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Promotion or Marketing of Efficient Gas or Electric Equipment

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Promotion or Marketing of Efficient Gas or Electric Equipment

Sec. 16-19d-1. General rule

These rules set forth the procedure to be followed by a gas or electric company seeking a determination of eligibility for the recovery of costs incurred for the promotion or marketing of efficient gas and electric equipment. The recovery of costs determined to be reasonably incurred for such approved promotion or marketing program will be established at the time of the company's next rate application filed pursuant to section 16-19 of the General Statutes.

(Effective May 22, 1992)

Sec. 16-19d-2. Application for determination of eligibility

(a) (1) Each gas or electric company that seeks to recover costs under section 16-19d (b) of the General Statutes shall file an application with the Department of Public Utility Control requesting a determination of eligibility for recovery of the reasonable expenditures incurred in the promotion or marketing of efficient gas and electric equipment. A company may request that the filing be included as part of a company's rate proceeding under section 16-19 (a) of the General Statutes provided that, in order to make such request, the company shall waive the one hundred and twenty day time requirement set forth in section 16-19d-3 (a).

(2) No such application shall be required if a cost is to be incurred after having been included in an electric company's conservation and load management plan reviewed and approved by the Department pursuant to section 16-243a-3 (d), or a gas company's conservation and load management plan reviewed and approved by the Department pursuant to section 16a-49-3 (a).

(b) Each application shall contain sufficient testimony and data documenting all of the following:

(1) the equipment to be promoted and/or marketed is (A) efficient and (B) the use of such equipment and the proposed amount to be budgeted for promotion and marketing would provide net economic benefit to the company's customers. In support of the net economic benefit criterion, the company shall provide specific data demonstrating:

(i) the ratepayers or customer group(s) targeted by the proposed promotion or marketing;

(ii) the anticipated impact of such promotional or marketing program on the electric or gas company's demand and energy requirements;

(iii) the projected incremental impact on rates and bills to the company's customers, including non-participants in the promoted measures;

(2) that the use and promotion of the equipment is consistent with State conservation and energy policy;

(3) that the use and promotion of the equipment is consistent with integrated resource planning principles and with other demand or supply options as identified in the company's least cost integrated resource plan;

(4) that the promotion or marketing of the equipment does not have as its primary purpose the promotion of one fuel over another. In support, the company shall provide documentation establishing to the satisfaction of the Department that such promotion or marketing is designed primarily to promote the replacement of existing equipment with more energy efficient equipment, or to install efficient equipment in new construction.

(Effective May 22, 1992)

Sec. 16-19d-3. Administrative proceeding

(a) The Department of Public Utility Control shall approve, deny or modify, in whole or in part, an application for determination that the promotion or marketing of particular equipment meets the eligibility criteria for cost recovery within one hundred twenty days, if practicable, from the date of such application.

(b) In making its determination, the Department shall take into account the requirements of subdivision (4) of subsection (b) of Section 16-19d of the General Statutes. In determining whether the equipment is efficient, the Department shall consider the Energy Efficient Rating or other accepted national standard for equivalent equipment using the same fuel at the time of the application, or other appropriate levels or standards for measuring efficiency of the equipment.

(c) A copy of each application shall be submitted by the applicant to each electric and gas company operating in the state, the Office of Consumer Counsel and the Policy Development and Planning Division of the Office of Policy and Management or their successor agencies. Each application shall contain certification of compliance with this section.

(d) The Department shall allow the opportunity for each electric and gas company to file written comments on each application, and shall designate any person deemed by it to be affected by the application to participate in the Department's review as an intervenor in accordance with the Department's rules of practice.

(e) Each company making application shall be responsible for all reasonable and proper expenses required by the Department and the Office of Consumer Counsel related to such application, including, but not limited to, the costs associated with analysis, testing, evaluation and testimony at a public hearing or other proceeding and shall pay such costs as directed by the Department.

(Effective May 22, 1992)

Sec. 16-19d-4. Non-recovery of expenses for other advertising

(a) The cost of political, institutional or promotional advertising as defined in section 16-19d (a) of the General Statutes of any gas or electric company and the cost of political or institutional advertising of any telephone company shall not be deemed to be an operating expense in any rate schedule proceeding held pursuant to section 16-19.

(b) Political, institutional or promotional advertising does not include reasonable expenditures for the following:

- (1) the publication or distribution of existing or proposed tariffs or rate schedules;
- (2) notices required by law or regulation;
- (3) public information regarding service interruptions, safety measures, emergency conditions, employment opportunities or the means by which customers can conserve energy or make efficient and economical use of service, or

(4) the promotion or marketing of efficient gas and electric equipment which the Department of Public Utility Control has determined to be eligible for cost recovery pursuant to sections 16-19d-2 and 16-19d-3 of these regulations.

(Effective May 22, 1992)