

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 366
Committee Substitute Favorable 4/24/95

Short Title: Natural Gas Franchises.

(Public)

Sponsors:

Referred to:

March 7, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE UTILITIES COMMISSION TO ISSUE CERTIFICATES
3 OF CONVENIENCE AND NECESSITY FOR NATURAL GAS SERVICE FOR
4 ALL AREAS OF THE STATE FOR WHICH CERTIFICATES HAVE NOT BEEN
5 ISSUED.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 62-36A is amended by adding a new subsection to read:

8 "(b1) The Commission shall issue a certificate of public convenience and necessity
9 in accordance with the provisions of Article 6 of this Chapter for natural gas service for
10 all areas of the State for which certificates have not been issued. Issuance of certificates
11 shall be completed by January 1, 1997, and shall be made after a hearing process in
12 which any person capable of providing natural gas service to an area of the State for
13 which no certificate has been issued or for which no application has been made by July 1,
14 1995, may apply to the Commission to be considered for the issuance of a certificate
15 under the provisions of this subsection. In issuing a certificate for any unfranchised area
16 of the State, the Commission shall consider the timeliness with which each applicant
17 could begin providing adequate, reliable, and economical service to that area, as well as
18 any other criteria the Commission finds to be relevant, and the Commission may issue a

1 certificate covering less than the total area applied for by an applicant. If the
2 Commission issues a certificate covering less than the total area applied for by the
3 applicant, the applicant may refuse the certificate. In the event that the Commission
4 receives no application for issuance of a certificate for service to a particular area of the
5 State, or in the event a certificate for service to a particular area is not awarded for any
6 reason, the Commission shall issue a certificate for that area to a person or persons to
7 whom a certificate has already been issued."

8 Sec. 2. This act becomes effective July 1, 1995.