

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

S

3

SENATE BILL 635
House Committee Substitute Favorable 5/2/13
Third Edition Engrossed 6/19/13

Short Title: Transmission Line Ownership.

(Public)

Sponsors:

Referred to:

April 4, 2013

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 corporation.
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



1 (7) The term "transmission line" means an electric line designed with a capacity
2 of at least 161 kilovolts."
3 **SECTION 2.** G.S. 62-101(a) reads as rewritten:
4 "(a) No public utility or any other person may begin to construct a new transmission line
5 without first obtaining from the Commission a certificate of environmental compatibility and
6 public convenience and necessity. Only a public utility as defined in this Article may obtain a
7 certificate to construct a new transmission line, except an entity may obtain a certificate to
8 construct a new transmission line solely for the purpose of providing interconnection of an
9 electric generation facility."
10 **SECTION 3.** This act is effective when it becomes law and applies to certificates of
11 environmental compatibility and public convenience and necessity issued on or after that date.