

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

H

D

HOUSE DRH50342-LM-125 (04/12)

Short Title: Preserve Municipal Electric Service.

(Public)

---

Sponsors: Representative Holliman.

---

Referred to:

---

A BILL TO BE ENTITLED

1  
2 AN ACT PROHIBITING UNNECESSARY ELECTRIC SERVICE LINES,  
3 PRESERVING CUSTOMERS RIGHT OF CHOICE IN ELECTRIC SERVICE,  
4 PRESERVING THE RIGHT TO SERVE CUSTOMERS, AND IMPOSING CIVIL  
5 PENALTIES UPON ELECTRIC SERVICE PROVIDERS FOR SERVING  
6 CUSTOMERS THEY ARE NOT AUTHORIZED TO SERVE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 62-110.2(a)(2) reads as rewritten:

9 "(2) "Line" means any energized conductor for the distribution or  
10 transmission of electricity, other than

11 a. ~~In the case of~~For overhead construction, a an energized  
12 conductor from the pole nearest the premises of a consumer to  
13 ~~such the~~ premises, or a an energized conductor from a line tap  
14 to ~~such the~~ premises, and

15 b. ~~In the case of~~For underground construction, a an energized  
16 conductor from the transformer (or junction point, if there be  
17 one) nearest the premises of a consumer to ~~such the~~ premises."

18 **SECTION 2.** G.S. 160A-331(2) reads as rewritten:

19 "(2) "Line" means any energized conductor located inside the city for  
20 distributing or transmitting electricity, other than

21 a. For overhead construction, a an energized conductor from the  
22 pole nearest the premises of a consumer to ~~such the~~ premises, or  
23 a an energized conductor from a line tap to ~~such the~~ premises,  
24 and

25 b. For underground construction, a an energized conductor from  
26 the transformer (or the junction point, if there be one) nearest  
27 the premises of a consumer to ~~such the~~ premises."

1           **SECTION 3.** G.S. 160A-332(a) is amended by adding the following new  
2 subdivision to read:

3           "(6b) A primary or secondary supplier who serves or attempts to serve any  
4           premises initially requiring electric service after the determination and  
5           located within 300 feet of lines as described in subdivision (5) or (6) of  
6           this section without first apprising the consumer in writing that the  
7           consumer has a choice of supplier as required in subdivision (5) or (6)  
8           of this section shall lose the right to serve the premises."

9           **SECTION 4.** G.S. 160A-332 is amended by adding the following new  
10 subsection to read:

11           "(c) It shall be unlawful for an electric service provider to serve or attempt to  
12 serve a customer that it does not have the right to serve under the provisions of this  
13 section. An electric service provider who violates the provisions of this subsection shall  
14 be assessed a civil penalty of ten thousand dollars (\$10,000) for each violation."

15           **SECTION 5.** This act is effective when it becomes law.