

CHAPTER 3
GUAM POWER AUTHORITY

Article 1
Rates and Services

- §3101. Preliminary Statement.
- §3102. General Rules: Definitions.
- §3103. General Characteristics of Service: General.
- §3104. Same: Phase and Voltage Specifications.
- §3105. Same: Motor Protection and Equipment.
- §3106. Same: Allowable Motor Starting Currents.
- §3107. Same: Interference With Service.
- §3108. Same: Power Factor.
- §3109. Same: Other Conditions of Service.
- §3110. Application for Service.
- §3111. Same: Individual Liability for Joint Service.
- §3112. Same: Amount of Deposit.
- §3113. Same: Return of Deposits.
- §3114. Same: Change in Customer's Equipment or Operations.
- §3115. Same: Temporary Service.
- §3116. Same: Change to Permanent Status.
- §3117. Same: Refunds.
- §3118. Same: Service to Mobile Building and Construction Sites.
- §3119. Rendering and Payment of Bills: Rendering of Bills.
- §3120. Same: Reading of Separate Meters not Combined.
- §3121. Same: Payment of Bills.
- §3122. Same: Non-Payment of Bills.
- §3123. Disputed Bills.
- §3124. Discontinuance and Restoration of Service: Non-Payment of Bills.
- §3125. Same: Unsafe or Illegal Equipment.
- §3126. Same: Service Detrimental to Other Customers.
- §3127. Same: Fraud.
- §3128. Same: Failure to Submit a Deposit.
- §3129. Same: Noncompliance With Rate Schedule.
- §3130. Same: Customer's Request for Service Discontinuance.
- §3131. Same: Restoration-Reconnection Charge.
- §3132. Application of Rates: Effective Rates.
- §3133. Same: Optional Rates.
- §3134. Same: New or Revised Rates.
- §3135. Same: Change of Rate Schedule.
- §3136. Line Extensions: Extensions Normally at Authority Expense.
- §3137. Same: Right-of-Way.
- §3138. Same: Individual Applications and Advance Notice Required.
- §3139. Same: Length of Overhead Line Extension.
- §3140. Same: Underground Installations.
- §3141. Service Connections and Facilities on Customer's Premises: Meters.
- §3142. Same: Service Connection.
- §3143. Same: Overhead Service at Secondary Voltage in Areas Supplied by Overhead Facilities.
- §3144. Same: Underground Service at Secondary Voltage in Areas Supplied by Overhead Facilities.
- §3145. Same: Service at Secondary Voltage in Areas Supplied by Underground Facilities.
- §3146. Same: Service Requiring a Transformer Bank on Customer's Premises.

- §3147. Same: Construction of Transformer Pad, Station Enclosure or Vault.
- §3148. Same: Primary Voltage Supply to Customer's Premises.
- §3149. Same: Authority Ownership of Facilities and Right of Access.
- §3150. Same: Customer Responsibility for Authority's Facilities.
- §3151. Same: Customer Responsibility for Customer's Facilities.
- §3152. Meter Tests and Adjustment of Bills for Meter Error: Meter Tests.
- §3153. Same: Adjustment of Bills for Meter Error.
- §3154. Adjustment for Fuel Costs.

NOTE: Rule-making authority cited for formulation of rate schedule and electric service regulations by the Board of Directors of the Guam Power Authority, 12 GCA §8104 and §8107.

The regulations for rate schedules and electric services are reprinted here in form as exact as possible to those filed on October 22, 1979 with the Legislative Secretary. The substance of the regulations has not been changed. However, for the purpose of uniformity and ease of use, a new system of numbering has been adopted by the Editor. It is hoped that the revised numerical system will eventually be substituted for that formulated by the Guam Power Authority.

§3101. Preliminary Statement. (a) The Guam Power Authority supplies electric service for the entire island, except for those areas situated within United States government defense installations. A detailed description of electric service available from the Authority is given in §§3103 through 3109.

(b) Any person can obtain electric service from the Guam Power Authority by making application in accordance with §§3110 through 3118 or, if required, by executing a contract. Each applicant will also be required to make a deposit. Where an extension of the Authority's line is necessary, or a substantial investment is required to supply service, applicant will be informed as to the conditions under which service will be supplied. Applicants for service must conform to and comply with the Authority's rules relating to the Authority providing electric service.

(c) Section 3102 et. seq., [Schedule 1] contains the rules applicable to service provided by the Authority. Separate rate schedules are available to and applicable to different categories of customers.

§3102. General Rules: Definitions. In the rates and regulations for the electric service supplied by the Guam Power Authority, the terms and expressions listed below shall have the meanings set forth opposite them:

(a) *Application:* A written request to the Authority for electric service.

(b) *Authority*: Guam Power Authority.

(c) *Billing Period*: The time interval between two (2) consecutive meter readings that are taken for billing purposes.

(d) *Business Day*: Monday through Friday, excluding legal holidays. All other references to days will be calendar days.

(e) *Customer*: Any person (partnership, firm, corporation, municipality, cooperative, governmental agency, etc.) who has made application for service and is responsible for payment of the bills resulting from consumption of electric energy at the location identified in the application.

(f) *Date of Presentation*: The date upon which a bill or notice is mailed, or delivered by the Authority, to the customer (not the date the bill is received by the customer) or the date the current charges are billed.

(g) *Demand*: The rate of delivery of electric energy, measured in kilowatts (kw) occurring instantaneously or registered over a fixed time period.

(h) *Electric Service*: The availability of electric energy at the point of delivery for use by the customer, even if no electric energy is used.

