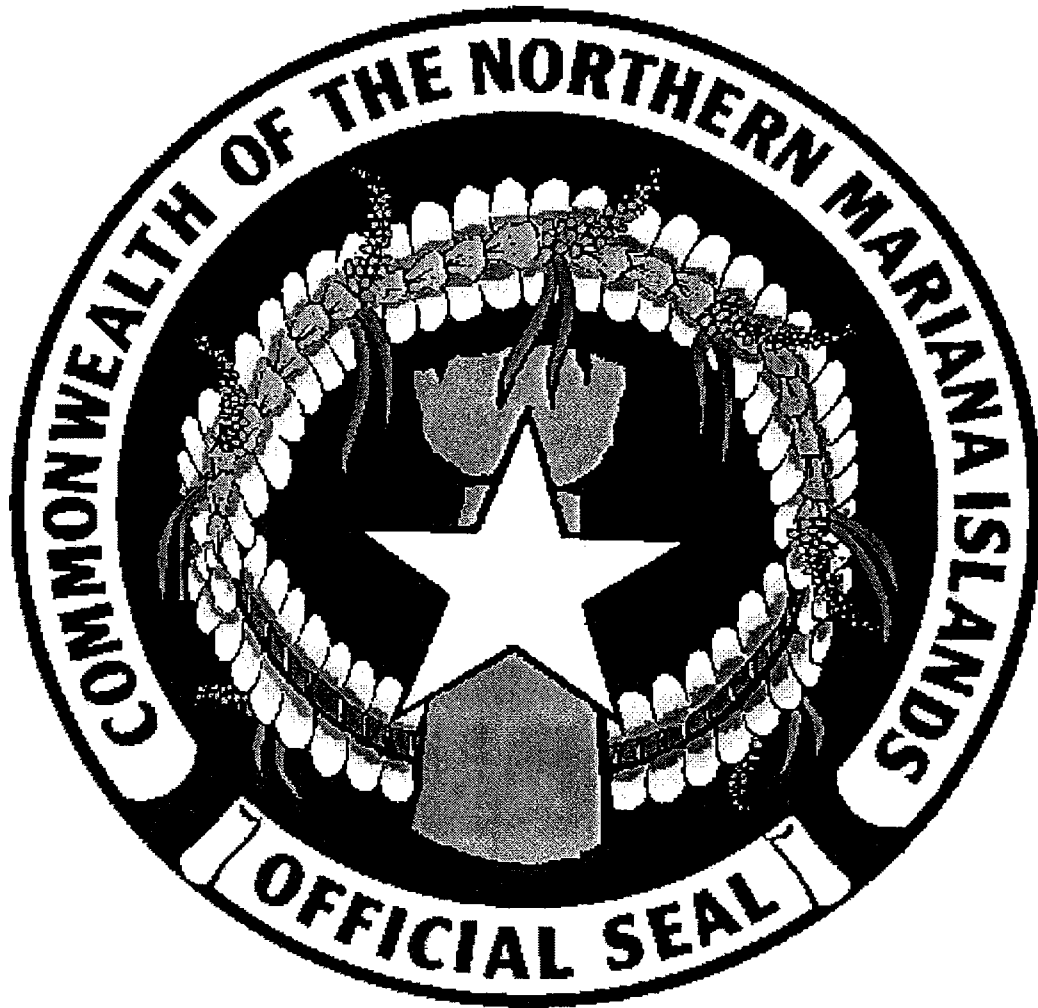


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, TINIAN, ROTA, & NORTHERN ISLANDS



COMMONWEALTH REGISTER
VOLUME 28
NUMBER 09

September 27, 2006

COMMONWEALTH REGISTER

VOLUME 28

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

EXTENSION OF EMERGENCY Volcanic Activity on Anatahan

WHEREAS, On January 23, 2006, a Declaration of Emergency was issued with respect to volcanic activity on the island of Anatahan; and

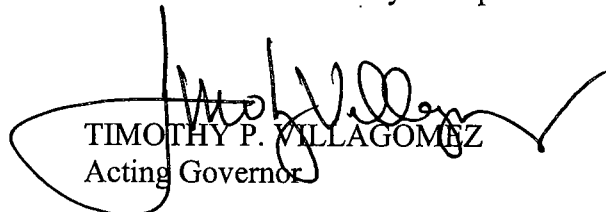
WHEREAS, said Declaration declared the island of Anatahan as unsafe for human habitation and restricted all travel to said island with the exception of scientific expeditions; and

WHEREAS, the volcanic activity and seismic phenomena which prompted said Declaration continues to exist on the island of Anatahan;

NOW, THEREFORE, I, TIMOTHY P. VILLAGOMEZ, by the authority vested in me as Acting Governor, and pursuant to Article III, Section 10 of the Commonwealth Constitution and 3 CMC §5121, do hereby extend a state of disaster emergency in the Commonwealth with respect to the island of Anatahan under the same terms and conditions as are contained in the original Declaration.

This Extension of Emergency shall remain in effect for thirty (30) days, unless the Governor shall, prior to the end of the 30-day period, notify the Presiding Officers of the Legislature that the state of emergency has been revoked or further extended for alike term, and giving reasons for extending the emergency.

Dated this 1st day of September 2006.


TIMOTHY P. VILLAGOMEZ
Acting Governor

cc: Lt. Governor (Fax: 664-2311)
Senate President (Fax: 664-8803)
House Speaker (Fax: 664-8900)
Mayor of the Northern Islands (Fax: 664-2710)
Executive Assistant for Carolinian Affairs (Fax: 235-5088)
Director of Emergency Management (Fax: 322-7743)
Attorney General (Fax: 664-2349)
Secretary of Finance (Fax: 664-1115)
Commissioner of Public Safety (Fax: 664-9027)
Special Assistant for Management and Budget (Fax: 664-2272)
Special Asst. for Programs and Legislative Review (Fax: 664-2313)

PUBLIC NOTICE
PROPOSED VETERANS CEMETERY REGULATIONS

Citation of Statutory Authority: The Office of Military Liaison and Veterans Affairs, established within the Office of Governor, is authorized to promulgate regulations governing programs or activities related to the Commonwealth and U.S. Armed Forces relationship. 1 CMC § 20133(a).

Short Statement of Goals and Objectives: To provide rules for the CNMI Veterans Cemetery.

Brief Summary of the Proposed Regulations: These proposed regulations provide rules for the order interment of eligible persons, grounds maintenance, and other purposes.

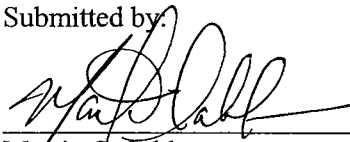
For Further Information Contact: Martin C. Sablan, Director, Office of Military Liaison and Veterans Affairs, telephone (670) 664-2650 or facsimile (670) 664-2660.

Citation of Related and/or Affected Statutes, Military Liaison and Veterans Affairs Office Act of 2002, 1 CMC §§ 20131-35

and Regulations And Orders: None

Dated this 15th day of September 2006.

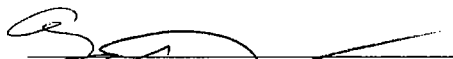
Submitted by:



Martin C. Sablan
Director, Office of Veterans Affairs

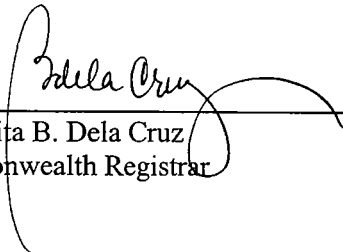
Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General.

Dated the 18th day of September, 2006.



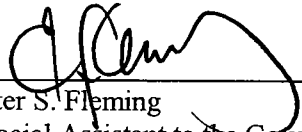
MATTHEW T. GREGORY,
Attorney General

Date: 9-18-06



Bernadita B. Dela Cruz
Commonwealth Registrar

Date: 9/18/06



Ester S. Fleming
Special Assistant to the Governor for
Administration

NOTISIAN PUPBLIKU
MAPROPONEN REGULASION SIHA PARA I SIMENTEYON BETERANU
SIHA

Aturidat I Lai: I Ofisinan Military Liaison yan Veterans Affairs, ma'establesi gi halom I Ofisinan I Gobietno, ma'aturisa para ufan laknos regulasion siha ni para u maneha I programa osino aktibidad siha ni tineteka pot, Commonwealth yan relasion i U.S Armed forces. 1 CMC seksiona 21033 (a).

