

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>326-32 (COR)</b>	Vicente (ben) C. Pangelinan	AN ACT TO AMEND A §8502 CHAPTER8OF TITLE 12 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CAP ON CUSTOMER-GENERATOR POWER SERVICE ENTRANCE CAPACITY FOR NON-RESIDENTIAL CLASS CUSTOMERS.	04/29/14 3:24 p.m.	04/30/14	Committee on Public Safety, Infrastructure, & Maritime Transportation			<b>Fiscal Note Requested 5/5/14 Fiscal Note Received 7/3/14</b>



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
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MAJORITY LEADER

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Thomas C. Ada  
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Member

July 2, 2014

## Memorandum

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**From:** **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

**Subject:** **Fiscal Notes**

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below.  
Please note that the fiscal notes are issued on the bills as introduced.

### FISCAL NOTES:

- Bill No. 318-32(LS)
- Bill No. 325-32(COR)
- Bill No. 326-32(COR)
- Bill No. 332-32(LS)
- Bill No. 354-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2014 JUL -3 PM 12:40

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOSE S. CALVO  
ACTING DIRECTORRAY TENORIO  
LIEUTENANT GOVERNORJOHN AB PANGELINAN  
ACTING DEPUTY DIRECTOR

JUL 03 2014

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: **318-32(LS), 325-32(COR), 326-32(COR), 332-32(LS), and 354-32(COR).**

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.



JOSE S. CALVO  
Acting Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note for Bill No. 326-32 (COR)**

**AN ACT TO AMEND A §8502 CHAPTER 8 OF TITLE 12 OF THE GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CAP ON CUSTOMER-GENERATOR POWER SERVICE ENTRANCE CAPACITY FOR NON-RESIDENTIAL CLASS CUSTOMERS.**

Department/Agency Appropriation Information	
Dept./Agency Affected: <b>Guam Power Authority</b>	Dept./Agency Head: <b>Joaquin Flores</b>
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date:	-
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$0</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance <sup>1</sup>			
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (P.L. 32-068- P.L. 32-147)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? // Yes  No   
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A // Yes // No  
If no, what is the additional amount required? \$ \_\_\_\_\_ /x/ N/A
3. Does the Bill establish a new program/agency? // Yes // No  
If yes, will the program duplicate existing programs/agencies? // N/A // Yes // No  
Is there a federal mandate to establish the program/agency? // Yes // No
4. Will the enactment of this Bill require new physical facilities? // Yes // No
5. Was Fiscal Note coordinated with the affected dept./agency? If no, indicate reason: /x/ Yes // No  
// Requested agency comments not received by due date // Other: \_\_\_\_\_

Analyst: Matt Quinata Date: July 3, 2014 Director: Jose S. Calvo, Acting BBMR Director Date: July 3, 2014

**Footnotes:**  
Please see attached to fiscal note.

Bureau of Budget and Management Research  
Comments on Bill No. 326-32 (COR)

The proposed legislation is aimed to increase the cap on customer-generator power service entrance capacity for non-residential class customers of the Guam Power Authority by amending §8502 of Chapter 8 under Title 12, Guam Code Annotated.

The proposed legislation states of raising the customer-generator power service entrance capacity for non-residential class customers from not exceeding one hundred kilowatts (100 kW) to not exceeding two hundred fifty kilowatts (250 kW). In an email from Randall Wiegand of the Guam Power Authority, he says net metering is hurting their revenues with respect to the Bill and much of their costs are recovered through variable rates. He explained when customers receive power from solar energy during the day, GPA collects less from them. The Power Authority still has to keep their generators, substations, lines and transformers running to provide ongoing service even though they just don't have the funds to pay for all of them. He also says that one of their concerns is that as of September 20, 2013 there were a total of 72 net metering customers, which resulted in a loss of revenues amounting to approximately \$278,000. In the case of the rates interceded for the year beginning October 1, 2013, the \$278,000.00 in losses was allocated to the non-net metering customers. Consequently, net metering customers saved a fraction and all other non-net metering customers saw their bills increase. They don't believe this to be sustainable and agree that this proposed legislation does convey a fiscal impact to the Guam Power Authority in loss revenues but does not, by any means, have an effect on the General Fund.