(i) *Energy*: Electric energy measured in kilowatt-hours (kwh).

(j) *Line Extension*: All facilities, excluding transformer, service connection and meter required to extend electric service from the Authority's existing permanent facilities to the point of delivery to the customer.

(k) *Mailed*: Any notice or other communication will be considered "mailed" when it is properly addressed and deposited in any United States Post Office box, postage paid.

(l) *Mobile Building*: A prefabricated structure, designed for ease of movement from one location to another which does not require structural modification preparatory to such move.

(m) *Multifamily Accommodation*: An apartment building, duplex, court group or any other group of residential units located upon a single premises, providing the residential units therein meet the requirements for a

single-family accommodation. Hotels, guest or resort ranches, tourist camps, motels, auto courts and trailer courts, consisting primarily of guest rooms and/or transient accommodations, are not classed as multifamily accommodations.

(n) *Past Due Bill*: Bills are past due if not paid within fifteen (15) days after presentation or date billed.

(o) *Point of Delivery*: The point where conductors of the Authority are connected to the conductors of the customer, regardless of the location of the Authority's meters or transformers.

(p) *Premises*: All of the real property and apparatus employed in a single enterprise on an integral parcel of land undivided, excepting in the case of industrial, agricultural, oil field, resort enterprises and public or quasi-public institutions, by a dedicated street, highway or other public thoroughfare or railway. Automobile parking lots constituting a part of and adjacent to a single enterprise may be separated by an alley from the remainder of the premises served.

(q) *Service Wire or Connection*: The group of conductors, whether overhead or underground, necessary to connect the service entrance conductors of the customer to the Authority's supply line, regardless of the location of the Authority's meters or transformers. An overhead service connection, sometimes referred to as a "service drop", is the group of conductors between the customer's building or other permanent support and the Authority's adjacent pole.

(r) *Single-Family Dwelling or Accommodation*: A house, an apartment, a flat or any other residential unit which contains cooking facilities (not necessarily electric) and which is used as a residence by a single family.

(s) *Street Lighting Service*: Public lighting service supplied by means of lighting apparatus owned by the Authority and used primarily for the illumination of streets, alleys, highways, grounds, parks or other public ways or services consisting of the supply of electric energy to apparatus owned by the customer and used for such purposes.

(t) *Temporary Service*: Service for enterprises or activities which are temporary in character or where it is known in advance that service will be of limited duration. Service, which in the opinion of the Authority, is for

operations of a speculative character or the permanency of which has not been established, also is considered temporary service.

§3103. General Characteristics of Service: General.

(a) The character of service available at any particular location should be ascertained by inquiry at the Authority's office.

(b) The rate schedules established by the Authority are applicable for service where the customer purchases his entire electrical requirements from the Authority, except where such schedules specifically provide otherwise.

(c) Alternating current service of approximately 60-hertz will be supplied.

(d) Voltages referred to herein and in the rate schedules are cited at nominal levels as normally intended to be delivered. Actual levels may vary within acceptable industry limits as defined in "American National Standard No. C84."

§3104. Same: Phase and Voltage Specifications. (a)

Subject to the conditions listed below, single-phase or three-phase service will be supplied to the customer in accord with appropriate rate schedules:

(1) Voltage supplied will be designated by the Authority.

(2) Single-phase, two-wire, 120 volt service will not be supplied where more than one 15-ampere and one 20-ampere branch circuit is connected to such service. Single-phase loads exceeding these limits will be supplied in accord with provisions of §3104(b) 3-GAR [Section B.2], hereof.

(3) Three-phase service will not be supplied to customer motor loads which total less than 5 hp or to other three-phase devices of less than 5 kw, except where applicant contributes the net estimated additional installed cost of such facilities, exclusive of meter and service.

(4) Where a single-phase load exceeds the capacity of a 400-ampere main service switch, it will be supplied either:

(A) by multiple service connections which divide the load as equally as practicable and which are totalized for billing purposes; or

(B) by a single main service switch which does not exceed 600 amperes capacity.

(5) Combined single and three-phase service at 120/240 volts, four-wire, delta will be supplied through a single meter only where the main service switch does not exceed 400 amperes capacity.

(b) Service will be supplied at the following nominal voltages:

Secondary-Single	Secondary-Three	Primary-Three
Phase	Phase	Phase
120 or 240 (2W)	208y/120 (4W)	4160y/2400 (4W)
120/208 (3W)	240 /120 (4W)	13,800(3W)
120/240 (3W)	480 (3W)	480y/277 (4W)

Service at any voltage is subject to the Authority's determination that such voltage is or will be available at the customer's service location.

§3105. Same: Motor Protection and Equipment. All customer motor installations shall have protective apparatus, or inherent construction within the motor to accomplish the following protection:

(a) Motors that cannot be safely subjected to full rated voltage on starting or that drive machinery of such a nature that the machinery, itself, or the product it handles will not permit the motor to resume normal speed upon the restoration of normal supply voltage shall be equipped with devices that will disconnect them from the line upon failure of supply voltage and that will prevent the automatic reconnection of the motors upon restoration of normal supply voltage.

(b) All motors of 1 hp or larger shall be equipped with thermal relays, fuses or other automatic overcurrent interrupting devices to disconnect completely such motors from the line as a protection against damage due to overheating.

(c) Three-phase motors driving elevators, hoists, tramways, cranes, conveyors or other equipment, which would create hazard to life in the event of uncontrolled reversal of motor rotation, shall be provided with reverse-phase and open-phase protection to disconnect completely the motors from the line in the event of phase reversal or loss of one phase.

