

House Bill 587

By: Representatives May of the 111th, Harbin of the 118th, Fleming of the 117th, and Roberts of the 154th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated,
2 relating to the distribution, storage, and sale of gas, so as to provide for revocation of a
3 certificate of public convenience and necessity if the holder of the certificate has not within
4 five years of receiving the certificate begun construction or operation of any pipeline, or
5 distribution system, or any extension thereof, in substantially all of the territory covered by
6 such certificate; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 2 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated, relating to the
11 distribution, storage, and sale of gas, is amended by adding a new subsection to Code Section
12 46-4-28, relating to the suspension, revocation, alteration, or amendment of certificates by
13 the Public Service Commission, to read as follows:

14 "(a.1) Any certificate issued under this article shall be revoked or amended by the
15 commission if, within five years of receiving the certificate, the holder of the certificate
16 has failed to begin construction or operation of any pipeline, or distribution system, or any
17 extension thereof, in substantially all of the territory covered by such certificate. Such
18 revocation or amendment shall result in the territory covered under the certificate being
19 limited to those areas in which any pipeline, or distribution system, or any extension
20 thereof, is being constructed or operated, plus a buffer of 1,000 feet. Such revocation or
21 amendment shall enable the commission to issue a certificate to another person for that part
22 of the territory in which the holder of the revoked certificate has not provided service."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2007 and shall apply to all certificates in effect
25 or applied for on or after such date.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.