

**MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN
2015 (FIRST) Regular Session**

Bill No. 8-33 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. *or*

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.

2015 JUN -5 PM 2:27 *SR*

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

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

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

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

3 **Section 2.** A new item (1) is hereby *ADDED* to §8104(d), Chapter 8, Title
4 12, Guam Code Annotated, to read:

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

11 (1) Develop and establish a residential rate schedule for residential
12 multifamily accommodations (condominiums and apartments) providing
13 equitable, comparable residential rates notwithstanding if the building
14 complex is on a master meter or meters, on par with the Rate Schedule R, as
15 is accorded residential dwellings with individual metering.

16 In developing the residential rate schedule, the Authority shall
17 develop a policy and process to reasonably determine and separate out the
18 estimated residential power consumption for the large multifamily
19 accommodation with a master meter, and the separate power consumption
20 and utilization for non-residential components of the facility not normally
21 found in a single or small multifamily accommodation, such as but not
22 limited to, common area pools, elevators, parking and grounds area lighting,
23 etcetera, and develop a coinciding fee schedule to recover costs for power
24 provided for this.”

1 **Section 3.** A new item (1) is hereby *ADDED* to §3111 of Article 1, Chapter
2 3, Title 28, Guam Administrative Rules and Regulations, to read:

3 “**§3111. Same: Individual Liability for Joint Service.** Two (2) or more
4 persons who join in one application or contract for service shall be jointly and
5 severally liable thereunder and shall be billed by means by a single periodic bill
6 mailed to the person designated on the application to receive the bill.

7 (1) A residential multifamily accommodation (condominium or
8 apartment complex) shall be treated as a residential customer, as provided
9 pursuant to item (1) of §8104(d), Chapter 8, Title 12, Guam Code
10 Annotated.”

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

16 **Section 5. Effective Date.** This Act shall become immediately effective
17 upon enactment.