

R6-60 EXTENSION OF FACILITIES INTO CONTIGUOUS OCCUPIED TERRITORY

No natural gas utility shall construct or operate natural gas facilities in territory occupied by and receiving similar service from another natural gas utility except upon written notice to the Commission and to the company occupying and serving the territory, opportunity for public hearing, and written approval by the Commission. Territory which has been assigned to a natural gas utility by the Commission shall be presumed occupied by it and receiving similar service from it, subject to a finding by the Commission that the authorized natural gas utility has waived or disclaimed its right to serve, or that it is not feasible for the authorized company to serve, or that service by the authorized company would be less feasible than for the applicant, or that existing service by the authorized company is inadequate or inferior and that the authorized company reasonably will not or cannot render adequate service or that the natural gas utility has forfeited its exclusive franchise rights pursuant to a finding and order of the Commission issued under Rule R6-63.

(NCUC Docket No. E-100, Sub 6, 5/23/67; NCUC Docket No. G-100, Sub 70, 3/19/96.)