(d) The customer shall, at his own expense, furnish, install and keep in good and safe condition all motor protective devices required above and the Authority shall

not be responsible for any loss or damage occasioned or caused by the negligence of the customer or of any of his agents, employees or licensees in installing, maintaining, using, operating or interfering with any such protective devices.

§3106. Same: Allowable Motor Starting Currents. (a)

The starting current drawn from Authority's lines shall be considered the nameplate locked rotor current or that guaranteed by the manufacturer. At its option the Authority may determine the starting current by test, using a stop ammeter with not more than fifteen percent (15%) overswing, or an oscillograph, disregarding the value shown for the first ten (10) cycles subsequent to energizing the motor.

If the starting current for a single motor exceeds the value stated in the following tables, reduced voltage starting or other suitable means must be employed, at the customer's expense, to limit the current to the value specified, except for the exemptions provided in §3106(b) and (c).

(1) Single Phase Motors - Allowable Locked Rotor Currents in Amperes:

Rated Size	120 Volts	240 Volts
1hp and less	50 amperes	44 amperes
1-1/2 hp		48 amperes
2 hp		63 amperes
3 hp		87 amperes
5 hp		130 amperes

(2) Three Phase Motors - Allowable Locked Rotor Currents in Amperes:

Rated Size	208 Volts	240 Volts	480 Volts
3 hp	71 amperes	62 amperes	1 amp.
5 hp	102 amperes	89 amperes	5 amp.
7-1/2 hp	141 amperes	122 amperes	61 amperes
10 hp	180 amperes	156 amperes	78 amperes
15 hp	257 amperes	223 amperes	112 amperes
20 hp	321 amperes	278 amperes	139 amperes
25 hp	405 amperes	350 amperes	175 amperes
30 hp			209 amperes
40 hp			278 amperes
50 hp			357 amperes

(3) The locked rotor current values shown in the preceding tables are the maximum values allowed by NEMA (11-21-68) MG 1-12.33 for single-phase motors and MG 1-12.34 for three-phase motors.

(4) Service to motors for which no locked rotor current value is shown in the tables in this Section may be rendered if the Authority determines that adequate facilities to supply such service, subject to the provisions of §3107 3-GAR [Section E], are or can be installed at applicant's proposed service location.

(b) Where service conditions permit, and subject to Authority approval, reduced-voltage starters may be omitted in the original installation until such time as the Authority may order the installation of a reduced-voltage starter to be made, and, similarly, the Authority may at any time require starting current values lower than set forth herein where conditions at any point on its system require such reduction to avoid interference with service.

(c) Reduced-voltage starters may be omitted on any motor of a group installation provided that its starting current does not exceed the allowable starting current of the largest motor of the group.

§3107. Same: Interference With Service. (a) Customers who operate equipment which causes detrimental voltage fluctuations (such as, but not limited to, hoists, welders, radio transmitters, X-rays apparatus, elevator motors, compressors, and furnaces) must reasonably limit such fluctuations upon request by the Authority. The customer will be required to pay for the cost of such corrective measures as are necessary.

(b) Any customer who superimposes a current of any frequency upon any part of his electrical system, other than the current supplied by the Authority, shall, at his expense, prevent the transmission of such current beyond his electrical system.

§3108. Same: Power Factor. The Authority may require the customer to provide, at his own expense, equipment to increase the operating power factor of each complete unit of neon, fluorescent, other gaseous tube lighting equipment, welding transformers, X-ray machines, motors, air conditions or other devices having low power factors to not less than ninety-five percent (95%) lagging or leading.

§3109. Same: Other Conditions of Service. (a) **Phase Balancing.** Where three-wire single-phase, or three-wire three-phase, or four-wire combination single-phase and three-phase service (except four-wire, delta) is supplied, the load must be balanced as nearly as practicable between the two sides or several phases, respectively. In no case should the load on one side of a three-wire single-phase service be greater than twice that on the other, nor the load on any one phase of a three-phase star service be greater than twice that on any other phase.

(b) **Special Facilities for Added Reliability or Voltage Control.** Where a customer desires special facilities to provide increased service reliability or voltage control within unusually close limits, the Authority shall require customer to provide such special facilities at his own expense, or the Authority may provide such facilities if customer pays the net estimated installed cost thereof. In lieu of a lump sum payment of such estimated net cost, the customer and Authority may execute a mutually satisfactory contract to provide for the use and rental of such facilities.

(c) **Welders.** The Authority will serve, at the applicable rate and without additional compensation, welding equipment of the limited input type which conforms to the standards of the National Electrical Manufacturers Association (NEMA), and which has a maximum input (primary) current rating not exceeding 12 amperes at 120 volts or 37 amperes at 208 or 240 volts.

Welding equipment which does not meet the standards of NEMA, or which exceeds in input rating 12 amperes at 120 volts or 37 amperes at 208 or 240 volts, will also be served at the applicable rate without additional charge, provided that service to such welders has no detrimental effect on service to neighboring customers.

(d) **Motor Generator Sets and Rectifiers.** Motor generator sets and rectifiers shall be considered as power apparatus and shall be rated, for the purpose of applying rate and regulations, on the manufacturer's input rating of the set or, at the Authority's option, by actual test.

(e) **Interconnection.** Operation of electrical generating facilities in parallel with Authority's System, by or on behalf of a customer, is not permitted except in accordance with a written agreement between customer and Authority.

