

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**HOUSE BILL 559**

Short Title: Study/Municipal Electric Utilities. (Public)

Sponsors: Representatives Farmer-Butterfield, Collins, and Bryant (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Rules, Calendar, and Operations of the House.

March 31, 2011

A BILL TO BE ENTITLED

AN ACT CREATING THE MUNICIPAL ELECTRIC POWER STUDY COMMISSION TO  
STUDY THE ELECTRIC RATES CHARGED AND SERVICE PROVIDED BY THE  
CITIES AND TOWNS IN EASTERN NORTH CAROLINA THAT COMPRISE THE  
NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY.

The General Assembly of North Carolina enacts:

**SECTION 1.** Commission Established. – There is created the Municipal Electric  
Power Study Commission ("Commission"). The Commission shall consist of 16 voting  
members appointed as follows:

- (1) Eight members appointed by the President Pro Tempore of the Senate, to include the following:
  - a. Four members of the Senate.
  - b. Four members of the general public, one of whom shall have experience or expertise in the operations of an electric utility owned by a city or town that is a member of the North Carolina Eastern Municipal Power Agency (NCEMPA); one of whom shall be a customer of an electric utility owned by a city or town that is a member of NCEMPA; and one of whom shall represent a city or town that operates an electric utility and is a member of NCEMPA.
- (2) Eight members appointed by the Speaker of the House of Representatives, to include the following:
  - a. Four members of the House of Representatives.
  - b. Four members of the general public, one of whom shall have experience or expertise in the operations of an electric utility owned by a city or town that is a member of the North Carolina Eastern Municipal Power Agency (NCEMPA); one of whom shall be a customer of an electric utility owned by a city or town that is a member of NCEMPA; and one of whom shall represent a city or town that operates an electric utility and is a member of NCEMPA.

Vacancies on the Commission shall be filled by the appointing authority. The Commission shall choose from among its membership a chair and two vice-chairs. A quorum of the Commission shall be nine members.

The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any



1 information, data, or documents within their possession, ascertainable from their records, or  
2 otherwise available to them, and the power to subpoena witnesses.

3 The Commission may meet at any time upon call of the chairs. The Commission  
4 may meet in the Legislative Building or the Legislative Office Building. The Commission may  
5 contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

6 The Legislative Services Commission, through the Legislative Services Officer,  
7 shall assign professional staff to assist the Commission in its work. The House of  
8 Representatives' and Senate's Directors of Legislative Assistants shall assign clerical staff to the  
9 Commission, and the expenses relating to the clerical employees shall be borne by the  
10 Commission. Members of the Commission shall receive subsistence and travel expenses at the  
11 rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

12 **SECTION 2.** Duties. – The Commission shall study the electric rates charged and  
13 service provided by the towns and cities in eastern North Carolina that own an electric utility  
14 and are members of NCEMPA. In its study, the Commission may also examine any issues or  
15 matters that affect directly or indirectly the rates charged and services provided by the  
16 NCEMPA member cities and towns.

17 **SECTION 3.** Report. – The Commission shall submit a final report, including any  
18 proposed legislation, to the 2012 Regular Session of the 2011 General Assembly and may  
19 submit interim reports as it deems necessary. The Committee shall terminate upon filing its  
20 final report or upon the convening of the 2012 Regular Session of the 2011 General Assembly,  
21 whichever comes first.

22 **SECTION 4.** This act is effective when it becomes law.