

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 36

An Act to amend and reenact § 56-265.4:2 of the Code of Virginia, relating to public service companies; extension of service by cities and towns into annexed areas.

[H 2051]

Approved February 23, 1995

Be it enacted by the General Assembly of Virginia:

1. That § 56-265.4:2 of the Code of Virginia is amended and reenacted as follows:

§ 56-265.4:2. Extension of service by cities and towns into annexed areas.

A. Any city or town in the Commonwealth which provides electric utility service for the use of its residents may, at any time following annexation of additional territory to such city or town, acquire the distribution system facilities of the electric utility serving the annexed area in the manner provided by Title 25. As used in this section (i) the term "distribution system facilities" shall be deemed to include all facilities necessary to distribute electric utility service to any annexed area but shall not include substations of the public utility whose facilities are being acquired, and (ii) the terms "city" and "town" shall not include a shire, a borough or any other subdivision of a city or town. This section shall not apply to the addition of territory to a city or town by consolidation, merger, or through any other procedure that results in an effective combination with another governmental entity.

B. Upon completion of the eminent domain proceedings or upon the negotiation of a settlement between the city or town and the electric utility, the State Corporation Commission shall amend the certificate of convenience and necessity of the public utility whose distribution system facilities have been acquired to reflect the change in its territory.