Lastly, it should be noted that there are discrepancies wherein Bill No. 326-32 (COR) states a "Section 3. Effective Date." Since there is no "Section 2" mentioned on the proposed legislation, "Section 3. Effective Date." should be revised as "Section 2. Effective Date."



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May 5, 2014

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

**John A. Rios**  
**Director**  
**Bureau of Budget & Management Research**  
**P.O. Box 2950**  
**Hagåtña, Guam 96910**

**RE: Request for Fiscal Notes– Bill Nos. 325-32 (COR) through 330-32(COR)**

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
325-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO ADD A §79108 TO CHAPTER 79 OF TITLE 12 GUAM CODE ANNOTATED RELATIVE TO PUBLISHING CONSUMER COMPLAINTS.
326-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO AMEND A §8502 CHAPTER 8 OF TITLE 12 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CAP ON CUSTOMER-GENERATOR POWER SERVICE ENTRANCE CAPACITY FOR NON- RESIDENTIAL CLASS CUSTOMERS.
327-32 (COR)	T. R. MUÑA BARNES	AN ACT RELATIVE TO AMENDING 12 GCA § 5135 (D) TO PLACE THE GHURA 500 LOT SALE FUND UNDER THE CUSTODIANSHIP, DISCRETION AND PURVIEW OF THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY.
328-32 (COR)	T.C. Ada R.J. Respicio	AN ACT TO APPROVE AND ADOPT THE CIP SCHEDULE AND LAND USE DESIGNATIONS IN THE JOSE D. LEON GUERRERO COMMERCIAL PORT OF GUAM MASTER PLAN UPDATE 2013 REPORT.
329-32 (COR)	Chris M. Dueñas	AN ACT TO REZONE LOT NO. 2-1 NEW, TRACT 132, MUNICIPALITY OF AGAT, FROM ONE-FAMILY DWELLING ZONE (R1) TO COMMERCIAL ZONE (C).
330-32 (COR)	Chris M. Dueñas	AN ACT TO REZONE LOT 2-R3, BLOCK 2, TRACT 172, MUNICIPALITY OF DEDEDO, FROM ONE-FAMILY DWELLING ZONE (R1) TO COMMERCIAL ZONE



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April 30, 2014

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 326-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 326-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment



*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2014 (Second) Regular Session

Bill No. 326-32 (COR)

Introduced by:

V.C. Pangelinan 

**AN ACT TO AMEND A §8502 CHAPTER 8 OF TITLE 12 GUAM  
CODE ANNOTATED RELATIVE TO INCREASING THE CAP  
ON CUSTOMER-GENERATOR POWER SERVICE ENTRANCE  
CAPACITY FOR NON-RESIDENTIAL CLASS CUSTOMERS.**

APR 29 PM 3:24  


1           **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2           **Section 1. § 8502 Chapter 8 of Title 12 Guam Code Annotated is hereby**  
3 **amended to read as follows:**

4           **“§ 8502. Definitions**

5           (a) ‘Customer-generator’ means a user of a net metering system.

6           (b) ‘Net Metering’ means measuring the difference between the electricity  
7 supplied by a utility and the electricity generated by a customer-generator which is  
8 fed back to the utility over the applicable billing period.

9           (c) ‘Net Metering System’ means a facility for the production of electrical  
10 energy that:

11                 (1) uses fuel cells, microturbines, wind, biomass, hydroelectric,  
12 solar energy or a hybrid system consisting of these facilities, as its  
13 primary source of fuel;

14                 (2) has a generating capacity limited to the following, provided,

1           however, that the rated capacity of the renewable energy generation *does not*  
2           exceed the customer-generator power service entrance capacity:

3                       (A) *not* exceed twenty-five (25) kilowatts for Guam

4           Power Authority residential class customers; and

5                       (B) *not* exceed two hundred fifty ~~one hundred~~ (250100)

6           kilowatts for Guam Power Authority non-residential class customers;

7           (3) is located on the customer-generator's single contiguous premises  
8           and *does not* serve loads outside the customer-generator's single contiguous  
9           premises;

10           (4) operates in parallel with the utility's transmission and distribution  
11           facilities; and

12           (5) is intended primarily to offset part or all of the customer  
13           generator's requirements for electricity.

14           (d) 'Utility' means a public utility that supplies electricity on Guam."

15           **Section 3. Effective Date.** This Act *shall* become effective upon enactment.