

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013**

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**SENATE BILL 720**

Short Title: NCEMPA/Duke Energy Negotiations. (Public)

Sponsors: Senators Newton (Primary Sponsor); and Bryant.

Referred to: Commerce.

April 4, 2013

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT THE NORTH CAROLINA EASTERN MUNICIPAL ELECTRIC POWER AGENCY SHALL ACTIVELY ENGAGE IN NEGOTIATIONS TO SELL OR TRANSFER ITS ELECTRIC GENERATION ASSETS TO DUKE ENERGY OR ANOTHER INVESTOR-OWNED UTILITY AND SHALL ENGAGE IN NEGOTIATIONS WITH DUKE ENERGY FOR THE PURPOSE OF RENEGOTIATING ITS CONTRACTUAL OBLIGATIONS TO PURCHASE ELECTRICITY EXCLUSIVELY FROM DUKE ENERGY.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The North Carolina Eastern Municipal Electric Power Agency (NCEMPA) shall actively engage in negotiations with Duke Energy to transfer or sell its ownership interests in the following five electric generating assets to Duke Energy or another investor-owned utility: two nuclear units at the Brunswick Plant in Brunswick County, one nuclear unit at the Sheraton Harris Plant in Wake County, and two coal-fired plants in Person County. NCEMPA shall also actively seek to renegotiate its contracts with Duke Energy to eliminate or amend any requirements that NCEMPA exclusively purchase electric power from Duke Energy if renegotiation of the contracts will result in cost savings for NCEMPA, its member cities, and their citizens.

**SECTION 1.(b)** No later than December 31, 2013, NCEMPA shall submit to the Utilities Commission and the Joint Legislative Commission on Governmental Operations the results of its efforts under subsection (a) of this section.

**SECTION 1.(c)** The intent of the General Assembly is that NCEMPA explore all feasible options with Duke Energy to aid NCEMPA member cities in (i) divesting their ownership interest in the five electric generating assets described in subsection (a) of this section and (ii) reducing electric rates to their residential and business customers.

**SECTION 2.** This act is effective when it becomes law.