(f) **Temporary Suspension for Repairs.** The Authority, whenever it shall find it necessary for the purpose of making repairs or improvements to its system, will have the right to suspend temporarily the delivery of electricity. In all such cases, as circumstances permit, reasonable notice, with a minimum of three (3) days will be given to the customer, and the making of such repairs or improvements will be prosecuted as rapidly as may be practicable and, if practicable, at such times as will cause the least inconvenience to the customers.

§3110. Application for Service. Each applicant for electric service shall render a deposit and be required to sign an application on a form provided by the Authority and furnish the following information:

- (a) Name of applicant.
- (b) Date and place of application.
- (c) Service address and/or location of premises to be served.
- (d) Date applicant will be ready for service.
- (e) Whether the premises have been previously supplied.
- (f) Purpose for which service is to be used.
- (g) Customer's mailing address.
- (h) Whether applicant is owner or tenant of, or agent for, the premises.
- (i) Rate schedule desired if optional rate is available.
- (j) Such other information as the Authority may reasonably require.

The application is a request for service and does not in itself bind the Authority to serve except under reasonable conditions, nor does it bind the customer to take service for a longer period than the minimum requirements of the rate. All customers of the Authority irrespective of whether or not they have signed an application for service shall comply with the rules and rate schedules of the Authority.

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

§3112. Same: Amount of Deposit. (a) **Residential Service.** The amount of deposit required to establish (or re-establish) credit will not exceed one and one-half times the estimated monthly bill, but will not be less than Twenty-Five Dollars (\$25.00).

(b) **All Other Classes of Service.** The amount of deposit required to establish (or re-establish) credit will not exceed two and one-half (2 1/2) times the estimated monthly bill, but will not be less than Seventy-Five Dollars (\$75.00).

(c) A deposit will not be required for an individual or firm who relocates to another location, providing such individual or firm has previously established satisfactory credit. [3.C]

§3113. Same: Return of Deposits. (a) When an application for service has been cancelled prior to the establishment of service, the deposit will be applied to any charges applicable in accordance with the rate schedules and the excess portion of the deposit will be returned, and the customer will be so advised.

(b) Upon discontinuance of service, the Authority will refund the customer's deposit by applying it to the customer's account or issuing a check; in each case the customer will be so advised.

(c) The deposit shall be returned to the customer when credit is established, not to exceed two (2) years. Interest on such deposits, at the rate of five percent (5%) per annum will be effective on all deposits deposited with Guam Power Authority after October 16, 1979.

§3114. Same: Change in Customer's Equipment or Operations. Customers shall give the Authority written notice of the extent and nature of any material change in the size, character or extent of the utilizing equipment or operations for which the Authority is supplying electric service before making any such change.

§3115. Same: Temporary Service. The Authority shall, if no undue hardship to its existing customers will result therefrom, furnish temporary service under the following conditions:

(a) The applicant shall pay, in advance or otherwise as required by the Authority, the estimated cost of installing and removing the necessary facilities, less the estimated salvage value thereof.

(b) The applicant shall submit a deposit, as required by §3112 3-GAR [Section C] hereof, except that the amount of deposit shall not exceed the estimated bill for the duration of service.

§3116. Same: Change to Permanent Status. (a) If service to the electrical machinery or apparatus as originally installed or its equivalent is supplied a temporary customer on a continuous, intermittent or seasonal basis for a period of eighteen (18) consecutive months from the date of electric service first was delivered under this rule, the customer shall be classified as permanent and the payment made in excess of that required for permanent service or under the line extension rule for permanent customers shall be refunded in accordance with the provisions of §3117(b) following, provided the customer then complies with all of the rules applicable to electric service.

(b) If at any time the character of a temporary load changes so that, in the opinion of the Authority, the customer may be classified as permanent, the amount of payment made in excess of that required for permanent service immediately shall be refunded to the customer in accordance with §3117(a) following.

§3117. Same: Refunds. (a) The amount of refund upon reclassification of a customer from temporary to permanent status will be made on the basis of the extension rule in effect at the time.

(b) The payment made by the applicant in excess of any that is required under the extension rule for permanent service in effect at the time of conversion to permanent service shall be refunded at the rate of 1-2/3% for each month of service in excess of the first twelve (12) months.

(c) If payment has not been made in advance, applicant's excess obligation shall be reduced by 1-2/3% for each month of service in excess of the first twelve (12) months.

(d) Total refunds shall not exceed the amount deposited and no interest shall be paid on the amount advanced.

§3118. Same: Service to Mobile Buildings and Construction Sites. (a) Electric service to a mobile building or construction site will be rendered by the Authority on a temporary basis in accordance with the rule until such

customer qualifies for permanent status under §3116 hereof.

(b) Payment for installation of facilities for service to a mobile building or a construction site will be made pursuant to §3115 of this rule.

§3119. Rendering and Payment of Bills: Rendering of Bills. (a) **Billing Period.** Bills for electric service will be rendered monthly as provided in the rate schedules.

(b) **Metered Service.** Bills for metered service will be based on meter registrations. Meters will be read as required for the preparation of regular bills, opening bills and closing bills. It may not be possible always to read meters on the same day of the month, and if a monthly billing period contains less than twenty-seven (27) days or more than thirty-four (34) days, a pro rata computation in the bill will be made.

(c) **Pro Rata Computation.** Except as provided below, all bills for electric service rendered for periods of less than twenty-seven (27) days or more than thirty-four (34) days on a monthly billing period will be computed in accordance with the applicable schedule, provided, however, that the size of the energy blocks, and the amount of the demand or minimum charge specified will be prorated on the basis of the ratio of the number of days in the period to the number of days in an average monthly period, which for this purpose shall be taken as thirty (30) days, or as otherwise provided in the rate schedules. If the bill is prorated, the customer will be so notified.

