

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1444  
SENATE BILL 1314

AN ACT TO PERMIT SMALL ELECTRICAL DISTRIBUTION COMPANIES TO CHARGE THE SAME RATES FOR THE SAME SERVICES AS THE UTILITY COMPANIES FROM WHICH THEY PURCHASE THEIR ELECTRICITY AT WHOLESALE.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 62-134 is hereby amended by adding thereto a new subsection (d) to read as follows:

"(d) Notwithstanding the provisions of this Article, any public utility engaged solely in distributing electricity to retail customers, which electricity has been purchased at wholesale rates from another public utility, an electric membership corporation or a municipality, may in its discretion, and without the necessity of public hearings as in this section is otherwise provided, elect to adopt the same retail rates to customers charged by the public utility, electric membership corporation or municipality from whom the wholesale power is purchased for the same service, unless the North Carolina Utility Commission finds upon a hearing, either on its own initiative or upon complaint, that the rate of return earned by such utility upon the basis of such rates is unjust and unreasonable. In such a proceeding the burden of proof shall be upon the electrical distribution company."

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1974.