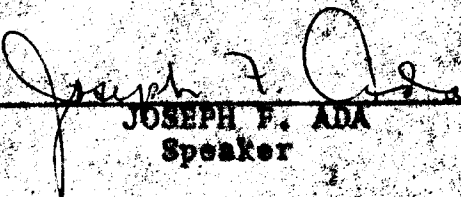


FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 69, "An Act to add a new Chapter I-A to Title XXII, said Chapter to be titled Public Utilities Practices Act," was on the 11th day of May, 1977, duly and regularly passed.



JOSEPH F. ADA
Speaker

ATTESTED:




ERNESTO N. ESPALDON
Legislative Secretary

.....
This Act was received by the Governor this _____ day of
_____, 1977, at _____ o'clock _____ M.

RUTH F. WON PAT
Assistant Staff Officer
Governor's Office

APPROVED:



RICARDO J. BORDALLO
Governor of Guam

DATED: May 31, 1977
9:40 am
P.H. 14-80

FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

Bill No. 69
As Substituted by the
Committee on Public
Utilities and Consumer
Protection

Introduced by

A. R. Unpingco
K. B. Aguon

AN ACT TO ADD A NEW CHAPTER I-A TO TITLE XXII,
SAID CHAPTER TO BE TITLED PUBLIC UTILITIES
PRACTICES ACT.

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

2 Section 1. A new Chapter I-A is added to Title XXII of the
3 Government Code to read:

4 "CHAPTER I-A

5 Public Utilities Fair Practices Act

6 Section 21150. Short Title. This Chapter may be
7 cited as the Public Utilities Fair Practices Act.

8 Section 21151. Definitions. As used in this Act:

9 (1) 'Customer' means a person standing in a
10 contractual relationship with the Public Utility
11 Agency of Guam, the Guam Power Authority, or the Guam
12 Telephone Authority whereby said contract calls for
13 the respective agency to supply the customer with
14 water, power, or telephone services respectively.

15 (2) 'Agency' means the Public Utility Agency of
16 Guam, the Guam Power Authority and the Guam Telephone
17 Authority as may appear from context.

18 (3) 'Commission' means the Public Utilities
19 Commission.

20 (4) 'Customer complaint' means a complaint filed
21 with an agency detailing reasons why a customer believes
22 a billing or other action of an agency to be erroneous.

1 (5) 'Agency statement' means a written statement
2 prepared by the agency involved responding to a
3 customer complaint.

4 (6) 'Deposit' means a cash deposit to be made at
5 the time a customer complaint is filed. The deposit
6 shall be in an amount equal to the amount of a disputed
7 billing provided that the deposit shall not exceed an
8 amount equal to the average of three (3) months'
9 billing prior to the time that the dispute arose.

10 Section 21152. Complaints. A customer who in good
11 faith believes that he has been incorrectly billed for
12 services by an agency may provide a customer complaint to
13 the agency involved. Upon receipt of such customer complaint
14 and the proper deposit the agency shall cause an investi-
15 gation to be conducted into the matters raised in the
16 customer complaint and shall forthwith furnish the customer
17 with an agency statement indicating the right of appeal
18 provided by Section 21153 and adjustment of account including
19 a credit for or return of any deposit or part of deposit and
20 interest at the rate of six (6) per cent per annum if the
21 agency statement indicates an adjustment is due a customer.
22 However, if the agency statement indicates that the dispute
23 should be resolved in favor of the agency the customer's
24 account shall be charged an amount equal to the amount of
25 interest payable at the rate of six (6) per cent per annum on
26 the disputed amount during the time that said dispute was
27 outstanding and the deposit shall be paid over to the agency.

1 Disconnection or termination of services shall not be under-
2 taken by the agency with respect to the disputed amount
3 until the expiration of thirty (30) days from the date the
4 statement required by this Section shall be mailed to the
5 customer.

6 Section 21153. Appeal from agency action. (a) If
7 an agency statement is adverse to a customer, the customer
8 may within ten (10) days of the issuance of the agency state-
9 ment take appeal to the Commission. During the pendency
10 of said appeal no action adverse to the customer with respect
11 to the disputed amount may be undertaken. The taking of
12 appeal pursuant to this Section shall operate as a stay
13 and the agency's determination shall remain in effect until
14 final adjudication of the appeal provided that the deposit
15 shall remain in escrow until the resolution of the appeal.

16 (b) The Commission shall render its decision on said
17 appeal no later than thirty (30) days after receipt of the
18 notice of appeal. The decision of the Commission shall be
19 final.

20 Section 21154. Same. The Commission shall promulgate
21 rules and regulations for entertaining the appeals provided
22 by Section 21153."