

1978 WL 35172 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 18, 1978

\*1 Mr. Ernest W. Cooler  
Local Government Coordinator  
Office of Comptroller General  
Post Office Box 11228  
Columbia, South Carolina 29211

Dear Mr. Cooler:

You have asked for this office's opinion as to whether York County Natural Gas Authority is subject to assessment for overall administrative costs of the operation of the Public Service Commission.

[Section 58-5-940 of the 1976 Code](#) provides for assessments against gas utilities for expenses and charges of the Public Service Commission:

All lawful expenses and charges incurred by the Commission in the administration of this chapter and in performance of its duties thereunder shall be defrayed by assessments made by the Comptroller General against the gas utilities regulated thereunder and based upon the gross revenues collected by the gas utilities from their business done wholly within this State in the manner set out in Section 58-3-100 for other corporations; provided, however, the assessments against municipalities, gas authorities, public service districts or other political subdivisions of the State shall be applicable only to expenses and charges incurred in the administration and enforcement of the provisions of this article relating to gas safety requirements. (Emphasis added.)

In construing this statute we are bound by the general rules of statutory construction that an unambiguous statute must be given effect according to its plain and obvious meaning. Act No. 959 of 1954 creates the York County Natural Gas Authority as a political subdivision of the state. Since it is both a political subdivision and a gas authority, York Natural Gas Authority clearly falls within the proviso underlined above. Accordingly, it is the opinion of this office that assessments made against York County Natural Gas Authority must be limited to those expenses and charges incurred by the Public Service Commission in the administration of those provisions of the South Carolina Gas Safety Act of 1970 that relate to gas safety requirements.

Very truly yours,

James W. Johnson, Jr.  
Assistant Attorney General

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