

March 14, 2005

S 512. ELECTRIC SERVICE CONFLICTS. *TO PRESERVE THE CORRIDOR RIGHTS OF ELECTRIC SUPPLIERS FROM EROSION DUE TO ANNEXATION OR INCORPORATION, TO CLARIFY THE RIGHTS OF PRIMARY AND SECONDARY SUPPLIERS OF ELECTRICITY TO SUPPLY ELECTRIC SERVICE WHEN THEIR DISTRIBUTION AND TRANSMISSION LINES ARE IN CLOSE PROXIMITY, TO PROHIBIT A CITY FROM CONDITIONING THE PROVISION OF WATER AND SEWER SERVICES TO VOLUNTARY ANNEXATION PETITIONERS UPON THE PETITIONERS AGREEING TO BE SUPPLIED WITH ELECTRICITY BY THE CITY, AND TO CREATE A MECHANISM TO FACILITATE THE RESOLUTION OF TERRITORIAL DISPUTES BETWEEN ELECTRICITY SUPPLIERS.* Blank bill.

Intro. by Clodfelter.

Ref. to

UNCODIFIED

May 31, 2005

S 512. ELECTRIC SERVICE CONFLICTS. Intro. 3/15/05. Senate committee substitute makes the following changes to 1st edition. Replaces blank bill with *AN ACT TO PROHIBIT THE PRACTICE OF CONDITIONING THE PROVISION OF WATER OR SEWER SERVICES UPON AGREEING TO BE SUPPLIED WITH ELECTRICITY, TO PRESERVE THE CORRIDOR SERVICE RIGHTS OF ELECTRIC SUPPLIERS OUTSIDE CITIES FROM BEING LOST OR DILUTED DUE TO EXTRATERRITORIAL SERVICES BY CITIES, AND TO ADDRESS OTHER ELECTRIC TERRITORY ISSUES.* Enacts new GS 75-39 to prohibit a municipality or other provider of water or sewer services from conditioning the provision of water or sewer services on a person's agreement to receive electric service from the municipality or another electric supplier. Amends GS 160A-331 definitions of "line" and "secondary supplier." Enacts new GS 160A-331.1, 160A-331.2, and 117-10.3 to provide that during the period beginning June 1, 2005, and ending May 31, 2007, a city must obtain the written consent of an electric membership corporation before extending an electric distribution line outside of a city's corporate limits and into territory assigned to that corporation, and that a corporation must obtain the consent of a city whose corporate limits are within three miles of any part of a line or extension before undertaking construction or extension of corporation's line. Requires that consent be given unless party concludes that the line's construction is not supported by public need. Also requires that during that same period corporations and cities that own electric lines undertake good faith negotiations regarding the provision of electric service in areas outside a city's corporate limits and submit those agreements to the NC Utilities Comm'n. Requires that any dispute concerning the failure of a party to grant consent or the failure of a corporation or a city to enter into agreement concerning electric service outside a city's corporate limits be resolved under the provisions of new GS 7A-38.3B which sets forth the procedures for prelitigation mediation of territorial disputes.

Enacts new GS 160A-332(a)(6b) to require that any electric supplier who supplies electric services in an area where the consumer has a right to choose its suppliers to notify the consumer of that choice and to provide that a supplier's failure to provide this notice will forfeit supplier's right to service customer. Enacts new GS 160A-332(c) to make it unlawful for a primary or secondary supplier to supply electricity in an area it does not have the right to serve, to require that supplier cease providing services upon notification by the provider servicing area, and to authorize legitimate supplier to bring an action to require that supplier cease providing services and recover its costs, including attorneys' fees. Makes conforming changes to GS 117-10.2. Effective July 1, 2005.

June 22, 2005

S 512. ELECTRIC SERVICE CONFLICTS. Intro. 3/15/05. House committee substitute makes the following changes to 2nd edition. Makes technical changes and changes effective date to when it becomes law (was July 1, 2005).

July 7, 2005

SL 2005-150 (S 512). ELECTRIC SERVICE CONFLICTS. AN ACT TO PROHIBIT THE PRACTICE OF CONDITIONING THE PROVISION OF WATER OR SEWER SERVICES UPON AGREEING TO BE SUPPLIED WITH ELECTRICITY, TO PRESERVE THE CORRIDOR SERVICE RIGHTS OF ELECTRIC SUPPLIERS OUTSIDE CITIES FROM BEING LOST OR DILUTED DUE TO EXTRATERRITORIAL SERVICES BY CITIES, AND TO ADDRESS OTHER ELECTRIC TERRITORY ISSUES. Summarized in *Daily Bulletin* 5/31/05 and 6/22/05. Enacted July 5, 2005. Effective July 5, 2005.