

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1991

CHAPTER 803
SENATE BILL 1072

AN ACT TO SET THE RURAL ELECTRIFICATION AUTHORITY REGULATORY FEE FOR THE 1992-93 FISCAL YEAR AND TO REQUIRE THE GENERAL ASSEMBLY TO ENACT LEGISLATION SETTING THE FEE IN FUTURE FISCAL YEARS ONLY IF THE FEE IS TO BE HIGHER THAN THE FEE SET FOR THE 1992-93 FISCAL YEAR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 117-3.1(b) reads as rewritten:

"(b) Rate. =

1. ~~For the 1991-92 fiscal year, the regulatory fee shall be three and three-fourths cents (3 3/4¢) for each electric membership corporation's North Carolina meter connected for service for that quarter and three and three-fourths cents (3 3/4¢) for each telephone membership corporation's North Carolina access line connected for service for that quarter.~~
2. For each fiscal years beginning on or after July 1, 1992, year, the regulatory fee shall be that the greater of the following:
 - (1) The rate established by the General Assembly for that year for each electric membership corporation's North Carolina meter connected for service and each telephone membership corporation's North Carolina access line connected for service for each quarter.
 - (2) Four cents (4¢) for each electric membership corporation's North Carolina meter connected for service and for each telephone membership corporation's North Carolina access line connected for service for each quarter of the year.

When the Authority prepares its budget request for the upcoming fiscal year, the Authority shall propose a rate for the regulatory fee. For fiscal years beginning in an odd-numbered year, that proposed rate shall be included in the budget message the Governor submits to the General Assembly pursuant to G.S. 143-11. For fiscal years beginning in an even-numbered year, that proposed rate shall be included in a special budget message the Governor shall submit to the General Assembly. ~~The~~ If the General Assembly decides to set the regulatory fee at a rate higher than the rate in subdivision (2) of this subsection, it shall set the regulatory fee by law.

The regulatory fee may not exceed the amount necessary to generate funds sufficient to defray the estimated cost of the operations of the Authority for the upcoming fiscal

year, including a reasonable margin for a reserve fund. The amount of the reserve may not exceed the estimated cost of operating the Authority for the upcoming fiscal year. In calculating the amount of the reserve, the General Assembly shall consider all relevant factors that may affect the cost of operating the Authority or a possible unanticipated increase or decrease in North Carolina electric meters and North Carolina telephone access lines."

Sec. 2. This act becomes effective July 1, 1992.

In the General Assembly read three times and ratified this the 30th day of June, 1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives