

TABLE OF CONTENTS

**Procedures for the Projected Availability of all Generating Facilities
Over 100 MW by Electric Public Service Companies**

Filing requirements regarding generating units over 100 MW 16-19cc- 1
Quarterly review of nuclear generating capacity. 16-19cc- 2

**Procedures for the Projected Availability of all Generating Facilities
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Sec. 16-19cc-1. Filing requirements regarding generating units over 100 MW

(a) On or before April first and October first, semi-annually, each electric public service company as defined by section 16-1 of the general statutes, which owns a five per cent or larger share of a nuclear generating unit, shall file with the Department of Public Utility Control and the Office of the Consumer Counsel a report detailing the projected availability of all generating units over one hundred megawatts of capacity which are dispatched by the New England Power Pool. Such report shall include each unit's projected availability, maintenance, refueling and shutdown schedules for the next twelve month period.

With respect to units that are neither owned nor operated by a Connecticut electric public service company, one company may file the requested information on behalf of all Connecticut electric service companies.

(b) On or before April 1, annually, each electric public service company required to file a report pursuant to subsection (a) shall also file information on historic annual availability for the last five years of each unit over 100 megawatts which is dispatched by NEPOOL.

(Effective May 17, 1989)

Sec. 16-19cc-2. Quarterly review of nuclear generating capacity

(a) The Department, in its quarterly fossil fuel adjustment hearing under the provisions of section 16-19b of the general statutes for electric public service companies, shall review the nuclear generating capacity of each company, and, where fifty per cent or more of a company's nuclear generating capacity has been out of service for the calendar quarter being reviewed, shall make a determination as to whether or not the company has fulfilled its public service responsibilities under titles 16 and 16a of the General Statutes. This determination shall be in addition to any other reviews and determinations the Authority may make regarding nuclear outages.

(b) Upon a determination that the electric public service company has not fulfilled its public service responsibilities as a result of outages of its nuclear generating capacity and the cause of such outages was not beyond the control of the plant operator of the unit for which replacement power costs are sought, the Department may prohibit the electric public service company from recovering through its rates or charges, directly or indirectly, all or any portion of its additional replacement power costs associated with the purchase of electricity from other sources through its rates or charges. The Department shall utilize adjustments to base rates, and/or the fossil fuel adjustment clause and/or the generation utilization adjustment clause to adjust for the replacement power costs of outage(s).

(Effective May 17, 1989)