

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 8158. Judicial Review.

- (a) A person aggrieved by an act or omission of the Corporation shall obtain review pursuant to 4 CMC § 8448.
- (b) An appeal shall not stay the effective date of any schedule of utility rates.

Source: PL 4-47, § 1 (§ 8158); amended by EO No. 2006-04, § 4(8158); (a) repealed and reenacted by PL 15-40, § 3(i); repealed and reenacted by PL 16-17 § 10(8158).

Commission Comment: See the comment to 4 CMC § 8111.

PL 15-40 was enacted on December 22, 2006, and included the following short title and findings and purpose sections in addition to other enactments and severability and savings provisions. The Commission changed the reference to 4 CMC § 8435 to 4 CMC § 8448 in subsection (a) above to agree with renumbered sections pursuant to its authority by 1 CMC § 3806.

Section 1. Short Title. This Act may be cited as the “The PUC Amendments Act of 2006.”

Section 2. Findings and Purposes. The Legislature finds that a few limited amendments are needed to further improve the Public Utilities Commission Act (Public Law 15-35 (4 CMC §§ 8401-8461)) and Executive Order 2006-4 (4 CMC §§ 8111-8158). The Legislature further finds that regulation must be fair and flexible and advance the public interest. Regulators must be experts by reason of knowledge, experience or training and understand the needs of the CNMI and its people.

Amendments included in this act relate to the (1) qualifications of commissioners and (2) their ethical position. Other amendments (1) clarify the PUC’s authority to issue interim orders for partial and immediate relief and to set rates that reflect various classes and types of service, and (2) allow the CUC to continue to conduct its business while the PUC is being constituted. CUC may also issue an RFP for power privatization and make an award contingent upon the contractor obtaining from the PUC a certificate of public convenience and necessity and an approval of its rates and CUC’s divestiture. This Act is a necessary and proper use of the legislative authority granted by Article II of the Commonwealth Constitution.