

N.C.P.I.—CRIM 220.95
INTERFERING WITH GAS, ELECTRIC, AND STEAM [APPLIANCES] [METERS].
MISDEMEANOR, FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2014
N.C. Gen. Stat. § 14-151.

220.95 INTERFERING WITH GAS, ELECTRIC, AND STEAM [APPLIANCES] [METERS].¹

The defendant has been charged with interfering with gas², electric, and steam [appliances] [meters]³.

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt.

First, that the defendant:

(1) [Connected a [tube] [pipe] [wire] [[instrument] [contrivance]] with a [pipe] [wire] used for [[conducting] [supplying]] [illuminating gas] [fuel] [natural gas] [electricity] in such a manner as to supply such [gas] [electricity] to a [burner] [orifice] [lamp] [motor] where the same is or can be [burned] [used] without passing through the [meter] [instrument] provided for registering the quantity consumed];

(2) [[Obstructed] [altered] [bypassed] [tampered] [injured] [prevented] the action of a [meter] [instrument] used to [measure]

1 Nothing in this section shall be construed to apply to licensed contractors while performing usual and ordinary services in accordance with recognized customs and standards.

2 For the purposes of this section, the term "gas" shall mean all types and forms of gas, including, but not limited to, natural gas.

3 Any meter or service entrance facility found to have been altered, tampered with, or bypassed in a manner that would cause such meter to inaccurately measure and register the electricity, gas, or water consumed or which would cause the electricity, gas, or water to be diverted from the recording apparatus of the meter shall be prima facie evidence of intent to violate and the violation of this section by the person in whose name such meter is installed or the person(s) so using or receiving the benefits of such unmetered, unregistered, or diverted electricity, gas or water.

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[register] the quantity of illuminating [fuel] [natural gas] [water]
[electricity] passing through such meter⁴;

(3) [[Extended] [altered] a [service] [pipe] [wire] [attachment],
[[connected with] [through]] which [[natural] [artificial]] [gas] [electricity]
is furnished from the gas [mains] [pipes] of a person, without procuring
from that person written permission to make such [change] [extension]
[alterations]]];

(4) [[Made a [connection] [reconnection] with the [gas mains] [water
pipes] [service pipes] [wires] of a person, furnishing to consumers [[natural]
[artificial] gas] [water] [electricity]], [[turned [on] [off]] [interfered with]
any [valve] [stopcock] [appliance] that belonged to such person, [and
connected with his [service pipes] [pipes] [wires]] [enlarged orifices of
mixers] [used natural gas for heating purposes except through [mixers]
[electricity] for any purpose without first procuring from such person a
written permission [to turn [on] [off] such [stopcock] [valve]] [to make
[connections] [reconnections]] [to enlarge the orifice of mixers] [to use for
heating purposes without mixers] [to interfere with the [valves] [stopcocks]
[wires] [appliances]]]]];

⁴ It would be a defense to this action that the person was an employee of the company owning or supplying any gas, water, or electric meter, who willfully shall detach or disconnect such meter, or make or report any test of, or examine for the purpose of testing any meter so detached or disconnected.

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(5) [[[Retained possession of] [refused to] deliver a [mixer] [meter] [lamp] [appliance] which may be [leased] [rented by a person, for the purposes of furnishing [gas] [water] [electricity] [power] through the same], [sold] [lent] [disposed of] the same to a person other than such person entitled to the possession of the same];

(6) [[Set on fire gas escaping from [wells] [[broken] [leaking]] [mains] [pipes] [valves] [appliances] used by a person who conveyed gas to consumers] [interfered in any manner with the [wells] [pipes] [mains] [gateboxes] [valves] [stopcocks] [wires] [cables] [conduits] or any other [appliances] [machinery] [property] of a person engaged in furnishing as to consumers]⁵;

(7) [[[Opened] [caused to be open]] [reconnected] [caused to be reconnected] a valve lawfully [closed] [disconnected] by a district steam corporation];

(8) [[[Turned on] [caused to turn on] steam] [Reentered premises when the same has been lawfully stopped from entering such premises]];

(9) [[Reconnected [electricity] [gas] [water] connections] [turned back on one or more [electricity] [gas] [water] connections when they have been lawfully [disconnected] [turned off] by the provider of the utility]];

⁵ It would be a defense if the person was employed by or acting under the authority and direction of such person.

