

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 372
SENATE BILL 854

AN ACT TO AMEND CHAPTER 62 OF THE GENERAL STATUTES TO PROVIDE THAT THE TOWN OF PINEVILLE'S TELEPHONE SYSTEM SHALL BE SUBJECT TO THE REGULATORY JURISDICTION OF THE NORTH CAROLINA UTILITIES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 62-3(23) is hereby amended by adding a new paragraph at the end thereof to read as follows:

"f. The term 'Public Utility' shall include the Town of Pineville insofar as said Town supplies telephone services to the public for compensation. The territory to be served by the Town of Pineville in furnishing telephone services, subject to the Public Utilities Act, shall include the Town limits as they exist on the date of enactment of this act; and shall also include the area proposed to be annexed under the Town's ordinance adopted May 3, 1971, until January 1, 1975."

Sec. 2. The North Carolina Utilities Commission shall grant a franchise to the Town of Pineville for the area within the present Town limits; further, the Utilities Commission shall grant an interim franchise for the area proposed to be annexed, until January 1, 1975, by which time the Town shall apply for a certificate of public convenience and necessity to operate in the area proposed to be annexed, and shall be granted such certificate of public convenience and necessity by the North Carolina Utilities Commission upon a showing by the Town of Pineville that it is fit, willing and able to provide adequate telephone services on a continuing basis to meet the needs of said area; provided further, that the Town of Pineville may continue to serve its existing consumers outside of the present corporate limits so long as these consumers desire to have the Town of Pineville's telephone service.

Sec. 3. In order to provide a period for the development by the Town of Pineville of records of the kind which may be required by the North Carolina Utilities Commission, the Utilities Commission shall have no authority in respect to the rates or charges for the telephone service supplied by the Town of Pineville to the public for compensation until July 1, 1974.

Sec. 4. This act shall be in full force and effect upon ratification.

In the General Assembly read three times and ratified, this the 8th day of May, 1973.