



HOUSE BILL 329: Exempt EV Stations/Public Utilities Regs.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 1, 2019
Introduced by:	Reps. Szoka, Arp, Hanig, Warren	Prepared by:	Jeremy Ray*
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 329 would amend the definition of "public utility" to provide that a person who uses an electric vehicle charging station to resell electricity to the public is not a public utility if certain conditions apply.*

CURRENT LAW: A "public utility" as defined in Chapter 62 of the General Statutes is any entity which owns and operates "equipment and facilities" that provides electricity "to or for the public for compensation." State law precludes retail electric competition and establishes regional monopolies on the sale of electricity, but there are some exceptions. The retail resale of electricity is generally prohibited, except for a narrow exception for campgrounds operated primarily to serve transient occupants, and marinas.

BILL ANALYSIS: House Bill 329 would provide that the term "public utility" does not include a person who uses an electric vehicle charging station to resell electricity to the public for compensation, provided that:

- The reseller procured the energy from an electric power supplier (a public utility, an electric membership corporation, or a municipality that sells electric power to retail electric power customers in the State) authorized to sell electricity in the territory where the service is provided.
- The resale of electricity is exclusively for charging plug-in electric vehicles.
- The charging station is immobile.
- Utility service to the charging station is provided subject to the electric power supplier's terms and conditions.

The bill would not limit an electric power supplier's ability to use electric vehicle charging stations to furnish electricity for charging electric vehicles. Increases in customer demand or energy consumption associated with transportation electrification would not constitute found revenues for an electric public utility.

EFFECTIVE DATE: This act would be effective when it becomes law.

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