Kadada Na Finiho Yan Diniseha: Para u maprobeniye regulasion siha para I Sementeyon Beteranu siha giya CNMI.

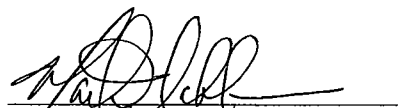
Kadada Na Mensahe pot i Man Mapropone na Regulasion siha: Esti siha na regulasion ni man mapropone para areklamenton ginargas I lughat yan otro na proposito siha.

Para Mas Infotmasion Agang: Si Martin C. Sablan, Direktod i Ofisinan Military Liaison yan Veterans Affairs, gi tilifon (670) 664-2650 osino facsimile (670) 664-2660.

I Man Achule yan/osino man Inafekta Na Lai siha: I Akton Lai 2002, pot Military Liaison yan Ofisinan Veterans Affairs, 1 CMC. 20131-35

Regulasion yan otden siha: Taya

Mafecha gi diha 18 Setembre 2006

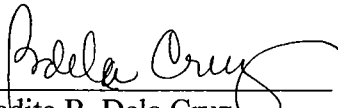


Martin C. Sablan
Direktod Ofisinan Areklamenton Beteranu

Sigun I Lai 1 CMC 2153(e) yan 1 CMC 9104(a)(3) I man mapropone na regulasion siha, ni man chechetun esta maribisa yan ma'apreba I fotma yan lighat, ginen i Abugado Hinerat yiya CNMI.

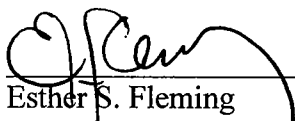
MATTHEW T. GREGORY
Abugado Hinerat

Fecha: 9-21-06



Bernadita B. Dela Cruz
Commonwealth Registrar

Fecha: 25 SEP 2006



Esther S. Fleming
Especiat Na Ayudanten I Gobietno
para i Administrasion

ARONGORONGOL TOULAP
POMWOL ALLÉGHÚL YAAR PEEY VETERANS

Akkateéé Bwángil: Bwulasiyool Military Liaison me Venterans Affairs, iye elo llól Bwulasiyool Sów Lemelem, nge eyoor bwángil ebwe akkaté alléghúl kka e lemelem progróoma kkaal me mwóghutul kka e ghil ngáli Commonwealth me U.S. Armed Forces relationship, 1 CMC Talil 20133(a).

Aweweel Pomwol Lliwel: Ayoora alléghúl Yaar Peey CNMI Venterans.

Aweweel Pomwol Allegh: Re ayoora pomwol allégh kkaal bwelle ebwe aweewe iyo kka re fillong, ammwelil bwuley, igha rebwe limiti me akkáaw mwóghut kka e fil.

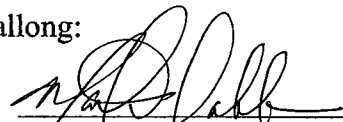
Reel ammataf faingi: Martin C. Sablan, Samwool, Bwulasiyool Military Liasion me Veterans Affairs, tilifoon (670) 664-2650 me ngare facsimile reel (670) 664-2660.

Akkatéél akkáaw pomwol allégh: Alléghúl Military Liaison me Veterans Affairs ye e akkaté llól 2002, 1 CMC táilil 2031-35.

me Allégh kkaal me tingóreyal: Esóór

Rállil ye 18 llól Maan 2006

Isaliyallong:



Martin C. Sablan
Samwoolul Veterans Affairs Office.

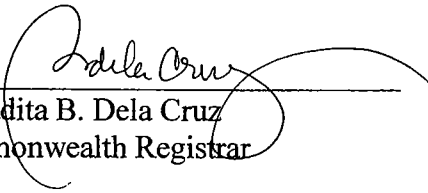
Sáangi allégh ye 1 CMC talil 2153 (e) me 1 CMC talil 9104 (a)(3) pomwol allegh kka e appasch nge raa takkal amweri fischily me allégheló mereel CNMI Bwulasiyool Sów Bwungul Allegh Lapalap.

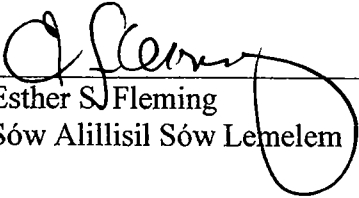
Rállil ye _____ llól Maan, 2006.

MATTHEW T. GREGORY
Sów Bwungul Allégh Lapalap

9.21.06
Rál

25 SEP 2006
Rál


Bernadita B. Dela Cruz
Commonwealth Registrar


Esther S. Fleming
Sów Alillisil Sów Lemelem

CNMI VETERANS CEMETERY
RULES OF PRACTICE AND PROCEDURE

I. General Provisions

Purpose
Definitions
Authority, Supervision
Hours
Visitors
Traffic Control
Fee Structure
Flags
Floral, decorative, and commemorative objects
Memorialization
Gifts, devises, or bequests
Public Information and public records
Corrections

II. Eligibility

Eligibility
Persons eligible for interment or inurnment

III. Operations

Interment, inurnment
Disinterment
Directed exhumation

GENERAL PROVISIONS

I. Purpose.

The purpose of this is to establish rules for the Commonwealth (CNMI) Veterans Cemetery on Saipan.

II. Definitions.

As used in this rule unless otherwise provided:

“Armed forces” means the United States Army, Navy, Marine Corps, Coast Guard, and Air Force or any women’s auxiliary branch thereof, organized pursuant to an Act of Congress.

“Cemetery” means the CNMI Veterans Cemetery.

“Designated cemetery official” means those persons so designated by the director to act as agents for the CNMI Veterans Cemetery.

“Columbarium” means a structure with niches for the inurnment of human remains.

“Director” means the director of the office of veterans Affairs.

“Grave” means the space of ground in the cemetery used, or intended to be used, for burial of human remains.

“CNMI Veterans Cemetery” means that cemetery located at Marpi Saipan.

“Interment” means the disposition of human remains by burial or inurnment.

“Liner” means a grave liner or vault as defined by the Director.

“Niche” means a space in a columbarium used, or intended to be used, for inurnment of cremated human remains.

“Office” means the office of Veterans Affairs.

“Public records” means records and information available for public inspection as provided by state or federal law.

“Space” means area in the cemetery used, or intended to be used, for interment or inurnment of human remains.

III. **Authority; supervision.**

- (a) The Director and a designated cemetery official shall be authorized to enforce this rule.
- (b) A designated cemetery official shall have charge of the grounds and buildings, and at all times shall supervise and control all persons in the cemetery, including the conduct of funerals, ceremonies, traffic, employees, and visitors.
- (c) Anyone violating this rule may have their permission to enter or remain upon the cemetery premises revoked by the Director or a designated cemetery official.

IV. **HOURS.**

- (a) The Director or a designated cemetery official shall establish a reasonable schedule of visiting hours for all or portions of the cemetery and close or restrict public use of all or any portion thereof, when necessary for the protection of the area, maintenance, upkeep, construction, or the safety and welfare of persons or property, by the posting of appropriate signs indicating the extent and scope of closure.
- (b) All persons shall observe and abide by the officially posted signs designating closed areas and visiting hours.
- (c) Hours of operation for the cemetery are:
 - (1) Visitors: 0800, in coordination with the opening and closing schedule of the CNMI Veterans Cemetery.
 - (2) Office: 07:30 a.m. to 4:30 p.m.
 - (3) Interment Hours: Monday-Friday, excluding Holidays, 9 a.m. to 3 p.m.

