



SENATE JOINT RESOLUTION 749: Confirm Lyons Gray/Utilities Commission.

2016-2017 General Assembly

Committee:	Senate Select Committee on Nominations	Date:	April 26, 2016
Introduced by:	Sen. Apodaca	Prepared by:	Layla Cummings Staff Attorney
Analysis of:	Filed Edition		

SUMMARY: *SJR 749 confirms the appointment of Lyons Gray to the Utilities Commission. Mr. Gray has been appointed by Governor McCrory for a term expiring June 30, 2021.*

Confirmation by the General Assembly of Utilities Commission appointments made by the Governor is required by G.S. 62-10. The resolution is effective upon ratification.

BACKGROUND: The North Carolina Utilities Commission consists of seven commissioners who are appointed for six-year terms. Terms are staggered. Commissioners are appointed by the Governor and must be confirmed by the General Assembly by Joint Resolution.

Members of the Utilities Commission are subject to the same standards of conduct as a judge. A Commissioner may not engage in any other employment, business, profession, or vocation while serving on the Commission. During the term of office, a Commissioner may not be associated in any way with any public utility company, including ownership of any interest.

The General Assembly created the Utilities Commission and establishes policies that the Commission carries out, usually with broad discretion. Chapter 62 of the General Statutes provides that the Commission is both a regulator of public utilities, as well as a judge in all matters relating to regulated public utilities. Decisions of the Utilities Commission are appealable directly to the North Carolina Court of Appeals, with the exception of general rate cases, which are appealable directly to the North Carolina Supreme Court.

The North Carolina Utilities Commission regulates the rates and services of the intrastate operations of public utilities supplying electricity, gas, certain telecommunications services, water and sewer services, taxis, and certain aspects of bus, train, trucking, express package, and mail services. The extent of this regulation varies among the different types of utilities, and limitations imposed by federal law. The Commission hears and decides proceedings relating to the issuance of utility franchises, the construction of electric generating plants, the setting of utility rates, the adjustment of electric utility rates based upon fuel cost changes, the adjustment of natural gas rates based upon changes in the cost of natural gas, use of natural gas expansion funds, the provision of new utility services, and complaints concerning the services of public utilities. The Commission also has limited authority over electric cooperatives and their subsidiaries, and municipal providers of electricity.

EFFECTIVE DATE: The resolution is effective upon ratification.

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