

Town council to consider fraternity renovation plan

By KRIS DONAHUE
Staff Writer

The Chapel Hill Town Council will consider resolutions for building additions and renovations to the Lambda Chi Alpha Fraternity House Tuesday night.

At a Jan. 16 public hearing, the council considered a proposal to renovate and add a two-story addition to the main house, move and restore the historic cottage and remove the existing guest cottage.

The property, which is located at 229 E. Franklin St., is currently under the

provisions of a special use permit that hinders the improvements. Gamma Nu Foundation, Inc. is requesting approval of a special use permit modification on behalf of Lambda Chi Alpha.

The fraternity wants to remove the guest house at the rear of the property and join the main house with the historic cottage, which would involve moving the historic cottage toward the front of the property.

In an earlier council memorandum, the town council listed key components for the application as parking, sidewalks and Pickard Lane improve-

ments. The Historic District Commission recommended on Jan. 11 that the council adopt a resolution requiring the fraternity to provide a brick sidewalk along Franklin Street. The Gamma Nu Foundation has objected to providing a sidewalk contending that it is unfair because the town recently installed sidewalks at Little and Big Fraternity Courts.

The town built the sidewalks as part of the approved Capital Improvements Project based on the sidewalk plan. The approved sidewalk plans include a walk in front of the Lambda Chi Alpha house,

but it has yet to be constructed. Other items on the agenda will include a presentation by the chairman of the Human Services Advisory Board (HSAB) of the 1990-91 Human Services Needs report.

The report summarizes the board's sense of what procedures should be followed in allocating town human services funds, according to an HSAB memo. It has four sections which include the town government's responsibilities in meeting human service needs, the HSAB's responsibilities, the categories of recurrent need in Chapel Hill

and solutions to the stated needs. One section of the report states that it is the town's responsibility to meet the needs of residents in the areas of access, affordability and quality of dependent care assistance whether it be child, adult, handicapped or respite care.

This section of the report will be covered more thoroughly when the council discusses appropriations in the area of child care. One appropriation would be \$5,000 for the Day Care Services Association. This money would help pay the day care costs for 28 children in Orange County who would

probably otherwise become latch-key children because of the lack of funds from the Orange County Department of Social Services.

The second appropriation would increase the original human services budget ordinance for the current year by \$5,000.

Town Council member Alan Rimer believes the appropriations for child care are a good idea.

"Day care, like transportation, seems like a necessity to help people out," he said. "I'm in favor of it."

Power company to return money to overcharged customers

By ANDRE HAUSER
Staff Writer

Thousands of people in western North Carolina will get refunds from their power company soon because of a ruling Wednesday from the state's highest court.

The unanimous N.C. Supreme Court ruling against Nantahala Power and Light Co. means that the company must

return more than \$2.5 million that it has overcharged customers since 1987. This will probably result in a \$40 rebate for the average residential customer and decreases of about \$1 a month on future power bills, according to figures provided by the Public Staff, a state-supported consumer's group.

Nantahala is a power company serving portions of five counties at the

western tip of North Carolina, and it has approximately 48,000 customers. It was the only state power company that refused to comply with a Utilities Commission rate change announced in 1986, although other power companies, such as Carolina Power and Light, argued with the commission at the time.

Public Staff began proceedings against Nantahala in Oct. 1986, and in Oct. 1987 the company was ordered to comply with the rate change. Nantahala appealed the decision and was granted a stay.

The company then won its appeal on Jan. 17, 1989. Public Staff took the case to the state Supreme Court, and on Feb. 7 the appeals court decision was reversed, according to A. W. Turner Jr., an attorney for Public Staff.

Fred Alexander, a Nantahala representative, said they did not comply with the rate change because "we felt there were some things that were unfair in our specific case," but he would not give specific examples. Alexander had not yet seen a copy of the decision, but he said Nantahala would issue a state-

ment regarding it in the next week.

The change in rates is due to the Tax Reform Law of 1986, which went into effect on July 1, 1987. It dropped corporate tax rates from 46 percent to 34 percent. Utility rates depend on the normal operating expenses a company faces, such as fuel costs, salaries and taxes, according to Robert Bennink, general counsel for the Utilities Commission.

When tax rates dropped, the commission decided to decrease the utility rates to reflect the change. Nantahala's rate decrease would have meant a \$1 million drop in yearly revenue.

Bennink also said it is not uncommon for utility companies to appeal orders from the commission.

Nantahala asked for a private hearing when the rates were changed, but was not given one. Turner said it was because of the great number of utilities in North Carolina. There are 34 major companies and hundreds of minor ones that were affected by the change, and if one were given a private hearing, many more might have asked for one. This would have been "administratively impossible," he said.

If Nantahala's appeal had been successful, other utilities would have been able to demand separate hearings for future rate changes and it would have been harder to pass savings on to the customers, Turner said. Nantahala also would not have had to return the \$2.5 million it overcharged in the last three years.

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