V. **VISITORS.**

- (a) Visitors may be admitted during the hours the cemetery is open.
- (b) Visitors shall not be permitted to:
 - (1) Litter the grounds;
 - (2) Cut, break, remove, or injure trees, shrubs, grass, or other plantings;
 - (3) Use the cemetery for any form of sports or recreation, including but not limited to:
 - (A) Jogging;
 - (B) Skate boarding;
 - (C) Bicycling;
 - (D) Picnicking;
 - (E) Ball playing;

- (F) Consumption of intoxicating beverages or illegal use of controlled substances;
 - (G) Loitering;
 - (H) Pets. This section shall not apply to seeing-eye dogs accompanying their masters.
 - (I) Any service, ceremony or demonstration, except as authorized by a designated cemetery official.
- (c) Visitors at public gatherings or ceremonies shall observe proper standards of decorum and decency while upon the cemetery premise.

VI. **Traffic control.**

- (a) The Director or a designated cemetery official shall adopt such rules as may be necessary to manage, provide for safety and to control traffic including, but not limited to, the operation and parking of sightseeing or chartered buses or other vehicles.
- (b) The speed of vehicles in the cemetery may not exceed posted speeds.

VII. **Fee structure.**

- (a) By law, the state holds title to all gravesites.
- (b) There shall be no charge for the gravesite or its perpetual care, however;
- (c) To compensate for the opening and closing of graves the following fee structure is in effect:
 - (1) For interment of veterans,
 - (A) The State shall receive the veteran's plot allowance.
 - (B) The State shall supply a liner or the representative may purchase another liner if that liner meets the guidelines defined by the Director and incurs no cost to the State.
 - (2) For interment of eligible dependents, the State shall receive from the dependent's survivor or representative the sum equivalent to the amount of the plot allowance, plus the cost of the required liner.

VIII. **Flags.**

- (a) The United States flag shall be flown over the cemetery during normal duty hours.
- (b) The flag shall be flown at half-staff on Memorial Day and during interment services and wreath-laying ceremonies.

IX. **Floral, decorative, and commemorative objects.**

- (a) Cut natural flowers, wreaths, and sprays in containers may be placed on, but not attached to, graves or in designated areas in the columbarium at any time.
- (b) The religious convention of placing fruit, beverages, and religious artifacts on the graves shall be allowed.
- (c) Potted plants shall be permitted only during the period five days before and five days after Easter Sunday, All Souls Day, Christmas Day, and Memorial Day.
- (d) Potted plants, permanent plantings, artificial flowers, statues, vigil lights, commemorative items, or toys shall not be permitted, except as provided in this section.
- (e) Cemetery personnel when faded or withered shall remove floral displays.
- (f) Glass containers or objects shall not be allowed at any time.
- (g) Candles are only permitted for ceremonial purposes and only on the holidays mentioned on (c) above. They shall be extinguished and removed at the completion of all services.

X. **Memorialization.**

No person shall make or install any monuments, memorial, tablet, or other commemorative installation.

XI. **Gifts, devises, or bequests.**

- (a) The Director may prescribe restrictions and accept non-monetary gifts, devises, or bequests, which are beneficial to the cemetery.
- (b) Gifts, devises, or bequests shall be accepted only after it has been determined that the donor has a clear understanding that title thereto passes to, and shall be vested in, the office, and that the donor relinquishes all control over the future use or disposition of the gift or donation, except as agreed upon between the director and the donor.

XII. **Public information and public records.**

- (a) All public records shall be available for inspection in the office.
- (b) Public records printed or reproduced by the office may be given to any person requesting the same and paying the reasonable cost thereof, including the cost of reproduction and mailing, or where a charge is specified by law or by rule, such specified charges. **All payments will be made out to the CNMI Veterans Cemetery funds account.**
- (c) Requests for public information, for permission to inspect public records, or for copies of public records shall be made in writing to the Director.

XIII. Corrections.

The Director or designated cemetery official shall have the right to correct any errors that may be made by it, either in making interments or disinterment, or in setting the grave marker, and reserves the right to correct any errors in its official records of interments and graves.

ELIGIBILITY

XIV. Eligibility for burial.

- (a) Title 38, part 1, section 620 of the Code of Federal Regulations, as it existed on July 1, 1993, shall govern the procedures pertaining to eligibility for interment in the cemetery.
- (b) The burden of proof of eligibility for burial in the cemetery shall be on the applicant for such burial.
- (c) A designated cemetery official shall determine the eligibility of a person for interment or inurnment in the cemetery in accordance with this rule and shall issue such determination in writing.
- (d) In questionable cases relating to character of discharge and verifying service information, eligibility shall be based on a determination by the United States Department of Veterans Affairs regional office concerning the character of discharge and verification of service information.
- (e) A veteran, representative, or next of kin may appeal any determination of a designated cemetery official as provided under subsection (c) regarding the eligibility of a veteran, or dependent, for burial in the cemetery.
 - (1) The appeal shall be in writing, shall include all information to be considered as the basis of the appeal, and shall be filed with the director no more than seven days after notification of the initial determination made by a designated cemetery official;
 - (2) The Director shall render a decision in writing no more than seven days after conclusion of the hearing on appeal;
 - (3) The veteran, representative, or next of kin filing the appeal may request to expedite the appeal by agreeing to modify or waive any procedure and informally dispose of any case by stipulation, agreed settlement, consent order, or default of the parties and the director shall respond to the appeal within three working days of its submission.

XV. Persons eligible for interment or inurnment.

Persons eligible for interment or inurnment shall include:

- (a) Any former member or member of the armed forces who was born in the CNMI or was a resident of the CNMI at entrance to or separation from the armed forces, or was a resident of the CNMI for two continuous years, or was a resident of the CNMI for six months, or showed intention to become a resident; and
 - (1) Died while serving on active duty;
 - (2) Served as an active member of the armed forces and was honorably discharged or released under honorable conditions.
 - (3) Any citizen of the United States who, during any war in which the United States has been or may hereafter be engaged, served in the armed forces of any government allied with the United States during that war, whose last such service terminated honorably, who was a citizen of the United States at the time of entry in such service and at the time of death; or
 - (4) Served as a member of a reserve component of the armed forces, the Army National Guard, the Air National Guard, or the Reserve Officers' Training Corps of the Army, Navy, or Air Force and whose death occurred under honorable conditions while serving on active duty for training or performing full-time service, or while hospitalized or undergoing treatment for service-related conditions.
 - (5) Reservists and National Guard members, as well as their spouses and dependent children, are eligible if they were entitled to retired pay at the time of death, or would have been if they were over age 60.
- (b) The spouse, widow, or widower of an eligible active duty member or veteran, including the widow or widower of a member of the armed forces lost or buried at sea or officially determined to be permanently absent in the status of missing in action;
- (c) The surviving spouse of a veteran whose remarriage was annulled or otherwise declared void by a court of competent jurisdiction;
- (d) Minor children of an eligible active duty member or veterans who are unmarried and:
 - (1) Who are under twenty-one years of age; or
 - (2) Who are under twenty-three years of age and pursuing a course of instruction at an approved educational institution;

- (e) Adult children of an eligible active duty member or veterans who were declared physically or mentally disabled and incapable of self-support before attaining the age of twenty-one years, and have written documentation such as medical records, or a letter from an attending physician;
- (f) Commissioned Officers of other services who were detailed or transferred to active duty and who served honorably and were provided with a DD Form 214, or equivalent, upon separation;
- (g) The remains of eligible persons previously interred in other locations may be reinterred in the cemetery upon the request of anyone legally entitled to make such request; provided, that no cost shall be borne by the State other than that which would be incurred in an original interment.

