

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 34.
PUBLIC UTILITIES.

CHAPTER 14.
ELECTRIC LIGHT AND POWER COMPANIES.

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CHAPTER 14. ELECTRIC LIGHT AND POWER
COMPANIES.

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CHAPTER 14. ELECTRIC LIGHT AND POWER COMPANIES.

§ 34-1401. EXTENSION OF OVERHEAD WIRES IN GEORGETOWN; EXTENSION OF UNDERGROUND CONDUITS IN MOUNT PLEASANT.

The Mayor of the District of Columbia may authorize any electric light company existing June 11, 1896, to construct and use under such regulations as the Council of the District of Columbia may fix conduits for the reception of overhead wires existing on said date within the territory formerly known as Georgetown, and to extend the same by an aggregate of not more than one and one-fourth miles of conduit in the same territory. And the United States Electric Lighting Company may extend its underground conduits and wires east of Rock Creek and within the fire limits to Mount Pleasant, and Washington and Columbia Heights under such regulations as the Council may prescribe.

(June 11, 1896, 29 Stat. 401, ch. 419, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1201.

1973 Ed., § 43-1101.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(317) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-1402. CONDUITS AND OVERHEAD WIRES FOR ELECTRIC LIGHTING PROHIBITED IN STREETS; HOUSE CONNECTIONS AUTHORIZED.

Until Congress shall provide for a conduit system it shall be unlawful to lay conduits or erect overhead wires for electric lighting purposes in any road, street, avenue, highway, park, or reservation, except as specifically authorized by law; provided, however, that the Mayor of the District of Columbia is hereby authorized to issue permits for house connections with conduits and overhead wires existing on June 4, 1897, adjacent to the premises with which such connection is to be made; and also permits for public lighting connections with conduits existing on June 4, 1897, in the portion of the street proposed to be lighted. And nothing herein contained shall be construed to affect in any way any litigation pending on June 4, 1897, involving the validity or invalidity or legality of the construction of any conduits made since June 18, 1896, nor to prevent the United States Electric Lighting Company from extending conduits into Columbia Heights, Washington Heights, and Mount Pleasant within the fire limits as specifically provided in §§ 34-1401 and 34-1901.01.

(Mar. 3, 1897, 29 Stat. 673, ch. 387; June 4, 1897, 30 Stat. 41, ch. 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1202.

1973 Ed., § 43-1102.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-1403. CERTAIN EXISTING CONDUITS AND OVERHEAD WIRES LEGALIZED.

All conduits existing on July 7, 1898, within the fire limits, and all overhead electric light wires existing on July 7, 1898, without the fire limits in the District of Columbia are hereby legalized until otherwise provided by law, and house connections may be made with such overhead electric light wires outside such fire limits.

(July 7, 1898, 30 Stat. 664, ch. 571, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1203.

1973 Ed., § 43-1103.

§ 34-1404. ELECTRIC LIGHTING WIRES WEST OF ROCK CREEK.

The Mayor of the District of Columbia is hereby authorized to issue permits to electric light companies existing on July 8, 1898, in the District of Columbia for the extension of overhead electric wires existing on July 8, 1898, outside the fire limits and west of Rock Creek to be used for lighting purposes only.

(July 8, 1898, 30 Stat. 753, Joint Res. No. 59.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1204.

1973 Ed., § 43-1104.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-1405. ELECTRIC LIGHTING WIRES EAST OF ROCK CREEK.

The Mayor of the District of Columbia is hereby authorized, under conditions and regulations to be prescribed by the Council of the District of Columbia, to permit the erection of poles and the stringing of overhead wires thereon outside of the fire limits and east of Rock Creek for electric lighting purposes only.

(July 1, 1902, 32 Stat. 602, ch. 1352, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1205.

1973 Ed., § 43-1105.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(318) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-1406. PERMITS FOR REPAIR, EXTENSION, AND ENLARGEMENT OF CONDUITS.

