

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS75216-TP-1 (11/26)

Short Title: Transmission Line Ownership. (Public)

Sponsors: Senator Newton (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT ONLY INCUMBENT PROVIDERS MAY CONSTRUCT A
3 NEW ELECTRICITY TRANSMISSION LINE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 62-100 reads as rewritten:

6 "§ 62-100. Definitions.

7 As used in this Article:

- 8 (1) The term "begin to construct" includes any clearing of land, excavation, or
9 other action that would adversely affect the natural environment of the route
10 of a transmission line; but that term does not include land surveys, boring to
11 ascertain geological conditions, or similar preliminary work undertaken to
12 determine the suitability of proposed routes for a transmission line that
13 results in temporary changes to the ~~land~~; land.
- 14 (2) The word "county" means any one of the counties listed in ~~G.S. 153A-10~~;
15 G.S. 153A-10.
- 16 (3) The word "land" means any real estate or any estate or interest in real estate,
17 including water and riparian rights, regardless of the use to which it is
18 ~~devoted~~; devoted.
- 19 (4) The word "lines" means distribution lines and transmission lines
20 ~~collectively~~; collectively.
- 21 (5) The word "municipality" means any incorporated community, whether
22 designated as a city, town, or village and any area over which it exercises
23 any of the powers granted by Article 19 of Chapter 160A of the General
24 ~~Statutes~~; Statutes.
- 25 (6) The term "public utility" means any of the following:
- 26 a. A public utility, as defined in G.S. 62-3(23).
27 b. An electric membership cooperative.
28 c. A joint municipal power agency.
29 d. A city or county that is a person, whether organized under the laws of
30 ~~this State or under the laws of any other state or country~~, engaged in
31 producing, generating, transmitting, delivering, or furnishing
32 electricity for private or public ~~use~~. ~~use, including counties,~~
33 ~~municipalities, joint municipal power agencies, electric membership~~
34 ~~corporations, and public and private corporations; and~~
- 35 (7) The term "transmission line" means an electric line designed with a capacity
36 of at least 161 kilovolts."



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1 **SECTION 2.** G.S. 62-101(a) reads as rewritten:

2 "(a) No public utility or any other person may begin to construct a new transmission line
3 without first obtaining from the Commission a certificate of environmental compatibility and
4 public convenience and necessity. Only a public utility, as defined in this Article, may obtain a
5 certificate to construct a new transmission line."

6 **SECTION 3.** This act is effective when it becomes law and applies to certificates
7 of environmental capability and public convenience and necessity issued on or after that date.