OPERATIONS

XVI. Interment, inurnment.

- (a) The State shall open and close the grave in accordance with the fee schedule established in this rule and furnish perpetual care without charge.
- (b) All graves shall be equal, have a uniform type of flat marker. Military rank or civilian stature shall be given no consideration in selection of the grave, and a designated cemetery official shall make the space selection.
- (c) Reservation of spaces shall not be allowed.
- (d) The funeral director shall be responsible for making interment arrangements for an eligible decedent. The funeral director shall submit all documents as may be required or requested by the office to determine the eligibility of the decedent to be interred in the cemetery.
- (e) Three working days notice shall be given to schedule the interment or inurnment in the cemetery.
- (f) All applications for burial in the cemetery shall be processed by a designated cemetery official who shall determine the eligibility of the decedent to be interred.
- (g) After the decedent has been determined eligible, the burial shall be scheduled after consultation with the funeral director, and under no circumstances shall a burial be arranged by the funeral director without first securing approval from a designated cemetery official.
- (h) All expenses incurred by the survivors or representative for the funeral services and supplies provided by a funeral director of their choice and transportation shall be the responsibility of the survivors or representative.
- (i) All funerals on entering the cemetery shall be under the supervision of a designated cemetery official.
- (j) Services shall be held at the committal shelter. Every effort shall be made to accommodate special religious traditions by individual arrangements with a designated cemetery official.

- (k) Interment Services are held Monday to Friday, excluding holidays from 0900 a.m. to 3 p.m.
- (l) Arranging for military honors shall be the responsibility of the designated cemetery official.
- (m) Graves shall be closed as soon as practicable after the interment session or before the close of that business day.
- (n) Graves shall be temporarily marked using a temporary grave marker until the department of veterans affairs provides the permanent marker for each grave.
- (o) Each grave shall be marked with a marker furnished by the department of veterans affairs. Ordering of markers shall be the responsibility of the cemetery. No other parties may order a marker for placement within the cemetery.
- (p) All graves shall have a liner.
- (q) Gravesite services are not permitted. Committal services will be held in the committal/interment shelter on the cemetery grounds. Family members may return to the gravesite after the burial of the casket or urn is complete and the area is cleared of all equipment and materials.

XVII. Disinterment.

- (a) Interment of eligible decedents shall be considered to be permanent and final.
- (b) Disinterment and removal of remains shall be permitted only with the prior approval of the director.
- (c) All arrangements and all expenses in connection with a disinterment shall be the responsibility of the requesting individual or agency. These arrangements shall include compliance with the local and State health laws or rules, engagement of a funeral director to accomplish the disinterment, necessary re-casketing of the remains, rehabilitation of the old grave, and compliance with any special instruction of the director.
- (d) The Director or a designated cemetery official shall supervise disinterments at the gravesite.
 - (1) Special care and concern shall be shown for adjacent graves and markers.
 - (2) Cemetery personnel shall reopen the down to one foot above the top of the grave liner or vault.
 - (A) Cemetery personnel shall not otherwise participate in any other aspect of the disinterment operation.
 - (B) No charge shall be made for the supervision and reopening of the grave to the extent indicated above.
- (e) The marker of the grave being disinterred shall not be shipped to the cemetery where the remains are to be interred.

- (f) If the decedent being disinterred is to be reinterred at another location within the cemetery, the same marker shall be removed and reordered showing the change of grave location and placed at the new gravesite.
- (g) When a disinterment has been completed, the open grave shall be reused at the earliest practical date.

XVIII. Directed exhumation.

- (a) Federal and CNMI court orders directing exhumations shall be honored.
- (b) Exhumations on the basis of orders issued by out of State courts, or courts of questionable authority, shall be conducted if such orders are enforceable in the CNMI.
- (c) The issuing court must indicate the final disposition of the exhumed remains.
- (d) Exhumation activities shall be coordinated with the ordering court and carried out under the supervision of the Director or a designated cemetery official.
 - (1) If the remains are to be permanently removed from the cemetery, arrangements shall be made for immediate removal and the grave may be reused.
 - (2) If the remains are to be reinterred in the cemetery, the same grave shall be used.
- (e) All expenses for directed exhumations shall be the responsibility of the requesting party.

Commonwealth of the Northern Mariana Islands
Commonwealth Utilities Corporation
Anthony C. Guerrero, Executive Director
P. O. Box 501220 CK
3rd Floor, Joeten Dandan Building
Saipan, MP 96950-1220
Telephone: (670) 235-7025 Facsimile: (670) 235-5131

PUBLIC NOTICE

NOTICE OF PROPOSED REGULATIONS: AMENDMENTS TO THE ELECTRIC SERVICE REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION

(Amendments to Part 24 of the CUC Electric Service Regulations: Rate Schedules)

INTENDED ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, COMMONWEALTH UTILITIES CORPORATION (CUC), by and through the Executive Director, Anthony C. Guerrero, intends to adopt as permanent regulations, the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act (APA) (1 CMC § 9104(a)). The CUC, as previously set forth in Volume 28, No. 7 of the Commonwealth Register, intends to adopt the Emergency Regulations set forth therein and now attached as Proposed Regulations, as permanent regulations, pursuant to the procedures of 1 CMC § 9104(a)(1) and (2), with publication in the Commonwealth Register. As such, CUC hereby gives thirty (30) days notice of such intent to adopt the regulations as permanent pursuant to 1 CMC 9104(a).

AUTHORITY: CUC is empowered and required to review and establish utility rates and other fees for water, sewer, and electrical power (4 CMC § 8123(m) and (o), as amended by Executive Order 2006-4), provided that the rate structure for utility services is sufficient to recover the costs associated with the operation, maintenance, transmission, generation and delivery of utility services (4 CMC § 8141, as amended by Executive Order 2006-4). CUC is further empowered and required to adopt regulations to carry out CUC's purposes (4 CMC § 8157, as amended by Executive Order 2006-4). The adoption of these regulations as permanent amendments to the CUC Electric Service Regulations is further authorized by the CNMI Administrative Procedure Act (APA) (1 CMC § 9104(a)(1)-(2)).

SUMMARY: The amendment to the CUC Electric Service Regulations, Part 24 Rate Schedules, as set forth herein, implement an adjustment of the utility rate structure as allowed and required by 4 CMC § 8143(b), as amended by Executive Order 2006-4, and pursuant to 1 CMC § 9105(b)(2) of the CNMI APA. The amendment of the CUC Electric Service Regulations is in accordance with the recommendations and findings set forth in a comprehensive electric, sewer and wastewater rate study prepared for CUC by Economists.com. The amendment of CUC's rate structure is necessary to recover the actual costs associated with the delivery of utility services as mandated by 4 CMC § 8123

(m)-(o), as amended by Executive Order 2006-4. The Fuel Surcharge Fee, made effective on February 27, 2005 as Part 24.5.8 of the CUC Electric Service Regulations, shall be rescinded as of the effective date of the amendments to Part 24 of the CUC Electric Service Regulations set forth herein in accordance with the mandate of Executive Order 2006-4, Section 3.

These Regulations shall be amendments to the CUC Electric Service Regulations. They shall be included in the Electric Service Regulations as an amendment to Part 24: "Rates Schedules" (Vol. 21, No. 8, Commonwealth Register (August 23, 1999), p. 16904, and Vol 21, No. 01 (Jan. 18, 1999), p. 16449 (proposed reg)).

These proposed regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations and notice shall be posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and the principal vernacular, pursuant to 1 CMC § 9104(a)(2).

Public hearings will be scheduled and held in each senatorial district in accordance with the procedural requirements of 1 CMC § 9104 and 4 CMC § 8142 as amended by Executive Order 2006-4 during this time and prior to the publication of a Notice of Final Adoption and Certification of Amendments to Part 24 of the CUC Electric Service Regulations.

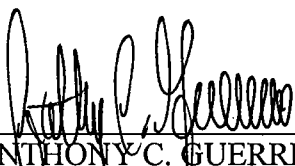
**FOR FURTHER INFORMATION AND/OR SUBMISSION OF COMMENTS
CONTACT:**

Anyone interested in commenting on the proposed regulations may submit written comments to CUC's Executive Director within thirty (30) days from the date this notice is published in the Commonwealth Register. Written comments may be addressed to:

Anthony C. Guerrero, Executive Director, Commonwealth Utilities Corporation, P.O. Box 501220 CK, 3rd Floor Joeten Dandan Building, Saipan MP 96950-1220, Telephone (670) 235-7025, Facsimile (670) 235-5131.


CITATION of RELATED and/or AFFECTED STATUTES, REGULATIONS and ORDERS:

Part 24.1 of the CUC Electric Service Regulations shall be repealed and replaced. Part 24.5.8, the Fuel Surcharge Fee, shall be rescinded. The remaining amendments to the CUC Electric Service Regulations contained herein shall be included as a new Part 24.6.

