

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1186
HOUSE BILL 274

AN ACT TO ALLOW INTERRUPTION OF UTILITY SERVICES TO PROVIDE FOR REIMBURSEMENT BY THE BENEFICIARY OF THE INTERRUPTION, AND TO PERMIT HOTELS AND MOTELS TO OBTAIN REIMBURSEMENT FOR TELEPHONE SERVICES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 62, Article 3, of the General Statutes of North Carolina is amended by adding a new subsection to read as follows:

"§ 62-52. Interruption of service. — The Utilities Commission may adopt appropriate rules and regulations which would allow public utilities to temporarily interrupt service when a structure is moved by the owner of such structure (or by a licensed mover authorized and acting on behalf of the owner) over or along public roads or streets and there are public utility facilities in place which would impede the movement of such structure. Such rules and regulations shall require:

- (1) the owner to demonstrate that the public health and safety of the utility's customers and that of the general public will not be affected by the interruption of such service,
- (2) that the inconvenience to said customers and the general public can be fully anticipated and reduced to a minimum,
- (3) the utility cooperate with the owner in furnishing information relative to (1) and (2), and
- (4) an initial application fee be paid the utility toward its cost to be incurred in investigating and planning.

Should the owner and the public utility be unable to agree on a practical procedure and/or the direction to follow in overcoming the impeding facilities in order that the public health and safety of the utility's customers and that of the general public will not be affected, then and in such event the owner may petition the Utilities Commission to require the utility to temporarily interrupt its service to its customers by disconnecting the impeding facilities, provided the owner can demonstrate to the satisfaction of the Commission that the public health and safety of the utility's customers and that of the general public will not be affected by such interruption of service and that the public utility was unreasonable in the procedure, direction and cost proposed to the owner to overcome the impeding facility.

In any event, the owner of said structure shall reimburse the utility its full cost involved in such disconnection and reconnection including but not limited to planning, engineering, notification and administrative costs, labor, material and equipment. Should the impeding facility be overcome other than by disconnection, the owner shall nevertheless reimburse the utility its full cost related thereto."

Sec. 2. G.S. 62-3(23) is amended by adding a new subsection "g." to read as follows:

"g. The term 'public utility' shall not include a hotel or motel which imposes charges to guests for local or long-distance telephone calls when such calls are completed through the use of local access lines

or long-distance message telecommunications service (MTS) of a public utility, and the applicable charges for telephone calls are displayed in each guest room."

Sec. 3. Section 1 shall become effective upon ratification. The provisions of Section 2 shall become effective January 1, 1983.

In the General Assembly read three times and ratified, this the 17th day of June, 1982.