

Utilities

See full summary documents for additional detail

H329 - Renewable Energy Amends. (SL 2019-132)

S.L. 2019-132 does all of the following:

- Adds a definition for "plug-in electric vehicle" to the Public Utilities Chapter of the General Statutes.
- Directs the Environmental Management Commission (EMC) to adopt rules to establish a regulatory program to govern: the management of end-of-life photovoltaic (PV) modules and energy storage system batteries, including requirements for stewardship programs for the recycling of such equipment; and decommissioning of utility-scale solar projects and wind energy facilities. The Department of Environmental Quality (DEQ) is also directed to establish a stakeholder process to support development of the rules.
- Extends certain treatment given to small power producers that produce energy from swine and poultry waste to certain small hydroelectric power facilities, with respect to an exemption concerning capacity payments to small power producers under standard contracts.

This act became effective July 19, 2019.

H387 - Growing G.R.E.A.T. (SL 2019-230)

S.L. 2019-230 makes various changes to the Growing Rural Economies with Access to Technology (GREAT) program that provides grants for expansion of broadband access in rural areas of the State.

This act has various effective dates. Please see the full summary for more detail.

H432 - Water/Sewer to Contiguous Dwelling Units. (SL 2019-56)

S.L. 2019-56 provides that if the Utilities Commission (Commission) approves a flat rate to be charged by a water or sewer utility for the provision of water or sewer services to contiguous dwelling units of leased premises, the lessor may pass through and charge the tenants of the contiguous dwelling units the same flat rate for water or sewer services, rather than a rate based on metered consumption.

This act became effective June 26, 2019.

H529 - Utilities/Water and Wastewater Consumption. (SL 2019-88)

S.L. 2019-88 authorizes the Utilities Commission (Commission) to adopt, implement, modify, or eliminate a rate adjustment mechanism for regulated water and wastewater utilities to reflect changes in customer usage in a general rate case; directs the Commission for Public Health (CPH) to adopt rules concerning the construction and operation of artificial swimming lagoons; and directs CPH to study whether the requirement that all swimming pools have a telephone capable of dialing 911 is necessary.

This act became effective July 8, 2019.

H872 - Underground Utility Safety Act/Changes. (SL 2019-189)

S.L. 2019-189 makes various changes to the Underground Utility Safety and Damage Prevention Act (Act), including authorizing the Underground Damage Prevention Review Board (Board) to approve training courses and to impose a fee on operators to fund the activities of the Board.

This act became effective October 1, 2019.

S310 - Electric Co-Op Rural Broadband Services. (SL 2019-17)

S.L. 2019-17 does all of the following:

- Eliminates certain restrictions on the formation and operation of separate business entities (subsidiaries) by Electric Membership Corporations (EMCs) that provide or support high speed broadband services.
- Provides that the terms of any easement held or otherwise used by an EMC for the provision of electrification may be expanded to allow use by the EMC, or a subsidiary of the EMC even if not a party to the underlying easement, for the purpose of supplying high-speed broadband service, even if not a stated purpose in the underlying easement.
- Prohibits class action suits against an EMC or a wholly-owned subsidiary of the EMC in litigation claiming trespass or inverse condemnation based on a claim of the expanded use of an easement.
- Establishes a measure of damages to be paid to a landowner, if, in a lawsuit in trespass or inverse condemnation based on a claim of expanded use of an easement, the landowner prevails over an EMC or a wholly-owned subsidiary of the EMC. Among other limitations, the damages may not exceed the difference between the fair market value of the property owner's entire property immediately before the taking and the fair market value of the property owner's property immediately after the taking. Upon payment of damages, the EMC or a wholly-owned subsidiary of the EMC are granted a permanent easement for the trespass that was the subject of the lawsuit.

This act became effective May 30, 2019, and applies to any claims filed on or after that date.

S320 - Regional Water Systems and State Grants. (Ratified)

Senate Bill 320 would amend requirements governing disbursement of water/wastewater infrastructure grants or loans to recipients engaged in regionalization to, in certain circumstances, require a written agreement between a recipient and local government units purchasing treated or untreated water from the recipient, stating the current rates of purchase and any anticipated increases over the term of the agreement, or a resolution approved by the governing board of the purchasing local government unit stating that it waives its option to establish such a written agreement. The bill also establishes a process for the Local Government Commission (LGC) to assist in resolving any disputes between local government units prior to execution of a written agreement. If the parties fail to reach an agreement, the bill would prohibit the Department of Environmental Quality (DEQ) from disbursing any loan or grant to either local government unit until the dispute is resolved to the satisfaction of the LGC.

Senate Bill 320 was vetoed by the Governor on August 2, 2019, has not been overridden by the General Assembly, and, therefore, has not become law.

S559 - Storm Securitization. (SL 2019-244)

S.L. 2019-244 permits electric public utility companies to use bond financing for certain storm recovery costs. This financing mechanism would not create any indebtedness for the State or any of its political subdivisions.

This act became effective November 6, 2019.

S691 - Emergency Operating Funds for Utilities. (SL 2019-226)

S.L. 2019-226 permits funds from the Wastewater Reserve and the Drinking Water Reserve to be used during the 2019-2020 fiscal year to provide grants to the Local Government Commission to fund operating deficits of a public water or wastewater system when (1) the system has been taken over by the Local Government Commission or (2) the charter of the local government or public authority owning the system has been revoked by a local act of the General Assembly.

This act became effective October 1, 2019.