

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H

D

HOUSE BILL 818
PROPOSED COMMITTEE SUBSTITUTE H818-PCS10369-TD-20

Short Title: University Energy Savings Contracts.

(Public)

Sponsors:

Referred to:

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE ADDITIONAL QUALIFIED UNC INSTITUTIONS TO
3 SELF-PERFORM ENERGY CONSERVATION MEASURES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-64.17L reads as rewritten:

6 "**§ 143-64.17L. Board of Governors may authorize energy conservation measures at**
7 **constituent institutions.**

8 (a) Authority. – Notwithstanding the provisions of this Part to the contrary, the Board
9 of Governors of The University of North Carolina may authorize any constituent institution
10 listed in subsection (e) of this section to implement an energy conservation measure without
11 entering into a guaranteed energy savings contract if both of the following conditions are met:

12 (1) The Board of Governors finds that the energy savings resulting from the
13 implementation of the energy conservation measure shall, according to the
14 energy savings analysis received pursuant to G.S. 143-64.17M(a), equal or
15 exceed the total cost of implementing the measure. If the proposed
16 implementation will be financed with debt, then the energy savings analysis
17 must project sufficient energy savings to pay the debt service on any bonds
18 to be issued. As used in this subdivision, the term "total cost" shall have the
19 same meaning as it does in G.S. 143-64.17B(d).

20 (2) The energy conservation measure is for an existing building or utility
21 system.

22 (b) Scope of Authority. – In implementing an energy conservation measure pursuant to
23 subsection (a) of this section, the Board of Governors may undertake or authorize any
24 constituent institution listed in subsection (e) of this section to undertake any action that (i)
25 could be required of a qualified provider under a guaranteed energy savings contract or (ii) is
26 otherwise permissible under this Part.

27 (c) Projects Consisting of Multiple Energy Conservation Measures. – The Board of
28 Governors may authorize the implementation of multiple energy conservation measures
29 simultaneously as part of a single project. When doing so, the findings required by subsection
30 (a) of this section may be made with respect to the project as a whole and need not be made
31 with respect to individual energy conservation measures. Similarly, the analyses required by
32 G.S. 143-64.17M may be conducted for the project as a whole instead of for individual energy
33 conservation measures.

34 (d) Continuing Applicability of Part to Contracts. – If the Board of Governors or a
35 constituent institution implements an energy conservation measure through a guaranteed energy
36 savings contract, that contract shall accord in all respects with the requirements of this Part.



* H 8 1 8 - P C S 1 0 3 6 9 - T D - 2 0 *

1 (e) The Board of Governors may authorize Appalachian State University, East Carolina
2 University, North Carolina A&T State University, North Carolina State University-University,
3 the University of North Carolina at Chapel Hill, the University of North Carolina at Charlotte,
4 and the University of North Carolina at Greensboro to implement an energy conservation
5 measure without entering into a guaranteed energy savings contract pursuant to this section."
6

SECTION 2. This act becomes effective July 1, 2013.