§3120. Same: Reading of Separate Meters Not Combined. For the purpose of billing, each meter upon the customer's premises will be considered separately, and the readings of two (2) or more meters will not be combined except as follows:

(a) Where combinations of meter readings are specifically provided for in the rate schedule.

(b) Where the Authority's operating convenience requires the use of more than one meter.

§3121. Same: Payment of Bills. All bills are due and payable upon presentation, and are past due if unpaid fifteen (15) days after presentation. Payment should be made at the Authority's office or to an authorized representative or agent.

§3122. Same: Non-Payment of Bills. All customers with past due bills are subject to disconnect for non-payment on receipt of a disconnect notice. Any amount past due and appearing as arrears or "balance last month" on a bill is immediately payable (along with current charges) if the bill is stamped "disconnect within fifteen (15) days" from date of this billing.

§3123. Disputed Bills. All bills rendered are assumed correct unless a request for an investigation of a bill is initiated by the customer within forty-five (45) days of presentation. When a customer and the Authority fail to agree on a bill for electric service and the disputed bill is not paid fifteen (15) days after presentation, the Authority will notify the customer in writing:

(a) That in lieu of paying the disputed bill the customer must deposit with the Board of Directors, Guam Power Authority, a certified check or cash in an amount equal to the average bill of the past three (3) months together with a request for review under 12 GCA §13103.

(b) That checks or other forms of remittance for such deposit should be made payable to the Guam Power Authority.

(c) That upon receipt of the deposit the Public Utilities Commission will schedule a hearing within thirty (30) days of receipt of the deposit to review the basis of the billed amount, and will advise the customer of its findings and will direct the Guam Power Authority to disburse the deposit in accordance therewith.

(d) That service will not be discontinued for non-payment of the disputed bill when deposit has been made with the Board pending the outcome of such hearing and review.

(e) That failure of the customer to make such deposit within fifteen (15) days after the date upon which notice was given will warrant discontinuance of his service without further notice.

(f) That, if before completion of the Board's hearing and review, additional bills become due which the customer wishes to dispute, he shall follow the same procedure with respect to such additional bills before they become past due and that failure to do so will warrant discontinuance of his service.

§3124. Discontinuance and Restoration of Service: Non-Payment of Bills. (a) When a bill for electric service has become past due, service may be discontinued. Bills for electric service will be considered past due if not paid fifteen (15) days after date of presentation.

(b) A customer's service may be discontinued for non-payment of a bill for service rendered him previously at any location served by the Authority.

(c) If a customer is receiving more than one service, any or all services may be discontinued when any service, regardless of location, is discontinued for non-payment, except that residential service will not be discontinued because of non-payment of bills for other classes of service.

(d) Under no circumstances may service be discontinued for non-payment of a bill to correct previously billed incorrect charges for a period in excess of the preceding ninety (90) days, unless such incorrect charges have resulted from the customer not abiding by the Authority's service rules.

§3125. Same: Unsafe or Illegal Equipment. The Authority may refuse or discontinue service to a customer if any part of his wiring or other equipment, or the use thereof, shall be determined to be unsafe or in violation of applicable laws, ordinances, rules or regulations of public authorities, or if any condition existing upon the customer's premises shall be thus determined to endanger the Authority's service facilities, until it shall have been determined to be safe or the violation remedied as a result of subsequent corrective action.

The Authority does not assume any responsibility of inspecting or repairing the customer's wiring or other equipment or any part thereof and assumes no liability therefor.

§3126. Same: Service Detrimental to Other Customers. The Authority may refuse or discontinue service to utilizing equipment, the operation of which will be detrimental to the service of the Authority or its other customers.

§3127. Same: Fraud. The Authority may refuse or discontinue service if the acts of the customer or the conditions upon his premises are such as to indicate an intent to defraud the Authority (e.g. meter tampering, connection without meters).

§3128. Same: Failure to Submit a Deposit. If, for an applicant's convenience, the Authority provides service before a deposit is submitted in accordance with §§3110 through 3118, and he fails to submit a deposit within five (5) business days, the Authority may discontinue such service.

§3129. Same: Noncompliance With Rate Schedule. Except as otherwise specifically provided in this rule, the Authority may discontinue service to a customer for noncompliance with rate schedules if, after written notice of at least five (5) (business) days, he has not complied with the notice. The Authority may dispense with the giving of such notice in the event of a dangerous condition which requires immediate discontinuance of service.

§3130. Same: Customer's Request for Service Discontinuance. When a customer desires to terminate his responsibility for service, he shall give the Authority not less than two (2) days' notice and state the date on which he wishes the termination to become effective. A customer shall be held responsible for all service furnished at the premises until two (2) days after the receipt of such notice by the Authority or until the date of termination specified in the notice, whichever date is later.

§3131. Same: Restoration - Reconnection Charge. The Authority shall require payment of a Twenty-Five Dollars (\$25.00) reconnection charge before restoring service that has been discontinued for any of the reasons in §§3124 through 3130 of this rule.

§3132. Application of Rates: Effective Rates. The rates charged by the Authority for electric service are those approved by the Public Utilities Commission and legally in effect. A copy of the complete rate schedules shall be maintained for public inspection at the Authority's General Office and at such other locations as the Authority may establish from time to time. The Authority's rate schedules will be interpreted and applied by the Authority for each customer's service requirements in accordance with the terms and conditions of such rate schedules, and the size and characteristics of such service requirements, as these are determined from time to time. A customer who is adversely affected by the application of any rate or charge for electric service may appeal to the Public Utilities Commission pursuant to 12 GCA §1304 and §13105.

