

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 8406. Operation of Commission.

(a) The Commission may employ agents, employees, hearing examiners, or contract for services, specialists, experts, or professionals as individuals or as organizations to advise and assist the Commission and its employees. The Commission may appoint an executive director who shall serve at the pleasure of the Commission and may be dismissed with or without cause by the majority vote of the Commission. The executive director shall be compensated pursuant to the provisions of 1 CMC § 8246. The Commonwealth Civil Service Act [1 CMC § 8101 et seq.] shall apply to all administrative or clerical employees of the Commission. All other employees shall be exempt from the application of the Commonwealth Civil Service Act.

(b) The Commission may retain an attorney, who shall serve at the pleasure of the Commission and whose duties shall be fixed by the Commission; provided that the attorney shall not act as the Commission's hearing examiner. The attorney, shall be admitted to practice before the Supreme Court of the Commonwealth of the Northern Mariana Islands, shall advise the Commission on all legal matters to which the Commission is legally interested and may represent the Commission in connection with legal matters before the legislature, the courts of the Commonwealth, government boards, and other agencies of the Commonwealth. The Commission is authorized to establish by rule or order that each entity regulated under this Chapter shall be assessed the costs incurred by the Commission for professional services rendered by the attorney. The attorney shall have the power to review and approve contracts for legal form and sufficiency in accordance with the procurement laws of the Commonwealth.

(c) If a regulated entity's determination is reversed by the Commission, then the Commission shall award reasonable attorney's fees to the customer and costs. The remedies contained in this Chapter are not exclusive and the customer may, at the customer's sole option, pursue any other remedies available at law.

Source: PL 15-35, § 2 (8406), modified.