Submitted by: 
ANTHONY C. GUERRERO
Executive Director
Commonwealth Utilities Corporation


Date


Filed and
Recorded by:


BERNADITA B. DELA CRUZ
Commonwealth Registrar

9/27/06
Date

Pursuant to 1 CMC § 2153, as amended by Public Law 10-50, the attached regulations hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General.

Dated the 27th day of September 2006.


MATTHEW T. GREGORY
Attorney General

Commonwealth I Sankattan Siha Na Islas Mariana
Commonwealth Utilities Corporation
Anthony C. Guerrero, Eksekatibu na Direktot
P.O. Box 501220 CK
Mina Tres na Bibienda, Joeten Dandan Building
Saipan, MP 96950-1220
Numirun Tilifon: (670) 235-7025 Facsimile: (670) 235-5131

NOTISIAN PUPBLIKU

NOTISIA POT MAPROPONE I REGULASION SIHA: AMENDASION SIHA PARA I REGULASION SETBISIUN ILEKTRISIDÁT GI COMMONWEALTH I SANKATTAN SIHA NA ISLAS MARIANA

(Amendasion para Pátte 24 gi Regulasion Setbisiun Ilektrisidát: Pot Areklon Ápas)

MA'INTENSIONA NA AKSION PARA U MA'ADOPTA I MAN MA'PROPONE NA REGULASION SIHA: I Commonwealth I Sankattan Siha Na Islas Mariana, gi Commonwealth Utilities Corporation (CUC), ginen I Eksekatibu na Direktot, as Anthony C. Guerrero, ha intensiona para u adopta I regulasion petmanente, I man checheton na Regulasion ni man mapropone, sigun I areklamento siha gi Akton Areklamenton Atministradot (APA) (1 CMC Seksiona 9104 (a)). I CUC, taiguihe I halacha ni mamensiona gi Baluma 28, Numiru 7 gi Rehistran I Commonwealth, a intensiona para u adopta I Regulasion Insigidas ni mamensiona guine ya mana chetton págu kumo Manmapropone na Regulasion, kumo petmanente na regulasion siha sigun I areklamento siha gi lai 1 CMC Seksiona 9104 (a)(1) yan (2), yan I publikasion gi Rehistran I Commonwealth. Lokkue, I CUC este na momento man náná'i' trenta (30) diha siha na notisia pot I intension para u ma'adopta I regulasion siha petmanente sigun I lai 1 CMC Seksiona 9104 (a).

ATURIDÁT: I CUC ma'aturisa yan marekomenda para u maribisa yan establese I Areklon Ápas yan palu siha na peña para hánom, sewer yan ilektrisidát (4 CMC Seksiona 8123 (m) yan (o), ni ma'amenda ni Oden Eksekatibu 2006-4), probeniyi na I areklon ápas setbisiun ilektrisidát suficiente para u chule' tatte' I gástu ni tineteka I operation, maintenance, transmission, generation yan I nina'en setbisiun ilektrisidát (4 CMC Seksiona 8157, ni inamenda ni Oden Eksekatibu 2006-4). I inadoptasion este siha na regulasion petmanente na amendasion para I Regulasion Setbisiun Ilektrisidát CUC ma'aturisa más ni I Akton Areklamenton Atministradot I CNMI (APA) (1 CMC Seksiona 9104 (a)(1)-(2)).

SUMÁRIA: I amendasion para I Regulasion Setbisiun Ilektrisidát CUC, Pátte 24 Areklon Ápas, ni mamensiona guine, mana guaha tinilaika gi areklon ápas kumo masedi ya marekomenda ni lai 4 CMC Seksiona 8143 (b), ni inamenda ni Oden Eksekatibu 2006-4, ya sigun I lai 1 CMC Seksiona 9105 (b)(2) gi I Akton Areklamenton Atministradot I CNMI (APA). I amendasion I Regulasion Setbisiun Ilektrisidát CUC kininsiste ni rekomendasion yan I sinedda siha gi estudiun ápas ilektrisidát, sewer yan

wastewater ni mapripåra para CUC ginen I Economists.com. I amendasion I areklon åpas CUC nisisårio para u chule' tatte' I gåstu ni tineteka I setbisiun CUC ni inamenda ni lai 4 CMC Seksiona 8123 (m)-(o), ni inamenda ni Otden Eksekatibu 2006-4. I Åpas Fuel Surcharge, ni mana efektibu gi Febreru 27, 2005 kumo påtte 24.5.8 gi Regulasion Setbisiun Ilektridåt CUC mana para, sigun I fecha anai ma'efektibu I amaendasion siha para Påtte 24 gi Regulasion Setbisiun Ilektridåt ni mamensiona guine ni kininsiste ni I ma'otden gi Otden Eksekatibu 2006-4, Seksiona 3.

Este siha na regulasion debi di I amendasion para I Regulasion Setbisiun Ilektridåt. Debi di u ma'enklusu gi Regulasion Setbisiun Ilektridåt kumo amendasion para Påtte 24: " Areklon Åpas" (Baluma 21, Numiru 8, Rehistran I Commonwealth (Agostu)23, 1999), pāhinan 16904, yan Baluma 21, Numiru 01, (Ineru 18, 1999), pāhina 16449 (man mapropone na regulasion)).

Este man mapropone na regulasion debi di u mapublika gi Rehistran I Commonwealth gi seksionan I man mapropone ya nuebu ni man ma'adopta na regulasion ya debi di u guaha siha notisia gi man konbiniente na lugåt siha gi sentron sabet yan gi ofisinin I gubietnamento siha gi kada distritun senadot, todun I dos fino' engles yan I man prinsipåt siha na lengguåhen I natibu siha, sigun I lai 1 CMC Seksiona 9104 (a)(2).

I Inetnun publiku siempre masiñåla ya u mana guaha gi kada distritun senadot ni kininsiste I areklamenton nisisidåt siha gi lai 1 CMC Seksiona 9104 yan 4 CMC Seksiona 8142 ni inamenda ginen I Otden Eksekatibu 2006-4 durånten este na tiempo ya sigun I publikasion este na Notisian Uttimo na Inadoptasion yan Setifikasion I Amendasion para Påtte' 24 gi Regulasion Setbisiun Ilektridåt CUC.

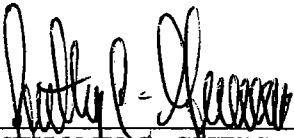
PARA MÅS INFOTMASION YAN/PAT NAHALOM OPINION SIHA ÅGANG:
Maseha hāyi enteresåo munahalom opinion siha pot I man mapropone na regulasion siha siña ma'entrega I Eksekatibu na Direktot CUC gi halom trenta (300 diha siha gi anai mafecha este na notisia para publikasion gi Rehistran I Commonwealth. Siña mahañågue I tinige' opinion siha guatto as:

Anthony C. Guerrero, Eksekatibu na Direktot, gi Commonwealth Utilities Corporation, gi P.O. Box 501220 CK, gi mina tres na bibienda gi Joeten Dandan Building, Saipan MP, 96950-1220, Numirun Tilifon (670) 235-7025, facsimile (670) 235-5131.

ANNOK I MAN ACHULE' YAN/PAT MAN INAFEKTA NA LAI, REGULASION YAN OTDEN SIHA:


Påtte 24, 1 gi Regulasion Setbisiun Ilektridåt debi di u fan madiroga ya u matulaika. Påtte 24.5.8, I Åpas Fuel Surcharge, debi di u malaknos. I man tetenan na amendasion para I Regulasion Setbisiun Ilektridåt CUC ni man gaige guine debi di u ma'enklusu kumo nuebu na Påtte 24.6.

Ninahalom:


ANTHONY C. GUERRERO
Eksekatibu na Direktot
Commonwealth Utilities Corporation

9/27/06
Fecha

Pinelo' yan
Rinikot as:


BERNADITA B. DELA CRUZ
Rehistran I Commonwealth

9/27/06
Fecha

Sigun I lai 1 CMC Seksiona 2153, ni inamenda ni Lai Publiku 10-50, I man che'che'ton na regulasion siha esta man ma'apueba yan ma'ina pot para u fotma yan ligat suficiente ginen I Ofisinan I Abugado Henerat I CNMI.