§3133. Same: Optional Rates. If the Authority has in effect two (2) or more rate schedules for the class of service

requested by the applicant, the Authority or its authorized employees will call applicant's attention, at the time application is made, to the several schedules, and the applicant should designate which rate schedule he desires. When the customer notifies the Authority of any material change in the size, character or extent of his utilizing equipment or operations, in accordance with §3114, the Authority will, within a reasonable time, but not less than ten (10) days, advise the customer of the resulting rate options. In the absence of the notification provided for in §3114, the Authority assumes no responsibility for advising the customer of lower optional rates under other existing schedules, if any, which are available as a result of the customer's changes in equipment or operations.

§3134. Same: New or Revised Rates. If new or revised rates are established after customer applies for service, the Authority will, within a reasonable time, but not less than ten (10) days, use such means as practicable to bring them to the attention of each customer who may be affected thereby.

§3135. Same: Change of Rate Schedule. (a) A change to another applicable rate schedule will also be made where the customer elects to make such change.

(b) If a customer so elects, the change will be made provided:

(1) A change has not been made during the past 12-month period; or

(2) The change is made to, or from, a new or revised rate schedule; or

(3) There has been a change in the customer's operating conditions for that service which, in the opinion of the Authority, justifies the change; and

(4) The change is not made more often than once in twelve (12) months where service is being supplied under a schedule containing an annual fixed charge or an annual minimum charge; and

(5) The customer has made the request by written notice to the Authority.

(c) The change will become effective for the billing period during which the customer has requested the change.

§3136. Line Extensions: Extensions Normally at Authority Expense. Extensions of electric distribution lines

at standard voltages specified in §§3103 through §3109 to supply electric service applicants of a permanent character will normally be constructed, owned, operated and maintained by the Authority at its expense. Line extensions will be subject to the provisions of the Authority's regulations and the provisions of the applicable rates. Private or government owned electric lines beyond the point where the service is delivered must be constructed and maintained without expense to the Authority and must conform to standards for electric line construction acceptable to the Authority.

§3137. Same: Right-of-Way. The Authority will construct, own, operate and maintain lines only along public streets, road and highways which the Authority has the legal right to occupy, and on public lands and private property across which rights-of-way satisfactory to the Authority may be obtained without cost.

§3138. Same: Individual Applications and Advance Notice Required. Electric line extensions will be constructed, owned and maintained by the Authority to supply individual applicants with electric service at their request and in accordance with this and other applicable regulations. Such applicants will be required to provide the Authority sufficient advance notice so that construction may be scheduled to render service by the time such service is desired.

§3139. Same: Length of Overhead Line Extension. (a) Free Extension Allowance. Overhead line extensions to serve new customers will be made by the Authority at its own expense provided the installed cost of such line extensions, exclusive of transformers, meters and services, does not exceed thirty (30) times the monthly revenue, exclusive of fuel adjustment, and also exclusive of all fuel expenses included in the Authority's base rate, from such extension, as estimated by the Authority or as guarantee by such customers, whichever amount of revenue is higher.

(b) Extension Beyond Free Length:

(1) Overhead line extensions of greater length than the free extension allowance will be made, provided the applicant(s) for service makes an advance payment to the Authority of the estimated installed cost of such line extension in excess of the free length. Such line extensions will be owned, operated and maintained by the Authority.

(2) Such advance payment will be subject to refund by the Authority in an amount based on the footage that (i) the allowable free length, under §3139(a) (as increased to reflect the estimated or guaranteed revenue from load or customers subsequently connected) exceeds; (ii) the length of line required to serve, multiplied by; (iii) the unit cost per foot applicable at the time the extension was originally constructed.

(3) Refunds of advance payments made hereunder will be predicated on the connection of additional separately metered permanent load or customers to the extension; will be made without interest; and will be made within ninety (90) days after date of first service to such additional load or customers, except that refunds may be accumulated to a Twenty-Five Dollars (\$25.00) minimum, or to the total refundable balance if less than Twenty-Five Dollars (\$25.00), before each refunding.

(4) No refund will be made by the Authority in excess of the amount advanced by the applicant or applicants, nor after a period of five (5) years from the date the Authority is first ready to render service from the extension, and any unrefunded amount remaining at the end of the five-year period will become the property of the Authority.

§3140. Same: Underground Installations. Underground line extensions will be made only pursuant to terms, standards and conditions stipulated by the Authority, except in those areas where the Authority maintains or desires to maintain underground distribution facilities for its operating convenience or in compliance with applicable laws, ordinances or similar requirements of public authorities.

§3141. Service Connections and Facilities on Customer's Premise: Meters. All meters shall be installed by the Authority upon the customer's premises in a location approved by the Authority and such location shall at all times be kept accessible for meter inspection, reading and testing. If such location becomes inaccessible, the Authority may require the customer to provide a new meter location at the customer's expense. All meters shall be sealed by the Authority and no such seal shall be broken or tampered with by the customer.

Where meter transformers are furnished by the Authority as part of the meter installation, the Authority will also furnish the means of safe testing required by law. Where such transformers are not used, the customer shall

provide a service switch incorporating such means for safe testing. Information about such equipment will be furnished by the Authority on request.

