

Judge Sam Ervin, IV

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Sam J. Ervin, IV, was born in Morganton, North Carolina, on November 18, 1955. He attended the public schools in Burke County, North Carolina, graduating from Freedom High School in 1974. In 1978, Judge Ervin was awarded an A.B., magna cum laude, from Davidson College. After graduating from Davidson, he attended Harvard Law School, from which he received a J.D., cum laude, in 1981.

From 1981 until 1999, Judge Ervin practiced law with the Morganton, North Carolina firm of Byrd, Byrd, Ervin, Whisnant, McMahon, P.A., and its predecessors. While in private practice, Judge Ervin handled a wide variety of civil, criminal, and administrative matters, including many appeals to the North Carolina Court of Appeals and the Supreme Court of North Carolina.

In 1999, Judge Ervin was nominated for a seat on the North Carolina Utilities Commission by Governor James B. Hunt, Jr. He was nominated for a second term on the Utilities Commission by Governor Michael F. Easley in 2007. Both appointments were confirmed by the General Assembly. The Utilities Commission is a quasi-judicial body that is responsible for regulating electric, natural gas, telecommunications, water and sewer, and certain types of transportation service provided to retail customers in North Carolina by privately-owned entities. During his service as a member of the Utilities Commission, Judge Ervin was involved in deciding many important regulatory matters, including, but not limited to, electric and natural gas rate proceedings, electric and natural gas business combination proceedings, proceedings involving applications by electric utilities for authority to construct new generation and transmission facilities, proceedings involving the approval of telecommunications price regulation plans, proceedings arbitrating or otherwise examining the terms and conditions under which competitive telecommunications providers were allowed to interconnect with incumbents, and proceedings addressing issues relating to the adequacy of water and sewer service in certain specific locations.

In addition, Judge Ervin was extensively involved in the activities of the National Association of Regulatory Utility Commissioners (NARUC), having served as Chairman of that organization's Subcommittee on Nuclear Issues and Waste Disposal from 2002 until 2005; as Chairman of that organization's Committee on Electricity from 2004 until 2007; and as a member of its Task Force on Climate Policy from 2007 through 2008. As part of his involvement in NARUC, Judge Ervin supervised its participation in the process that led to the implementation of the Energy Policy Act of 2005. While a member of the Utilities Commission, Judge Ervin testified on two different occasions before the Subcommittee on Energy and Air Quality of the Committee on Commerce of the United States House of Representatives. Judge Ervin was a regular speaker at energy-related conferences and seminars during his service as a Utilities Commissioner.

Judge Ervin has also been, at various times, involved in a wide variety of church-related, bar-related, and charitable activities. He is married to Mary Temple Ervin and has two children and two step-children.

Judge Ervin was elected to the North Carolina Court of Appeals at the November 4, 2008, general election. His term as a member of the Court of Appeals commenced on January 1, 2009, and extends until December 31, 2017.