

MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN  
2014 (SECOND) Regular Session

Bill No. 408-32 (COR)

Introduced by:

D.G. RODRIGUEZ, JR.   
T.C. ADA 

AN ACT TO PROVIDE FOR DEVELOPMENT AND IMPLEMENTATION OF COMPARABLE RATE SCHEDULE R CHARGES FOR RESIDENTIAL MULTIFAMILY ACCOMMODATIONS BY THE GUAM POWER AUTHORITY, BY ADDING A NEW ITEM (1) TO §8104(D) OF CHAPTER 8, TITLE 12, GUAM CODE ANNOTATED, AND A NEW ITEM (1) TO §3111 OF ARTICLE 1, CHAPTER 3, TITLE 28, GUAM ADMINISTRATIVE RULES AND REGULATIONS.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent: *I Liheslaturan Guåhan*  
3 finds that the current Guam Power Authority rate and billing regime for  
4 residential condominiums and apartment buildings with a single master  
5 meter for the building places the consumer in a higher rate schedule.  
6 Given Guam's limitations on available affordable land and high cost of  
7 living and escalating utilities, many families live in rental apartments or  
8 condominiums. Those owing condominiums are likewise faced with  
9 higher costs making difficult their continuing ownership.

1            *I Liheslaturan Guåhan* recognizes the realistic mandate that the Guam  
2 Power Authority recovers costs and plan for system improvements, but  
3 finds the commercial rates being charged are excessive in that these are not  
4 businesses, but residences. However, the high utilization as seen through a  
5 single master meter reading pushes the residents collectively into a higher  
6 rate schedule, when in fact their individual unit usage would essentially be  
7 identical to any other single family residential dwelling.

8            It is, therefore, the *intent* of *I Liheslaturan Guåhan* to provide for a  
9 comparable Residential Rate Schedule R for multifamily accommodations.

10           **Section 2.** A new item (1) is hereby *ADDED* to §8104(d), Chapter 8,  
11 Title 12, Guam Code Annotated, to read:

12           “(d) Establish and modify from time to time, with approval of the  
13 Public Utility Commission, reasonable rates and charges for electric service  
14 at least adequate to cover the full cost of such service, including the cost of  
15 debt service, and collect money from customers using such service, all  
16 subject to any contractual obligation of the Board to the holders of any  
17 bonds; and refund charges collected in error.

18           (1) Develop and establish a residential rate schedule for  
19 residential multifamily accommodations (condominiums and  
20 apartments) providing equitable, comparable residential rates  
21 notwithstanding if the building complex is on a master meter or

1 meters, on par with the Rate Schedule R, as is accorded residential  
2 dwellings with individual metering.

3 In developing the residential rate schedule, the Authority shall  
4 develop a policy and process to reasonably determine and separate  
5 out the estimated residential power consumption for the large  
6 multifamily accommodation with a master meter, and the separate  
7 power consumption and utilization for non-residential components  
8 of the facility not normally found in a single or small multifamily  
9 accommodation, such as but not limited to, common area pools,  
10 elevators, parking and grounds area lighting, etcetera, and develop a  
11 coinciding fee schedule to recover costs for power provided for this."

12 **Section 3.** A new item (1) is hereby *ADDED* to §3111 of Article 1,  
13 Chapter 3, Title 28, Guam Administrative Rules and Regulations, to read:

14 **"§3111. Same: Individual Liability for Joint Service.** Two (2) or  
15 more persons who join in one application or contract for service shall be  
16 jointly and severally liable thereunder and shall be billed by means by a  
17 single periodic bill mailed to the person designated on the application to  
18 receive the bill.

19 (1) A residential multifamily accommodation (condominium or  
20 apartment complex) shall be treated as a residential customer, as

1 provided pursuant to item (1) of §8104(d), Chapter 8, Title 12, Guam  
2 Code Annotated.”

3 **Section 4. Severability.** If any provision of this Act or its application  
4 to any person or circumstance is found to be invalid or contrary to law,  
5 such invalidity shall not affect other provisions or applications of this Act  
6 which can be given effect without the invalid provisions or application,  
7 and to this end the provisions of this Act are severable.

8 **Section 5. Effective Date.** This Act shall become immediately  
9 effective upon enactment.