



August 21, 2023

The Honorable Kevin Kelly
Senate Republican Leader
Legislative Office Building
300 Capitol Ave., Suite 3400
Hartford, CT 06106-1591
(via electronic mail to: Kevin.Kelly@cga.ct.gov)

The Honorable Jeff Gordon
Assistant Deputy Republican Leader
Legislative Office Building
300 Capitol Ave., Suite 3400
Hartford, CT 06106-1591
(via electronic mail to: Jeffrey.Gordon@cga.ct.gov)

Re: Hearings on Proposed Regulations PR 2023-020 and 2023-023 Scheduled for August 22, 2023

Dear Senators Kelly and Gordon,

Thank you for your letters dated August 21, 2023, requesting that the above referenced hearings scheduled for tomorrow be delayed for a week and be held both in person and with a remote option. We very much appreciate your interest in robust participation around the proposed regulations for light, medium and heavy-duty vehicles in Connecticut.

The Department will not be able to accommodate the request, for the following reasons. We agree that robust public participation is important to the adoption of regulations. If the current process did not meet that goal, we would be pursuing additional hearing options even though Connecticut statutes permit solely remote hearings.¹ At this point, however, more than 230 interested individuals have signed up to participate in the hearing tomorrow. The public notice

¹ As you know, hearings on proposed regulations are conducted pursuant to the provisions of Connecticut General Statutes § 4-168. A public hearing is a “meeting” as defined by Conn. Gen. Stat. 1-200(2), and such a meeting may be conducted using “electronic equipment.” “Electronic equipment” means any technology that facilitates real-time public access to meetings, including, but not limited to, telephonic, video or other conferencing platforms. Conn. Gen. Stat. 1-210(12). Indeed, “a public agency may hold a public meeting that is accessible to the public *by means of electronic equipment* or by means of electronic equipment in conjunction with an in-person meeting” (Emphasis added.) Conn. Gen. Stat. § 1-225a(a).

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for tomorrow's hearing has been widely circulated since the [initial notice of intent on July 21](#), and was again publicized in a [notice of hearing on August 8](#), 2023.

Moreover, hearings conducted using electronic equipment promote increased participation, at least in part because travel to Hartford can be difficult for some geographically dispersed constituents. This convenience is reflected in the anticipated participation at tomorrow's hearings, where, again, more than 230 people have already registered to participate. Providing virtual access removes physical barriers to participation and allows residents across Connecticut's 169 municipalities, including those with work or family obligations that would preclude travel, to provide their input.

Additionally, for those who do not have computers or other such devices, we have provided a "call-in" option; only a telephone is required to participate. We also understand that CT-N will be covering the hearings, on both television and its website, which we hope will increase visibility. And finally, the Department will accept unlimited written comment until 5:00 PM on August 23, 2022. To date, constituents have provided more than 4,800 written comments to DEEP. Those who watch the hearing on CT-N or choose to observe or listen to the hearing online or by calling in may provide their comments in writing following the hearing. The Department provides the same consideration to verbal and written comments when evaluating its proposed regulations.

The Department is committed to evaluating these proposed regulations, and to advancing its important clean air, public health, and climate change policy goals in an open and transparent manner. Hearings conducted using "electronic equipment" have proven effective when soliciting feedback from diverse stakeholders, and the Department looks forward to receiving comments from a variety of viewpoints during tomorrow's hearings.

Very truly yours,

A handwritten signature in blue ink that reads "Tracy R. Babbidge". The signature is written in a cursive style with a large, prominent initial 'T'.

Tracy Babbidge

Acting Deputy Commissioner, Environmental Quality Branch

Department of Energy and Environmental Protection