§3142. Same: Service Connections. The Authority will not connect more than one service for each voltage to any one building, except where such additional services are required by law for emergency lighting or where, in the Authority's judgment, such services are warranted because of load requirements, or the Authority's operating convenience. Service wires shall not exceed one hundred fifty (150) feet in length and customer's point of attachment shall be sufficiently above ground level to provide the clearance required by the National Electrical Safety Code. Service to a new building will not be connected until such building has been approved for electric service by the Guam Department of Public Works or other governmental agency having jurisdiction.

§3143. Same: Overhead Service at Secondary Voltage in Areas Supplied by Overhead Facilities. In those areas where it has been determined that the Authority will continue to serve its customers overhead and where the Authority's distribution pole line is located on a street, highway, lane, alley, road or private easement contiguous to the customer's premises, the Authority will, at its expense, furnish and install a service drop from its pole line to the first point of attachment to the customer's building or other permanent support provided by the customer, such point to be approved by the Authority.

§3144. Same: Underground Service at Secondary Voltage in Areas Supplied by Overhead Facilities. In areas supplied by overhead facilities only, and the customer desires underground service, underground facilities shall be furnished by the customer at his expense and shall include sufficient conductor to reach the service pole specified by the Authority and to rise thereon to the height of the circuit position specified by the Authority. The customer shall install such facilities to a point on such pole above final ground level as specified by the Authority and the remaining installation will be completed by the Authority, using the conductor and other material furnished by the customer. All such facilities and installations shall be subject to approval by the Authority as to design, specifications and final field inspection.

§3145. Same: Service at Secondary Voltage in Areas Supplied by Underground Facilities. In areas supplied by

the Authority's underground facilities located in the public street or immediately adjacent to the customer's premises, the Authority will, at its expense, extend an underground service connection at 480 volts or less to the facilities provided by the customer at a point designated by the Authority, subject to applicable laws and ordinances.

§3146. Same: Service Requiring a Transformer Bank on Customer's Premises. Where, in the Authority's judgment, service to a single customer requires the exclusive use of a transformer bank and such bank cannot properly be accommodated on an Authority easement or right-of-way, such customer shall provide a site for either a totally enclosed, pad-mounted transformer or an outdoor transformer station enclosure or provide an indoor transformer room or vault as required by this rule. At its option, the Authority may elect to install the transformer bank on a pole structure. If such a structure cannot properly be accommodated on an Authority easement or right-of-way, the customer shall provide a location for the Authority as to installation of facilities and access for maintenance.

§3147. Same: Construction of Transformer Pad, Station Enclosure or Vault. If a site for either a totally enclosed, pad-mounted transformer or an outdoor transformer station enclosure is provided, the customer shall also at his expense:

- (a) construct the necessary concrete pad for the transformer; and
- (b) terminate his service facilities at the Authority's transformer terminals.

Such site and related improvements shall be according to specifications prescribed by the Authority. The Authority will, at its expense, provide the proper fencing for such a transformer station enclosure. If a transformer room or underground vault is provided, it shall conform to the requirements of the Authority pertaining to safety, grounding, size, ventilation, security and access.

§3148. Same: Primary Voltage Supply to Customer's Premises. Wherever adequate service to a customer requires and where, in the Authority's judgment, it is desirable and practicable to do so, the Authority will construct on the customer's premises a primary voltage supply line. Such supply line will extend to the

transformer bank, metering installation, or other terminal point, as designated by the Authority:

(a) **By Means of Overhead Facilities.** Where such supply line is to be of standard construction for overhead lines, the Authority will, at its expense, furnish and install the entire line and will make the necessary electrical connections.

(b) **By Means of Underground or Conduit Facilities:**

(1) In areas supplied by the Authority's overhead facilities where the customer requests and the Authority agrees, or where the Authority determines, that such primary voltage supply line be underground or otherwise in conduit, in whole or in part, the customer shall furnish and install the entire conduit system, including transformer pads, rooms or vaults, manholes, pull boxes and pull wires.

The conduit system shall be constructed and installed in accordance with specification prescribed by the Authority and shall be along a route approved by the Authority, and, when required, shall include sufficient conduit to reach a point designated by the Authority on its supply pole, or poles, on which service is to be connected.

After completion, the customer shall be responsible for the proper maintenance and replacement of such conduit system. Such customer shall also grant to the Authority rights of access, satisfactory to the Authority, for the installation and maintenance of the necessary primary voltage electrical conductors and their connections.

(2) For such primary voltage supply line, the Authority will furnish and install and necessary electrical conductors and will make the necessary electrical connections at its expense; provided, however, that the customer shall pay to the Authority, in advance or otherwise as agreed, the estimated installed cost of such underground conductors, reduced by the amount of the estimated installed cost of overhead facilities of the same capacity required to serve such customer. After completion thereof, the Authority will be responsible for the proper maintenance and replacement of such underground conductors and their related electrical connections.

§3149. Same: Authority Ownership of Facilities and Right of Access. All facilities installed on a customer's premises, including but not limited to conductor, transformers, poles, meters, etc., which are furnished by the Authority in order to render electric service, shall remain the sole property of the Authority. The Authority shall have the right of access to the customer's premises, without payment of any charge or rent therefor, at all reasonable hours for any purpose related to the furnishing of electric service, including but not limited to meter reading, testing, inspection, construction, maintenance and repair of facilities. Upon termination of service, and for a reasonable period thereafter, the Authority shall have the right of access to the customer's premises to remove its facilities installed thereon.

