

March 25, 2009

H 811. MORATORIUM ON COAL-FIRED POWER PLANTS. Filed 3/25/09. *TO PROVIDE ECONOMIC RELIEF TO ELECTRIC UTILITY RATEPAYERS DURING THIS PERIOD OF ECONOMIC RECESSION AND THE COMING RECOVERY PERIOD BY PLACING A MORATORIUM ON THE CONSTRUCTION OF NEW COAL-FIRED POWER PLANTS.*

Enacts *the Electric Utility Ratepayers Relief Act* with the purpose as the title indicates.

Defines: (1) *certificate* and *public utility* as defined in GS 62-3; and (2) *coal-fired generating unit* as defined in GS 62-133.6. Prohibits the issuance of any certificate to operate a coal-fired generating unit pursuant to any application filed with the North Carolina Utilities Commission on or after July 1, 2009. Directs the North Carolina Utilities Commission to temporarily suspend any certificate issued before July 1, 2009, where construction of a coal-fired generating unit has not commenced electrical generating operations as of July 1, 2009. The suspension remains in effect until July 1, 2014. Specifies that the act does not prohibit an electric public utility from recovering, pursuant to Article 7 of Chapter 62 of the General Statutes, the costs associated with construction work that is in progress. Prohibits any electric public utility that obtains a certificate to construct a coal-fired generating unit before July 1, 2009, that commences or continues construction in violation of the act from applying to recover, pursuant to Article 7 of Chapter 62 of the General Statutes, any such construction costs as a fixed rate, and any temporary suspension imposed under the act will be made permanent.

Intro. by Harrison, Luebke, Fisher.

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