Mafecha este gi mina _____ na ha'ane gi Septiembre, 2006.

MATTHEW T. GREGORY
Abugao Henerat

Commonwealth of the Northern Mariana Islands
Commonwealth Utilities Corporation

Anthony C. Guerrero, Executive Director
PO Box 501220, CK
3rd Floor, Joeten DanDan Building
Saipan MP 96950-1220
telephone: (670) 236-7025 facsimile (670) 235-6975

PUBLIC NOTICE

**AMENDMENTS TO REGULATIONS OF THE
COMMONWEALTH UTILITIES CORPORATION**

AMENDMENTS TO PART 24 of the ELECTRIC SERVICES REGULATIONS OF THE
COMMONWEALTH UTILITIES CORPORATION

Part 24, *Rate Schedules*, is hereby amended as follows:

Part 24. Rate Schedules

A. Part 24.1 shall be repealed and a new Part 24.1 shall be added as follows:

~~24.1 The CUC may develop and implement rate schedules segregated into customer categories. Implementation of such rate schedules shall be in accordance with Public Law No. 4-47, as amended. Current rate schedules are in accordance with Public Law 3-11, as amended.~~

24.1 CUC shall establish rates and charges for electric service in a fair and rational manner for all consumers of electricity so that CUC will be financially independent of all appropriations by the Commonwealth Legislature as required by 4 CMC § 8140, as amended by Executive Order 2006-4. Electric rates and charges established by CUC shall be sufficient to recover all costs associated with the administration, operation, maintenance, transmission, generation, and delivery of electric service as required 4 CMC § 8141(c), as amended by Executive Order 2006-4. The term "costs" shall include adequate financial reserves for any debt associated with electric service and for the replacement of obsolete, worn-out, or damaged equipment as required 4 CMC § 8141, as amended by Executive Order 2006-4. These electric rates and charges shall take effect immediately upon compliance with the Administrative Procedures Act, 1 CMC § 9101 et. seq.

B. Part 24.5.8 shall be repealed in its entirety:

~~24.5.8 CUC fuel costs shall be recovered through the base electric rates and through the methodology provided in this regulation for the initial and subsequent years' annual fuel surcharge fee (FSF) and a monthly fuel surcharge adjustment (MFSA). The FSF shall take effect immediately upon compliance with the Administrative Procedures Act, 1 CMC § 9101 et. seq.~~

~~24.5.8.1 The purpose of the FSF is to pass through to all consumers of CUC electricity, increases and decreases in fuel costs for the production of electricity, which are above or below the base rate allocation for fuel.~~

~~24.5.8.2 The methodology in this regulation allows for discounts or reductions below the annual FSF ceiling.~~

~~24.5.8.3 The initial FSF shall take effect for the remainder of the current calendar year in which this regulation becomes effective. The initial FSF is computed as follows (see EXHIBIT, Formula No. 1) and shall not exceed \$0.03500 per kilowatt-hour (kWh):~~

- ~~• Actual year to date and any projected remaining year fuel costs for the current calendar year.~~
- ~~• Divided by actual year to date and any projected remaining year electric sales, in kWh, for the current calendar year,~~
- ~~• Minus the base rate allocation for fuel costs.~~

~~24.5.8.4 The FSF for subsequent years is computed as follows (see EXHIBIT, Formula No. 2) and shall not exceed the previous year's FSF by more than \$0.02000 per kilowatt-hour (kWh) for those consumers using less than 2,001 KWH per month:~~

- ~~• Projected fuel costs for the target year.~~
- ~~• Plus and adjustment for the preceding year's under /over recovery of fuel costs.~~
- ~~• Divided by estimated electric sales, in kWh, for the target year,~~
- ~~• Minus the base rate allocation for fuel costs.~~

~~24.5.8.5 The MFSA is computed as follows (see EXHIBIT, Formula No. 3):~~

- ~~• Projected fuel cost for the target month.~~
- ~~• Plus an adjustment for any prior months' under /over recoveries.~~
- ~~• Divided by estimated electric sales, in kWh, for the target month.~~
- ~~• Minus the base rate allocation for fuel costs.~~
- ~~• Limited by the annual FSF ceiling.~~

~~24.5.8.6 Base rate allocation for fuel costs. The rates per kWh for electrical service include a base rate allocation for fuel cost of \$0.05493.~~

~~24.5.8.7 The Comptroller shall calculate the initial and subsequent years' annual FSF and each MFSA and prescribes the accounts, the forms, and the details of the calculation required to implement the computations required in this regulation.~~

~~24.5.8.8 The fuel costs, which are subject to cost recovery, include only production fuel for the generation of electricity.~~

~~24.5.8.9 Any difference between the actual fuel costs and FSF revenues shall be~~

~~accumulated in a deferred account(s) and shall be subject to an annual reconciliation. Any over or under recovery of fuel costs will be included in the next annual FSP.~~

~~24.5.8.10 No interest shall be paid on the balance in the deferred account(s).~~

~~24.5.8.11 Each customer's monthly bill shall show separately the base electric rate charge and the fuel charge adjustment.~~

~~24.5.8.12 Public notice and hearings or workshops. The Comptroller shall provide public notice of the monthly and annual calculations, present the methodology, take comments, and arrange for workshops that may be attended by the customers and other members of the public.~~

C. A new Part 24.6 shall be added as follows:

24.6 Customer Classifications: These regulations develop and implement rate and charge schedules segregated into the following customer classifications:

- Residential.
- Commercial.
- Government.
- Non-Conforming Load.

24.6.1 The Non-Conforming Load classification is defined as any customer with a maximum demand of at least 3,000 kilowatts (kW) in the preceding twelve (12) calendar months and daily operations where the ratio of the maximum demand to the minimum demand exceeded three (3), three times in any 30-day period during the preceding 12 calendar months.

24.6.2 Non-profit organizations, as defined by CUC Electric Service Regulations, paragraph 24.5.7, shall have the option to consult with CUC and elect to be billed at either the residential or commercial rates, whichever is more beneficial to the organization. Changes between customer classification rate schedules shall be made in accordance with CUC Electric Service Regulations, Part 24. Rate Schedules.

24.6.3 Rates and Charges: CUC costs shall be recovered through the following rates and charges: Monthly Customer Charges; Electric Non-Fuel Rates; and Electric Fuel Rates.

24.6.3.1 Monthly Customer Charges.

24.6.3.1.1 CUC shall institute a monthly customer charge schedule for each customer classification as a minimum monthly flat-rate charge, with no credit for usage (see EXHIBIT 1, Page 1 of 2).

24.6.3.1.2 The monthly customer charge shall recover a portion of the costs directly associated with serving customers, irrespective of the amount of electric usage. Such costs are for meter reading, billing, accounting, and collecting

and for maintaining and providing capital costs related to meters, equipment, and associated services.

