, negotiable or non-negotiable; (k) to borrow money, to issue negotiable bonds or notes, to fund and refund the same and to provide for the rights of the holders of the authority's obligations; (l) to open the grounds in any public street or way or public grounds for the purpose of laying, installing, maintaining or replacing pipes and conduits, provided upon the completion of such work the grounds shall be restored to the condition they were in previously; (m) to enter into cooperative agreements with other water authorities, municipalities, water districts, water companies or water pollution control authorities within or without the district for interconnection of facilities, for exchange or interchange of services and commodities or for any other lawful purpose necessary or desirable to effect the purposes of sections 34 to 65, inclusive, of this act, such agreements to be binding for a period specified therein; (n) to acquire, hold, develop and maintain land and other real estate and waters for conservation and for compatible active and passive recreational purposes and to levy charges for such uses, provided the state department of health finds that such uses will not harm the quality of water provided by the authority; (o) to apply for and accept grants, loans or contributions from the United States, the state of Connecticut or any agency, instrumentality or subdivision of either of them or from any person, and to expend the proceeds for any of its purposes; (p) to create programs and policies for the purpose of conserving water; (q) to do any and all things necessary or convenient to carry out the powers expressly given in sections 34 to 36, inclusive, of this act and sections 38 to 40, inclusive, of this act, including the powers granted by the general statutes to stock corporations, except the power to issue stock, and the powers granted by the general statutes to water pollution control authorities; and (r) to borrow money, to issue negotiable bonds or notes, to fund and refund the same and to provide for the rights of the holders of the authority's obligations for the specific purpose of acquiring the Aquarion Water Company or one or more of its subsidiaries.

Sec. 5. Section 62 of special act 77-98, as amended by special act 78-24, special act 84-46, special act 99-12, special act 02-85, special act 03-11, special act 13 20, special act 17-5, special act 18-04, ~~and~~ special act 24-7 and Section 41 of public act 24-1, is amended to read as follows (*Effective from passage*):

Sec. 62. Following approval by the Public Utilities Regulatory Authority, as set forth in section 37(c) of this act and section 37(b) of section 41 of this act, if granted, Insofar as the provisions of sections 34 to 65, inclusive, of this act are inconsistent with the provisions of any other general statute, special act or any municipal ordinance, the provisions of sections 34 to 65, inclusive, of this act shall be controlling; provided nothing contained in sections 34 to 65, inclusive, of this act shall exempt the authority from compliance with zoning regulations lawfully established by any municipality, except that the plants, structures and other facilities of the water supply system or the wastewater system owned or operated by the authority shall be permitted uses in all zoning districts in every city, town or borough within the district; and provided further that the authority may not construct purification or filtration plants or wastewater treatment plants in any zoning district in which such use is not permitted under local zoning regulations without first obtaining approval of the proposed location of such facility from the Aquarion representative policy board following a public hearing.