The Mayor of the District of Columbia is hereby authorized to grant permits for the repair, enlargement, and extension, under proper regulations to be prescribed by the Council of the District of Columbia, of electric lighting conduits existing on June 6, 1900, and in every conduit constructed or to be constructed under the provisions of this section, 3 ducts shall be reserved for the use of the United States and the District of Columbia.

(June 6, 1900, 31 Stat. 563, ch. 789, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1206.

1973 Ed., § 43-1106.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(319) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-1407. EXTENSION OF CONDUITS; DUCTS FOR USE OF FIRE AND POLICE WIRES; MAXIMUM PRICE OF CURRENT; ADDITIONAL CHARGE FOR NONPAYMENT OF BILLS.

The Mayor of the District of Columbia is authorized to grant permits for the repair, enlargement, and extension, under proper regulations, of existing electric-lighting conduits, and in every conduit constructed or to be constructed under the provisions of this section, 3 ducts shall be reserved for the use of the United States and the District of Columbia.

(Mar. 3, 1899, 30 Stat. 1053, ch. 422, § 1; May 9, 2000, D.C. Law 13-107, § 203, 47 DCR 1091.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1207.

1973 Ed., § 43-1107.

D.C. Law 13-107 deleted from the text the following concluding provisions: "As a condition for the right to use conduits built prior to March 3, 1899, or built or to be built under the provisions of this section, the electric lighting companies shall be required at all times to furnish to the public and to private consumers in all parts of the District of Columbia standard arc lights of not less than 1,000 actual candlepower, at a rate not exceeding \$72 per annum for each arc light, The maximum price of electric current sold or furnished to any consumer in the District of Columbia shall not exceed \$.10 per kilowatt hour. If consumers other than the government shall not pay monthly electric bills within 10 days after the same shall have been presented, said companies may charge and collect from said consumer so failing to pay said bill as aforesaid \$.11 per kilowatt hour for the electric current furnished to said consumer during said month; and provided further, the right to amend, modify, or repeal the privileges granted in this section, and to further limit the prices herein specified, is hereby expressly reserved; any company charging or collecting an amount in excess of the rates prescribed in this section shall be deemed guilty of a misdemeanor, and shall pay to the District of Columbia the sum of \$50 for each and every offense, to be collected as other fines are collected in the District of Columbia."

Legislative History of Laws

Law 13-107, the "Retail Electric Competition and Consumer Protection Act of 1999," was introduced in Council and assigned Bill No. 13-284, which was referred to the Committee on Consumer and Regulatory Affairs. The Bill was adopted on first and second readings on December 7, 1999, and December 21, 1999, respectively. Signed by the Mayor on January 18, 2000, it was assigned Act No. 13-256 and transmitted to both Houses of Congress for its review. D.C. Law 13-107 became effective on May 9, 2000.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(320) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Deregulation of streetlighting service: § 130 of H.R. 3067, amended by H.R. 99-419, incorporated in Pub. L. 99-190 by § 101(c), the D.C. Appropriation Act, 1986, provided that the Public Service Commission is authorized to order and to approve the deregulation of streetlighting service to the District of Columbia as provided in its opinion and order in Formal Case No. 813, dated July 12, 1984 (Order No. 8056), § 34-204.93, § 34-1101, and this section, and provided that the provisions of this opinion and order regarding deregulation of streetlighting service are hereby ratified and declared to be in effect as of July 12, 1984 and shall continue to be in effect until revoked or rescinded.

§ 34-1408. USE OF CONDUITS OF WASHINGTON RAILWAY AND ELECTRIC COMPANY BY POTOMAC ELECTRIC POWER COMPANY.

The Mayor of the District of Columbia is hereby authorized, in his discretion, to permit the Potomac Electric Power Company to make connections between its conduits and the conduits of the Washington Railway and Electric Company and all other companies controlled by the Washington Railway and Electric Company for the purpose of furnishing electric current through the said conduits for public and private uses, the use of said railway companies' conduits to be upon such terms as may be agreed upon between the said companies.

(Apr. 27, 1904, 33 Stat. 376, ch. 1628, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1208.

1973 Ed., § 43-1108.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3

of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.