

ELEVENTH GUAM CONGRESS

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CERTIFICATION OF PASSAGE OF AN ACT (Guam Congress Bill No. 3)  
TO THE GOVERNOR.  
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This certifies that the Act providing for a Board on Utility Rates to determine and recommend schedules of water rates and related charges; modifying Chapter 12 of the Civil Rules and Regulations with the Force and Effect of Law in Guam, otherwise referred to in the Eleventh Guam Congress as Guam Congress Bill No. 3, was, in the Fourth Meeting of the First Special Session of the Eleventh Guam Congress on December 19, 1960, passed unanimously.

A. E. NUBIA,  
President, Eleventh Guam Congress

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This Act was received by the Governor this 20<sup>th</sup> day of December, 1960, at 11 39 o'clock A. M.

R. S. HERMAN,  
Secretary of Guam

APPROVED:

CARLTON SKINNER

CARLTON SKINNER,  
GOVERNOR OF GUAM  
Date: \_\_\_\_\_

P.L. 1-7 (5)

First Guam Legislature-  
First Special Session

[Public Law 1-~~with Guam Congress~~]

[G. C. 3]

AN ACT

Providing for a Board on Utility rates to determine and recommend schedules of water rates and related charges; modifying Chapter 12 of the Civil Rules and Regulations with the Force and Effect of Law in Guam.

*Be it enacted by the Guam Congress*

Section 1. For the purpose of bringing the water rates and all related service, meter and other charges in effect in Guam into conformity with a rate structure that is uniform and impartial with respect to all users similarly situated or falling within categories of standardized designation, and for the purpose of improving the water service to the public of Guam, a board to be known as the Board on Utility Rates in Guam is hereby established.

Sec. 2. The Board shall be composed of three members to be appointed by the Governor with the advice and consent of the Guam Congress. The Governor shall select the chairman. One member shall be familiar with the problems of operation, maintenance and distribution of water through a public system; one member shall be familiar with the procedures of billing, accounting, and record keeping as followed by the office of the Treasurer of Guam; and one member shall be familiar with the consumption of water by the public of Guam. The members of this Board shall serve for a term of two years and without remuneration.

Sec. 3. The provisions of this act and the cognizance of the Board shall extend to all water sold, provided, or distributed by the Government of Guam to non-governmental consumers of every kind and category.

Sec. 4. The functions of the Board shall be: To formulate, establish and publish, and from time to time to review and where necessary revise, subject to the approval of the Governor, fair and reasonable schedules, uniform as to classes, of water rates and of all related service, meter and other applicable charges for all water sold, provided or distributed by the Government of Guam. Such schedules may provide for separate residential, commercial, industrial or other standardized categories of rates. The Board shall annually, and may in its discretion more often, upon complaint or upon its own motion, review and recommend revision of such schedules of rates and related charges as may at any time be in effect. The Board shall fix or confirm and publish, subject to the approval of the Governor, a comprehensive schedule of water rates and related charges not later than ninety days after the enactment of this act.

Sec. 5. The Department of Public Works and the Department of Records and Accounts shall furnish the Board all available information concerning all elements of costs of producing, acquiring, distributing and selling water as well as of the operation, maintenance, repair extension, amortization and administration of the water system together with any other data or information pertinent to the Board's determination of any schedule of rates and charges.

Sec. 6. The Board is authorized to hold under such reasonable rules as it may adopt such open or closed hearings as it may deem necessary or desirable in order to afford interested individuals, businesses, and corporations an opportunity to appear and present evidence having a bearing upon any of the business of the Board; and with the unanimous consent of its members the Board may subpoena witnesses, books and records.

Sec. 7. Every approved schedule of water rates, related charges or modification thereof, shall become effective on the first day of the month following the date of publication thereof.

Sec. 8. The office of the Board, unless otherwise directed by the Governor, shall be located at the Department of Public Works. The Department of Public Works is authorized to provide the Board, insofar as is practical, with office facilities and clerical assistance.

Sec. 9. The Board shall maintain on file, open to public inspection during its regular hours of business, all approved schedules of water rates and related charges.

Sec. 10. Nothing in this act shall be construed as relieving any person, business or corporation of any liability for water rates, taxes or charges which under the provisions of Chapter 12 of the Civil Rules and Regulations with the Force and Effect of Law in Guam, as amended by administrative action of the Governor, shall have accrued prior to the effective date of any new schedule adopted as herein provided.

Sec. 11. The Board is empowered, under such rules and regulations as may be approved by the Governor, to validate and authorize the continuance of the issuance and use of water chit tickets, and to determine what credit if any shall be allowed to purchasers thereof against any water bills heretofore or hereafter lawfully issued.

Sec. 12. This act shall become effective upon the date of its approval by the Governor.

Approved December 21, 1950