



HOUSE OF REPRESENTATIVES
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FOURTH REGULAR SESSION, 2007

PUBLIC LAW NO. 15-123
H. B. NO. 15-293

AN ACT

To amend 4 CMC § 8143 to require CUC to bill water, power, and sewer separately; and for other purposes.

**BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE:**

1 **Section 1. Findings.** The Legislature finds that the Commonwealth Utilities
2 Corporation's ("CUC") present billing system combines the charges for electrical power,
3 water consumption, and sewer services into one bill each month. CUC does not separate a
4 customer's utility payment according to the different applicable utilities under its present
5 billing system. The billing system of CUC has resulted in the disconnection of water for
6 many CUC consumers in addition to the disconnection of power.

7 The Legislature further finds that it is the practice of CUC to disconnect the water
8 service, in addition to the power, of consumers who are delinquent in paying their power bill.
9 This practice has created an unhealthy and unsanitary living environment for many
10 Commonwealth residents. Many Commonwealth residents are now living without power and
11 water at home. They rely on water collection, which is not always clean and usually
12 insufficient to sustain their daily water needs. Water is a basic necessity of life. Many
13 people can live without power but cannot live without water. Moreover, Commonwealth
14 residents cannot properly prepare and cook food, clean their homes, and wash their clothes
15 without water. The lack of water in such households may lead to the spread of germs and
16 diseases that could easily be avoided with the use of water.

17 The Legislature finds that CUC does not have any compelling interest in
18 disconnecting a consumer's water service just because they cannot pay the power portion of
19 their CUC bill. Consumers should be allowed to reconnect their water service upon payment

1 of their consumption charges and reconnection fees. The purpose of this legislation is to
2 require CUC to separate the electrical power, water consumption, and sewer services in its
3 billing system, to allow consumers to pay their utility bills separately, and to permit
4 consumers to reconnect water or power services upon payment of their outstanding
5 consumption charges and reconnection fees.

6 **Section 2. Amendment.** 4 CMC § 8143, as amended by Executive Order 2006-4, is
7 amended by adding a subsection (a) and new subsection (b) to read as follows:

8 “§ 8143. Metering and Billing.

9 (a) The corporation shall accurately meter electricity and water and shall bill
10 all consumers including all government consumers and all government buildings for
11 electrical power, water consumption, and sewer services by no later than October 1,
12 2007, at no less than the full cost of production, operation, and maintenance of those
13 services; provided, however, that nothing in this Executive Order or any other law
14 shall preclude the immediate equitable increase in the existing rate schedules prior to
15 the accurate metering of all classes of consumers. The classes of consumers are
16 commercial, residential and governmental or such other classes as the corporation
17 may determine appropriate.

18 (b) The corporation shall separate the electrical power, water consumption,
19 and sewer services in its billing system. Consumers shall be permitted to pay for each
20 utility service separately. The corporation shall not disconnect a consumer’s water
21 service for failure to pay for the electrical power portion of their bill. The corporation
22 shall allow customers to reconnect water or power services upon payment of their
23 water or power consumption charges and reconnection fees.”

24 **Section 3. Severability.** If any provision of this Act or the application of any such
25 provision to any person or circumstance should be held invalid by a court of competent
26 jurisdiction, the remainder of this Act or the application of its provisions to persons or
27 circumstances other than those to which it is held invalid shall not be affected thereby.

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Section 4. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

Section 5. Effective Date. This Act shall take effect upon its approval by the Governor or becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

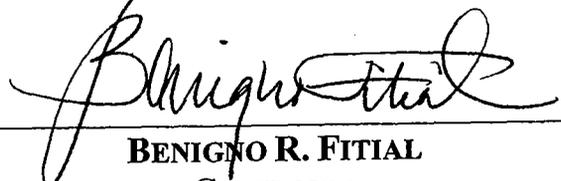


OSCAR M. BABAUTA
SPEAKER OF THE HOUSE



EVELYN C. FLEMING
HOUSE CLERK

DISAPPROVED on this 8th day of November, 2007



BENIGNO R. FITIAL
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CERTIFICATION:

Overridden by the House of Representatives on December 3, 2007, and by the Senate on November 14, 2007, by the affirmative vote of two-thirds of the members in each house.



OSCAR M. BABAUTA
SPEAKER OF THE HOUSE

12/14/07
DATE



JOSEPH M. MENDIOLA
PRESIDENT OF THE SENATE

12/18/07
DATE