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(10) [[Altered] [bypassed] [interfered with] [cut off] load management [device] [equipment] [system] which has been installed by the electricity supplier for the purpose of limiting the use of electricity at peak=load periods.]⁶

Second, that the defendant acted willfully.

Third, that the defendant intended to [injure] [defraud].

If you find beyond a reasonable doubt that on or about the alleged date the defendant willfully and with the intent to [defraud] [injure]

(1) [Connected a [tube] [pipe] [wire] [[instrument] [contrivance]] with a [pipe] [wire] used for [[conducting] [supplying]] [illuminating gas] [fuel] [natural gas] [electricity] in such a manner as to supply such [gas] [electricity] to a [burner] [orifice] [lamp] [motor] where the same is or can be [burned] [used] without passing through the [meter] [instrument] provided for registering the quantity consumed];

(2) [[Obstructed] [altered] [bypassed] [tampered] [injured] [prevented] the action of a [meter] [instrument] used to [measure] [register] the quantity of illuminating [fuel] [natural gas] [water] [electricity] passing through such meter];

⁶ There will not be a violation of this subsection if there has been a written request to remove the load management device, equipment, or system to the electric supplier and the electric supplier has not removed the device within two working days.

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(3) [[Extended] [altered] a [service] [pipe] [wire] [attachment],
[[connected with] [through]] which [[natural] [artificial]] [gas] [electricity]
is furnished from the gas [mains] [pipes] of a person, without procuring
from that person written permission to make such [change] [extension]
[alterations]];

(4) [[Made a [connection] [reconnection] with the [gas mains] [water
pipes] [service pipes] [wires] of a person, furnishing to consumers [[natural]
[artificial] gas] [water] [electricity]], [[turned [on] [off]] [interfered with]
any [valve] [stopcock] [appliance] that belonged to such person, [and
connected with his [service pipes] [pipes] [wires]] [enlarged orifices of
mixers] [used natural gas for heating purposes except through [mixers]
[electricity] for any purpose without first procuring from such person a
written permission [to turn [on] [off] such [stopcock] [valve]] [to make
[connections] [reconnections]] [to enlarge the orifice of mixers] [to use for
heating purposes without mixers] [to interfere with the [valves] [stopcocks]
[wires] [appliances]]];

(5) [[[Retained possession of] [refused to] deliver a [mixer] [meter]
[lamp] [appliance] which may be [leased] [rented by a person, for the
purposes of furnishing [gas] [water] [electricity] [power] through the same],
[sold] [lent] [disposed of] the same to a person other than such person
entitled to the possession of the same];

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(6) [[Set on fire gas escaping from [wells] [[broken] [leaking]]
[mains] [pipes] [valves] [appliances] used by a person who conveyed gas to
consumers] [interfered in any manner with the [wells] [pipes] [mains]
[gateboxes] [valves] [stopcocks] [wires] [cables] [conduits] or any other
[appliances] [machinery] [property] of a person engaged in furnishing as to
consumers];

(7) [[[Opened] [caused to be open]] [reconnected] [caused to be
reconnected] a valve lawfully [closed] [disconnected] by a district steam
corporation];

(8) [[[Turned on] [caused to turn on] steam] [Reentered premises
when the same has been lawfully stopped from entering such premises]];

(9) [[Reconnected [electricity] [gas] [water] connections] [turned back
on one or more [electricity] [gas] [water] connections when they have been
lawfully [disconnected] [turned off] by the provider of the utility]];

(10) [[Altered] [bypassed] [interfered with] [cut off] load management
[device] [equipment] [system] which has been installed by the electricity
supplier for the purpose of limiting the use of electricity at peak-load
periods],

it would be your duty to return a verdict of guilty. If you do not so find
or have a reasonable doubt as to one or more of these things, then it would
be your duty to return a verdict of not guilty.