


I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session

Bill No. 208<sup>45</sup> (EC)

Introduced by:

J.P. GUTHERTZ   
R.J. RESPICIO   
B.J.F. CRUZ 

AN ACT TO AMEND TITLE 12 GUAM CODE ANNOTATED, CHAPTER 8, § 8104 (4) AND TO ADD A NEW SUBITEM (14) TO TITLE 12 GUAM CODE ANNOTATED, CHAPTER 8, § 8104 TO REQUIRE THAT THE GUAM POWER AUTHORITY ENSURE THAT COLLECTIONS FROM ALL GOVERNMENT OF GUAM ACCOUNTS ARE CURRENT AND ALL ARREARS HAVE BEEN COLLECTED PRIOR TO MAKING ANY UPWARD ADJUSTMENTS TO RATES AND CHARGES, AND TO REQUIRE THAT GPA PREPARE A "LIST OF PRIMARY AND SECONDARY GOVERNMENT OF GUAM ACCOUNTS FOR ELECTRICAL SERVICE" TO BE FOLLOWED WHEN DISCONNECTIONS MAY BE NECESSARY TO FORCE ALL ENTITIES OF THE GOVERNMENT OF GUAM TO REMAIN CURRENT WITH ELECTRICAL POWER ACCOUNTS.

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7 FEBRUARY 2008  
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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Title 12 Guam Code Annotated, Chapter 8, § 8104 (4), is  
3 *amended* to read as follows:

4 "(4) Establish and modify from time to time, with approval of  
5 the Public Utility Commission, reasonable rates and charges for  
6 electric service at least adequate to cover the full cost of such service,  
7 including the cost of debt service, and collect money from customers  
8 using such service and ensure that all Government of Guam

1       accounts remain current and all arrears have been collected prior to  
2       requesting any increase in any rate or charge , all subject to any  
3       contractual obligation of the Board to the holders of any bonds; and  
4       refund charges collected in error.”

5       **Section 2. A *new* Subitem (14) is *added* to Title 12 Guam Code**  
6       **Annotated, Chapter 8, § 8104, to read as follows:**

7               “(14) Prepare and annually update a prioritized listing of  
8       Government of Guam accounts based on the government service  
9       provided at the location of each account, to be known as the “List of  
10       Primary and Secondary Government of Guam Accounts for Electrical  
11       Service” and identify each account as either a *Primary* or *Secondary*  
12       office for purposes of disconnection whenever *any* Government of  
13       Guam entity is in arrears. For the purposes of this item (14):

14               (a). Only Government of Guam entities with operating budgets  
15       that receive more than 50% of their funding from the General  
16       Fund shall be considered.

17               (b). *Primary* shall mean those offices of the Government of  
18       Guam that provide services which, if disconnected, would  
19       directly affect the health, safety or education of the people of  
20       Guam and shall not be disconnected.

1 (c). *Secondary* shall mean those offices of the Government of  
2 Guam that provide services which, if disconnected, would not  
3 have a direct effect on the health, safety or education of the  
4 people of Guam and shall constitute those accounts that may be  
5 disconnected whenever *any* Government of Guam entity is in  
6 arrears.

7 (d) The accounts on the List of Primary and Secondary  
8 Government of Guam Accounts for Electrical Service list shall  
9 together be considered as a single customer.

10 The first such List of Primary and Secondary Government of  
11 Guam Accounts for Electrical Service shall be implemented no later  
12 than May 1, 2008.”

13 **Section 3. Cooperation with Guam Power Authority on**  
14 **determination of *Primary and Secondary* Government of Guam accounts.**

15 Entities of the Government of Guam shall cooperate with the Guam Power  
16 Authority in developing a “List of Primary and Secondary Government of  
17 Guam Accounts for Electrical Service.” Any entity or any subdivision of  
18 any entity which does not cooperate with the Guam Power Authority in  
19 development of the List of Primary and Secondary Government of Guam  
20 Accounts for Electrical Service shall be identified as a Secondary account.