

SEVENTEENTH GUAM LEGISLATURE
1984 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 542, "AN ACT TO REPEAL AND REENACT §21503 (4) OF THE GOVERNMENT CODE (12 GCA §8104 (4), TO REPEAL §21503.2 OF THE GOVERNMENT CODE (12 GCA §8106) AND TO ENACT §21503.2(a) AND (b) OF THE GOVERNMENT CODE (12 GCA §8106(a) AND (b) AND REPEAL §21503.2(a) CONTAINED IN §22 OF CHAPTER III OF PUBLIC LAW 17-25 RELATIVE TO RATE CHANGES OF GUAM POWER AUTHORITY AND FOR OTHER PURPOSES," was on the 3rd day of January, 1984, duly and regularly passed.


CARL T. C. GUTIERREZ
Speaker

Attested:


ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 4th day of February, 1984, at 9:37 o'clock A.m.


Assistant Staff Officer
Governor's Office

APPROVED 

RICARDO J. BORDALLO
Governor of Guam

Date: 2/9/84 6:20pm

Public Law No. 17-48

SEVENTEENTH GUAM LEGISLATURE
1984 (SECOND) Regular Session

Bill No. 542
Substitute

Introduced by:

T. S. Nelson
J. T. San Agustin
F. R. Santos

AN ACT TO REPEAL AND REENACT §21503 (4) OF THE GOVERNMENT CODE (12 GCA §8104 (4)), TO REPEAL §21503.2 OF THE GOVERNMENT CODE (12 GCA §8106) AND TO ENACT §21503.2(a) AND (b) OF THE GOVERNMENT CODE (12 GCA §8106(a) AND (b)) AND REPEAL §21503.2(a) CONTAINED IN §22 OF CHAPTER III OF PUBLIC LAW 17-25 RELATIVE TO RATE CHANGES OF GUAM POWER AUTHORITY AND FOR OTHER PURPOSES.

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

2 Section 1. Subsection (4) of §21503 of the Government Code (12 GCA
3 Section 8104) as amended by Section 8 P.L. 17-10 is repealed and reenacted
4 to read:

5 "(4) Establish and modify from time to time, reasonable rates and
6 charges for electric service at least adequate to cover the full cost of
7 such service, and collect money from customers using such service, all
8 subject to any contractual obligation of the Board to the holders of
9 any bonds; enter into covenants to increase rates or charges from time
10 to time as may be necessary pursuant to any such contractual
11 obligations; and refund charges collected in error in accordance with
12 regulations prescribed by the Board. The Board shall file rate and
13 charge schedules for electric service with the Governor within five (5)
14 days after they are approved by the Board."

15 Section 2. Section 21503.2 of the Government Code (12 GCA Section
16 8106) as found in Section 9 of P.L. 17-10 is repealed and reenacted to
17 read:

18 "§21503.2(a) (§8106(a)). Notwithstanding the provisions of
19 Subsection (4) of Section 21503 of the Government Code (12 GCA

1 Section 8104), the Board shall not institute any rate schedule causing
2 an increase in rates without the approval of the Governor. The
3 Governor shall be deemed to have approved the rate schedule if he
4 fails to disapprove it in writing within forty-five (45) days after it is
5 filed with him by the Board but in no case before public hearings are
6 held. All rates, fares, charges, assessment costs, classifications,
7 schedules, rules and practices made, charged or observed by the
8 Guam Power Authority shall be just and reasonable. No rate, fare,
9 charge, assessment costs, classification, schedule, rule or practice
10 shall be established, abandoned, modified or departed from without the
11 Guam Power Authority conducting an advertised public hearing or
12 hearings thereon. No rate shall be increased nor shall any hearings
13 be held unless notice of the hearing, with the purpose thereof and the
14 date, time and place at which it will open has been advertised not less
15 than once in each of three (3) weeks in a newspaper published in and
16 of general circulation in Guam, the first publication being not less
17 than twenty-one (21) days before the hearing and the last publication
18 being not more than two (2) days before the scheduled hearing. The
19 Guam Power Authority is authorized to use such additional media as
20 radio or television to advertise to the public if it finds it necessary to
21 do so."

22 Section 3. A new Subsection 21503.2(b) of the Government Code (12
23 GCA Section 8106(b)) is added to read:

24 "§21503.2(b) (§8106(b)). Any customer of electric power in the
25 Territory of Guam shall have the right to appeal to the Public Utilities
26 Commission a decision of the Guam Power Authority regarding any
27 rate, fare, charge, assessment cost, classification, schedule, rule, or
28 practice established, abandoned, modified or departed from pursuant to
29 the procedures outlined in Section (a) of this Section on the basis that
30 the decision is not just and reasonable. Such appeal shall be made
31 within thirty (30) days from the decision of Guam Power Authority.
32 This section shall become effective sixty (60) days after enactment of
33 this Act."

1 Section 4. Section 21503.2(a) of the Government Code, found in
2 Section 22 of Chapter III of P.L. 17-25, is repealed.

3 Section 5. Guam Power Authority shall submit to the Legislature a
4 report on the expenditures by the Guam Power Authority on improvement
5 and betterment to the island wide power system and an assessment on the
6 costs and nature of future expenditures. The reports shall be submitted to
7 the Legislature every six (6) months starting January 1, 1984. The report
8 shall be due within one (1) month of the preceding six month period. The
9 first report shall be due no later than July 31, 1984 for the period January
10 1, 1984 to June 30, 1984.

11 Section 6. Section 21503.2(a) of the Government Code, found in
12 Section 10 of P.L. 17-10, is repealed.