§3150. Same: Customer Responsibility for Authority's Facilities. The customer shall exercise reasonable care to prevent facilities of the Authority installed on his premises from being damaged or destroyed and shall refrain from tampering or interfering with such facilities, and if any defect therein is discovered by the customer, he shall promptly notify the Authority thereof.

§3151. Same: Customer Responsibility for Customer's Facilities. The customer shall, at his sole risk and expense, furnish, install, inspect and keep in good and safe condition all electrical facilities required for receiving electric energy from the lines of the Authority, regardless of the location of the transformers, meters or other equipment of the Authority, and for utilizing such energy, including all necessary protective devices and suitable housing therefor, and the customer shall be solely responsible for the transmission and delivery of all electric energy over or through the customer's wires and equipment, and the Authority shall not be responsible for any loss or damage occasioned thereby.

All service switches, cutouts and similar devices required in connection with a service and meter installation on the customer's premises shall be furnished, installed and maintained by the customer in accordance with Authority specifications.

§3152. Meter Tests and Adjustment of Bills for Meter Error: Meter Tests. (a) **Prior to Installation.** Meters will be tested at the time of their installation, either individually or, in case of newly purchased meters, by valid sampling

methods, and no meter will be placed in service or allowed to remain in service which is found to have an error in registration in excess of two percent (2%) under conditions of normal operation.

Meters and associated metering devices will be tested and adjusted in conformity with the standards of the American National Standards Institute Code for Electricity Metering ANSI C12-1975, or latest edition.

(b) **On Customer Request.** Any customer may, upon not less than seven (7) days' notice, require the Authority to test his electric meter. No payment or deposit will be required from the customer for such test except that when a customer whose average monthly bill for electric service is less than Three Hundred Dollars (\$300.00) requests a meter test within six (6) months after date of installation of the meter, or more often than once in six (6) months thereafter, a Thirty-Five Dollars (\$35.00) deposit to cover the reasonable cost of the test will be required of the customer.

The amount so deposited will be returned to the customer if the meter is found, upon test, to register more than two percent (2%) fast or slow under conditions of normal operation.

(c) **Witness of Tests.** A customer shall have the right to require the Authority to conduct the test in his presence, or if he so desires, in the presence of an expert or other representative appointed by him. A report giving the result of the test will be supplied to the customer within a reasonable time after completion of the test, if so requested.

§3153. Same: Adjustment of Bills for Meter Error. (a) **Fast Meters.** When, upon test, any meter is found to be registering more than two percent (2%) fast, the Authority will refund to the customer the amount of the overcharge based on corrected meter readings for the preceding three (3) months, subject to the provisions of Subsection (d) [Paragraph 4] hereof.

(b) **Slow Meters.** When, upon test, any meter is found to be registering more than two percent (2%) slow, the Authority may bill the customer for the amount of the undercharge based on corrected meter readings for the preceding three (3) months, subject to the provisions of Subsection (d) [Paragraph 4] hereof.

(c) **Nonregistering Meters.** When, upon test, any meter is found to be nonregistering, the Authority may bill the customer for the estimate of electricity consumed but not registered for a period of three (3) months, subject to the provisions of Subsection (d) [Paragraph 4] hereof.

Bills for this purpose may be estimated based on the customer's prior use, the customer's subsequent use correctly metered, or the Authority's experience with other customers of the same class, and the general characteristics of the customer's operation, depending on which source would give the most accurate results.

(d) **General.** When it is found that the error in a meter is due to causes, the date of which can be reliably established, the overcharge or the undercharge will be computed back to but not beyond that date.

§3154. Adjustment for Fuel Cost. The calculation of each bill, pursuant to the rates and charges contained in the applicable rate schedule, shall be subject to an adjustment for variations in fuel cost. The adjustment will be made by multiplying a Unit Fuel Charge or Unit Fuel Credit times the total kilowatt hours for which the bill is rendered.

The Unit Fuel Cost will be calculated by the following formula:

$$\text{Unit Fuel Cost} = \frac{A \times B \times C}{D}$$

where: A = Bbls consumed in IWPS

B = GPA kWh from Pool (1)

Total Joint Use kWh (1)

(1) = These figures from monthly power pool settlement calculations.

C = Current GPA price in dollars per bbl of fuel

D = GPA kWh sales

The Unit Fuel Charge or Unit Fuel Credit will be calculated by the following formula:

$$\text{U.F.C. or U.F.Cr.} = \text{Unit Fuel Cost} - \$0.032201$$

.96

(for non-governmental customers)

U.F.C. or U.F.Cr. = Unit Fuel Cost - \$0.032201

(for government customers)

Non-governmental customers are required to provide the four percent (4%) tax on the revenue obtained from fuel cost adjusted.

The \$0.032201 is based on fuel cost of \$2.297266 per million Btu.

The Unit Fuel Charge or the Unit Fuel Credit will be recalculated any time the price per bbl the Guam Power Authority is charged for fuel is changed, and will thereafter be applied to the computation of customer bills. The increment in the New Unit Fuel Charge or (Unit Fuel Credit) over the previous Unit Fuel Charge will be applied to the consumption of kilowatt hours by the customer in a manner proportioned to the number of days during which the increase price is applicable to GPA. "Unit Fuel Charge or the Unit Fuel Credit" will be reviewed at the end of the first full calendar month following the month in which GPA experiences a fuel price change. If the review indicates a Unit Fuel Charge or Unit Fuel Credit different than that being used, an appropriate correction will be made and applied until such time as the GPA fuel price is again changed.

NOTE: §3154 [Rule 11] has been amended pursuant to PUC Order No. 004-80.