



# HOUSE BILL 529: Utilities/Water and Wastewater Consumption.

2019-2020 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> June 20, 2019
<b>Introduced by:</b> Reps. Arp, Riddell, Conrad, Holley	<b>Prepared by:</b> Kyle Evans
<b>Analysis of:</b> Second Edition	Staff Attorney

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**OVERVIEW:** *House Bill 529 authorizes the Utilities Commission to adopt, implement, modify, or eliminate a rate adjustment mechanism for regulated water and wastewater utilities to reflect changes in customer usage in a general rate case; directs the Commission for Public Health (CPH) to adopt rules concerning the construction and operation of artificial swimming lagoons; and directs CPH to study whether the requirement that all swimming pools have a telephone capable of dialing 911 is necessary.*

**[As introduced, this bill was identical to S429, as introduced by Sen. Newton, which is currently in House Regulatory Reform.]**

## CURRENT LAW & BILL ANALYSIS:

Pursuant to G.S. 62-133, the rates for regulated water and wastewater public utilities are fixed by the Utilities Commission in a general rate case.

**Section 1** would allow the Utilities Commission to adopt a rate adjustment mechanism to track and true-up variations in customer usage, provided it finds the mechanism in the public interest. This would allow regulated water and wastewater utilities to have their rates adjusted to accurately reflect sales volume of water between general rate cases. The Utilities Commission may also modify or eliminate the rate adjustment mechanism in a general rate case.

CPH adopts rules that govern the construction and operation of public swimming pools, with specific requirements for design, construction material, user safety and public health.

**Section 2** would define "artificial swimming lagoons" and direct CPH to adopt rules concerning the construction and operations of artificial swimming lagoons. CPH shall adopt these rules no later than December 1, 2019, pursuant to the existing statutory framework for rules governing the construction and operation of public swimming pools.

Pursuant to current CPH rules, all swimming pools are required to have a telephone capable of directly dialing 911 or other emergency notification system permanently affixed to a location within 75 feet of the pool and accessible to all pool users.

**Section 3** would direct CPH to study whether the telephone requirement for swimming pools is still necessary in light of the widespread cellular telephone availability. CPH shall submit a report of its findings and recommendations to the Joint Legislative Oversight Committee on Health and Human Services no later than March 1, 2020.

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# House Bill 529

Page 2

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

*Jennifer McGinnis, Staff Attorney, contributed to this summary.*