24.6.3.2 Electric Non-Fuel Rates.

- 24.6.3.2.1 CUC shall institute an electric non-fuel rate schedule for each customer classification, under which consumers shall be billed based on the number of kilowatt-hours (kWh) of electricity consumed during the billing period (see EXHIBIT 1, Page 1 of 2).
- 24.6.3.2.2 The electric non-fuel rates shall pass through monthly, to all consumers of CUC electricity, approximately one-twelfth (1/12) of all CUC annual operating costs associated with electric service; excluding the cost of production fuel and lubricating oils and those costs that are recovered through the monthly customer charge.
- 24.6.3.2.3 For residential customers, an inverted block rate schedule, with four (4) rate levels, shall be established. Each successive rate level shall have a higher rate per kWh than the previous level, as distinguished by ascending levels of consumption. Total usage will be applied first to the lowest level of the block rate (001 to 500 kWh). For any usage that is above 500 kWh and up to 1,000 kWh shall be billed at the second rate level. Any usage that is above 1,000 kWh and up to 2,000 kWh shall be billed at the third rate level. Any and all usage above 2,000 kWh shall be billed at the fourth level. The inverted block method provides an effective means of promoting conservation when CUC lacks sufficient generating capacity to provide constant reliable electric service to all of its customers. Further, the first (lowest) rate level within the schedule provides a lifeline rate for consumers that use 500 kWh or less of electricity during a billing period. Refer to EXHIBIT 1, Pages 1 and 2, for examples of how CUC would compute the monthly non-fuel charges for residential customers.
- 24.6.3.2.4 For commercial, government, and non-conforming load customers, separate rate schedules shall be established having only one (1) rate level for each customer classification. Customers within these three (3) classifications shall be charged at the respective rates per kWh. Refer to EXHIBIT 1, Page 2 of 2, for examples of how CUC would compute the monthly non-fuel charges for commercial customers.
- 24.6.3.2.5 The charges based on electric non-fuel rate(s) and the monthly customer charge shall be combined and appear as a separate item, "electric non-fuel charges," on the monthly customer billing statement.
- 24.6.3.2.6 The non-fuel rates and monthly customer charges shall remain in effect for approximately one (1) year from the date of this regulation, unless unanticipated circumstances warrant the need to adjust the rates and charges sooner. Prior to the expiration of the one (1) year period, and each year thereafter, CUC shall commission a review to determine if the non-fuel rates

and monthly customer charges should increase or decrease or remain the same.

24.6.3.2.7 The CUC Chief Financial Officer shall provide public notice of any adjustments to the electric non-fuel rates and the monthly customer charges, maintain on file the methodology used to determine the rates and charges, take comments, and arrange for public hearings and workshops, as needed, which may be attended by the customers and other members of the public.

24.6.3.3 Electric Fuel Rate: CUC shall institute an electric fuel rate schedule, under which all consumers shall be billed based on the number of kilowatt-hours (kWh) of electricity consumed during the billing period (see EXHIBIT 1, Page 1 of 2). The charge per kWh will be the same for all customer classifications, regardless of the level of consumption.

24.6.3.3.1 The electric fuel rate shall pass through to all consumers of CUC electricity, the monthly fuel costs for generating electricity. Fuel costs subject to cost recovery shall include only production fuel and lubricating oils. Accordingly, the electric fuel rate may increase or decrease or remain the same from month-to-month.

24.6.3.3.2 The electric fuel rate shall take effect on the date that this regulation becomes effective and shall remain in effect through August 31, 2006. The interim electric fuel rate shall be \$0.215 per kWh, as determined by the recent electric rate study. Thereafter, the CUC Chief Financial Officer shall calculate an initial electric fuel rate for September 2006 and for each month thereafter, compute the subsequent months' electric fuel rate.

24.6.3.3.3 On the first day of each month, CUC shall announce the electric fuel rate that will be in effect for that month. If the first day of the month falls on a Saturday, Sunday, or holiday, the new fuel rate will be announced on the first business day thereafter. Regardless of when announced, the rate shall be in effect from the first day through the last day of each month.

24.6.3.3.4 Because CUC monthly billing periods generally overlap portions of two (2) months, e.g. September 12 through October 13, the fuel rate shall be applied on a pro rata basis according to the number of days each month's usage (September and October) is to the total number of days in the billing period. In the example above, the billing period consists of 31 days, of which 18 days (rounded to 58 percent or .58) are in September and 13 days (rounded to 42 percent or .42) are in October. For illustration purposes, assume that electric consumption for the 31-day period is 2,345 kWh and electric fuel rates were \$0.222 per kWh for September and \$0.216 for October. Thus, the electric fuel charges for the billing period would be \$514.68, which is computed as follows:

For September, multiply 2,345 kWh times .58 times \$0.222, which equals \$301.94 For October, multiply 2,345 kWh times

.42 times \$0.216, which equals \$212.76. Next, add the two amounts (\$301.94 plus \$212.74) for the total charges, which equals to \$514.68. (see EXHIBIT 2)

Computations:

$$\begin{array}{r r r r r r r}
 2345 & \times & .58 & \times & .222 & = & \$301.94 \\
 2345 & \times & .42 & \times & .216 & = & \underline{\$212.74} \\
 301.94 & + & 212.76 & & & = & \$514.68
 \end{array}$$

24.6.3.3.5 The charges based on the electric fuel rate shall appear as a separate item, “electric fuel charges” on the monthly customer billing statement.

24.6.3.3.6 The methodology in this regulation provides for the computation of the initial and subsequent months’ electric fuel rates (see EXHIBIT 3).

24.6.3.3.7 The initial electric fuel rate shall be computed as follows (see EXHIBIT 3, Formula No. 1 and Example of Computation of Initial Fuel Rate):

- Projected fuel costs for September 2006
- Divided by projected sales, in kWh, for September 2006.

24.6.3.3.8. The subsequent months’ electric fuel rate shall be computed as follows (see Formula No. 2 (EXHIBIT 3, page 1 of 2) and Example of Computation Subsequent Months’ Fuel Rate (EXHIBIT 3, page 2 of 2)):

- Projected fuel costs for the target month.
- Plus or minus any adjustment for the preceding month’s under- or over-recovery of fuel costs.
- Divided by projected sales, in kWh, for the target month.

24.6.3.3.9 Computation of the under- or over-recovery of fuel costs shall be as follows: Previous target month’s actual fuel costs minus (previous target month’s actual sales, in kWh, multiplied by the previous target month’s fuel rate per kWh) (see Formula No. 2 (EXHIBIT 3, page 1 of 2) and Example of Subsequent Months’ Fuel Rate (EXHIBIT 3, page 2 of 2)).

24.6.3.3.10 Any difference between the actual fuel costs and the electric fuel rate revenues shall be accumulated in a deferred account and shall be subject to annual reconciliation. No interest shall be charged or paid on any under- or over-recovery balance in the deferred account.

24.6.3.3.11 The CUC Chief Financial Officer shall be responsible for calculating the initial and subsequent months’ electric fuel rates; maintain on file the methodology used to determine the fuel rates; prescribe the accounts, forms, and details of the

calculations; and provide public notice of the monthly electric fuel rates.

24.6.3.3.12 The CUC Executive Director or designated representative shall approve the initial and all subsequent months' electric fuel rates before they are published and implemented.

EXHIBIT 1

**COMMONWEALTH UTILITIES CORPORATION
SCHEDULE OF ELECTRIC CHARGES AND RATES**

CUSTOMER CLASSIFICATIONS	MONTHLY CUSTOMER CHARGES	RATES PER KILOWATT-HOUR (kWh)		
		ELECTRIC NON-FUEL RATES	ELECTRIC FUEL RATES	TOTAL RATES PER kWh
RESIDENTIAL	\$ 5.60			
1 To 500 kWh		\$ 0.016	\$ 0.215	\$ 0.231
501 To 1,000 kWh		0.066	0.215	0.281
1,001 To 2,000 kWh		0.086	0.215	0.301
Over 2,000 kWh		0.127	0.215	0.342
COMMERCIAL (All kWh Billed)	7.67	0.086	0.215	0.301
GOVERNMENT (All kWh Billed)	7.67	0.091	0.215	0.306
NON-CONFORMING LOAD (All kWh Billed)	\$ 56.00	\$ 0.222	\$ 0.215	\$ 0.437

COMPUTATIONS OF MONTHLY BILLINGS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS:

Assume RESIDENTIAL CUSTOMER consumed 2,345 kWh during current billing period.

Non-Fuel (Monthly Customer Charge and Usage Charges):

Monthly Customer Charge			\$	5.60
Non-Fuel Usage Charges:	Rate	Usage		
	per kWh			
001 to 500 kWh	\$ 0.016	500		8.00
501 to 1,000 kWh	0.066	500		33.00
1,001 to 2,000 kWh	0.086	1,000		86.00
Over 2,000 kWh	0.127	345		43.82
Electric Non-Fuel Charges (shown on billing statement)			\$	176.42
Electric Fuel Charges (prorated)	\$0.222 / \$0.216	2,345		514.68
(shown on billing statement)	(see EXHIBIT 2)			
TOTAL ELECTRIC CHARGES ON BILLING STATEMENT			\$	691.10

Assume COMMERCIAL CUSTOMER consumed 2,345 kWh during current billing period.

