



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 99-16

RELATIVE TO REQUESTING THE GUAM PUBLIC UTILITIES COMMISSION TO MAKE RECOMMENDATIONS REGARDING THE GOVERNOR'S PROPOSED ASSESSMENT AND COLLECTION FROM THE GUAM POWER AUTHORITY OF PAST DUE CHARGES UNDER SECTION 23 OF CHAPTER III OF PUBLIC LAW NO. 24-59.

WHEREAS, Section 23 of Chapter III of Public Law No. 24-59 empowers the Governor, by Executive Order, to assess and collect from the Guam Power Authority, an autonomous agency of the government of Guam, the following expenses which the government of Guam has provided to the Guam Power Authority: (i) past contributions of capital, (ii) past transfers of physical assets, land, and equipment, (iii) direct services supplied, including administrative costs of these services, and (iv) the proportionate cost of services maintained by the government which are essential to the conduct of the Guam Power Authority's operations; and

WHEREAS, the Guam Power Authority contends that the government of Guam owes past due power charges to the Guam Power Authority for the delivery of electrical energy; and

WHEREAS, the expenses provided by the government of Guam to the Guam Power Authority should be taken into account in disposing of the past due charges claimed by the Guam Power Authority against the government of Guam, and that future expenses provided by the government of Guam to the Guam Power Authority should be compensated on a continuing basis; and

WHEREAS, prior to exercising assessment authority under Executive Order, it is necessary that a comprehensive investigation be conducted to establish the basis upon which the assessment and collection process should be implemented; and

WHEREAS, the Guam Public Utilities Commission exercises regulatory oversight of the Guam Power Authority, and with its experienced team of regulatory consultants and an administrative law judge, is uniquely positioned to undertake this study, which would be essential in guiding this assessment action;

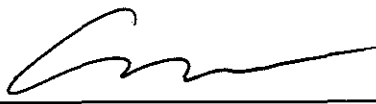
NOW, THEREFORE, I, CARL T.C. GUTIERREZ, I Maga'Lahen Guåhan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. The Guam Public Utilities Commission is requested to open a regulatory docket to investigate and propose the basis upon which an assessment should be conducted for past transfers from the government of Guam to the Guam Power Authority, for which the government of Guam was not compensated; and




2. The Guam Power Authority shall fully cooperate with the Public Utilities Commission in the effort to conduct this assessment study; and
3. Pending the resolution of the matter of assessment for past transfers and receipts which is referred to the Public Utilities Commission, the government of Guam's claims against the Guam Power Authority and the Guam Power Authority's claims against the government of Guam shall remain in abeyance and neither party shall prosecute their claims against the other.

SIGNED AND PROMULGATED at Hagåtña, Guam this 27th day of October, 1999.



CARL T. C. GUTIERREZ
I Maga'Lahen Guåhan
Governor of Guam

COUNTERSIGNED:



MADELEINE Z. BORDALLO
Segunda na Maga'Lahen Guåhan
Lieutenant Governor of Guam

