



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 129***

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H129-ATD-27 [v.2]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Second Edition

Date 3/24 , 2011

Representative Avila

- 1 moves to amend the bill on page 3, lines 50, through page 4, line 15, by rewriting those lines to
2 read:
- 3 "(c) The provisions of G.S. 160A-340.1, G.S. 160A-340.3, G.S. 160A-340.4,
4 G.S. 160A-340.5, and G.S. 160A-340.6 do not apply to a city or joint agency providing
5 communications service as of January 1, 2011, provided the city or joint agency limits the
6 provision of communications service to the following:
- 7 (1) Persons within the corporate limits of the city providing the communications
8 service.
- 9 (2) Existing customers of the communications service as of April 1, 2011.
10 Service to customers outside the service area of the city or joint agency shall
11 comply with the open bidding procedures of Article 8 of Chapter 143 upon
12 the expiration or termination of the existing service contract.
- 13 (3) The following service areas:
- 14 a. For the joint agency operated by the cities of Davidson and
15 Mooresville, the service area is the service area designated in the
16 initial notice of franchise filed with the Secretary of State, and the
17 contiguous area where the agency is offering service as of the
18 effective date of this act connecting the cities of Davidson and
19 Mooresville with areas set forth in the initial areas of franchise.
- 20 b. For the city of Salisbury, the service area is the corporate limits of
21 the cities of Salisbury, Spencer, East Spencer, Rockwell, Granite
22 Quarry, and the corridors between Salisbury and those cities only to
23 the extent necessary to provide service to those cities.
- 24 c. For all other cities or joint agencies offering communications service,
25 the service area is the area designated in the map filed as part of the
26 initial notice of franchise with the Secretary of State as of January 1,
27 2011.";
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and on page 7, lines 39 through 41, by rewriting those lines to read:
"SECTION 5. Sections 2, 3, and 4 of this act do not apply to a city or joint agency providing communications service as of January 1, 2011 provided the city or joint agency limits the provision of communications service as provided in G.S. 160A-340.2(c)."

SIGNED Marilyn W. Anila
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 112-0 EV FAILED _____ TABLED _____
MAR 24 2011 Devin White

ADC. FILED