Non-Fuel (Monthly Customer Charge and Usage Charges):

Monthly Customer Charge			\$	7.67
Non-Fuel Usage Charges:	Rate			
	per kWh	Usage		
All kWh used during billing period	\$ 0.086	2,345		201.67
Electric Non-Fuel Charges (shown on billing statement)			\$	209.34
Electric Fuel Charges	\$0.212 / \$0.216	2,345		514.68
(shown on billing statement)	(see EXHIBIT 2)			
TOTAL ELECTRIC CHARGES ON BILLING STATEMENT			\$	724.02

EXHIBIT 2

**COMPUTATION OF MONTHLY ELECTRIC FUEL CHARGES
PRORATING CHARGES BETWEEN MONTHS
REFERENCE REGULATIONS, PART 24.6.3.3.4**

EXAMPLE FOR A BILLING PERIOD OF SEPTEMBER 12 TO OCTOBER 13, 2006 WITH THEORETICAL ELECTRIC FUEL RATES.

	<u>DATES</u>	<u>BILLING PERIOD NO. DAYS</u>	<u>PERCENT (Rounded)</u>	<u>METER READING</u>
PREVIOUS READING	12-Sep-06	18	58	71606
CURRENT READING	13-Oct-06	13	42	73951
TOTAL		31	100	
TOTAL MONTHLY USAGE				2,345 kWh

TOTAL MONTHLY USAGE 2,345 kWh

<u>MONTH</u>	<u>MONTHLY FUEL RATE (per kWh)</u>	<u>PERCENT (Rounded)</u>	<u>PRO RATA USAGE (kWh)</u>	<u>MONTHLY FUEL CHARGES</u>
SEPTEMBER	\$ 0.222	58	1,360	\$ 301.94
OCTOBER	\$ 0.216	42	985	212.74
TOTAL		100	2,345	

ELECTRIC FUEL CHARGES \$ 514.68

**FORMULAE FOR THE COMPUTATION OF
MONTHLY ELECTRIC FUEL RATE**

Formula No. 1:

The initial Electric Fuel Rate shall be computed as follows:

$$\text{Electric Fuel Rate (Initial)} = \frac{A}{B}$$

A = CUC projected fuel costs for the month of September 2006.

B = CUC projected sales, in kilowatt-hours (kWh), for the month of September 2006.

Formula No. 2:

The subsequent months' Electric Fuel Rate shall be computed as follows:

$$\text{Electric Fuel Rate (Subsequent Months)} = \frac{C \text{ +/- } D}{E}$$

C = CUC projected fuel costs for the target month.

D = CUC under- or over-recovery of fuel costs for the preceding month.

(Calculation: Previous target month actual fuel costs minus (previous target month actual sales, in kWh, times previous target month fuel rate per kWh).)

E = CUC projected sales, in kWh, for target month.

Example of how the Initial Electric Fuel Rate might be computed for the month of September 2006:

Assume: September 2006 projected fuel costs of \$7.1 million and projected electric sales of 32 million kWh.

$$\text{Electric Fuel Rate (Initial)} = \frac{\$7,100,000}{32,000,000 \text{ kWh}} \quad \text{or} \quad \$0.222 \text{ per kWh (rounded to nearest 1/10 cent)}$$

Example of how a Subsequent Month's Electric Fuel Rate might be computed for any subsequent (target) month after September 2006:

Assume: Target month (October 2006) projected fuel costs of \$7,200,000 and electric sales of 32,500,000 million kWh.

Assume: Previous target month (September 2006) actual fuel costs of \$7,040,000, actual electric sales of 32,500,000 kWh, and fuel recovery charge \$0.222 per kWh.

$$\begin{array}{l} \text{Electric Fuel Rate} = \frac{\$7,200,000 - \$175,000^*}{32,500,000 \text{ kWh}} \quad \text{or} \quad \$0.216 \text{ per kWh} \\ \text{(Subsequent Months)} \end{array} \quad \text{(rounded to nearest 1/10 cent)}$$

* [Actual fuel costs of \$7,040,000 minus (actual sales of 32,500,000 kWh multiplied by fuel rate of \$0.222 per kWh). This results in an over-recovery of fuel costs in the amount of \$175,000, which then must be subtracted from the projected fuel costs for the target month (October 2006). Conversely, had an under-recovery of fuel costs occurred, this amount would be added to the projected fuel costs for the target month.)]

D. Part 24 of the CUC Electric Service Regulations, "Rate Schedules," shall now read as follows:

Part 24. Rate Schedules

24.1 CUC shall establish rates and charges for electric service in a fair and rational manner for all consumers of electricity so that CUC will be financially independent of all appropriations by the Commonwealth Legislature as required by 4 CMC § 8140, as amended by Executive Order 2006-4. Electric rates and charges established by CUC shall be sufficient to recover all costs associated with the administration, operation, maintenance, transmission, generation, and delivery of electric service as required 4 CMC § 8141(c), as amended by Executive Order 2006-4. The term "costs" shall include adequate financial reserves for any debt associated with electric service and for the replacement of obsolete, worn-out, or damaged equipment as required 4 CMC § 8141, as amended by Executive Order 2006-4. These electric rates and charges shall take effect immediately upon compliance with the Administrative Procedures Act, 1 CMC § 9101 *et. seq.*

24.2 The CUC's rate schedules shall be interpreted and applied by the CUC for each customer's service requirements in accordance with the terms and conditions of such rate schedules and the size and characteristic of such service requirements, as these are determined from time to time.

24.3 A customer who is adversely affected by the application of any rate or charge for electric service may challenge the rate or charge, and if the customer and the CUC do not reach agreement, the matter shall be adjudicated in accordance with Administrative Procedures Act (1CMC 9108 *et. seq.*).

24.4 If a customer elects to change to another appropriate and applicable rate schedule, the change shall be made provided:

24.4.1 A change has not been made within the past twelve (12) month period; or

24.4.2 The change is made to, or from, new or revised rate schedules; or

24.4.3 There has been a change in the customer's operating conditions for that service which, in the opinion of the CUC, justifies a change and:

24.4.3.1 The change is not made more often than once in twelve (12) months; and

24.4.3.2 The customer has made the request by written notice to the CUC. The change shall become effective for the billing period during which the customer has requested the change.

24.5.1 Residential customers are those who purchase power for use in a single family house or an apartment. In the case of an apartment house which has on meter for the entire building or has one service for the entire building which is on a flat rate schedule, the building is considered a residential building and qualifies for the residential rate.

24.5.2 If a building has separately metered apartments, and part of the building is commercial which is separately metered or on a flat rate schedule, the apartments shall be classified residential.

24.5.3 An apartment building with one service entrance serving the entire building, whether the building is metered or on a flat rate schedule, where there is a commercial business located in the building, the entire building is commercial.

24.5.4 Buildings which are used for housing workers (barracks or houses), where the power is purchased and paid for by a commercial business for profit, shall be classified as commercial. Buildings used by non-profit charitable corporations or organizations, except in the case of a commercial, for profit business owned or operated by a religious organization, shall be classified as residential. (Part 24.5.4 Amended August 16, 1996)

24.5.5 A residence which includes a commercial business shall be classified as commercial.

24.5.6 A commercial customer is defined as such if a business license is required for the business operation.

24.5.7 A non-profit organization is defined as such if it provides CUC with written determination of tax exempt status from the Commonwealth Division of Revenue and Taxation that it qualifies as a charitable organization under Sections 501 and 503(c) of the Northern Marianas Territorial Income Tax or proof that it is not required to file for such a determination.

24.6 Customer Classifications: These regulations develop and implement rate and charge schedules segregated into the following customer classifications:

- Residential.
- Commercial.
- Government.
- Non-Conforming Load.

24.6.1 The Non-Conforming Load classification is defined as any customer with a maximum demand of at least 3,000 kilowatts (kW) in the preceding twelve (12) calendar months and daily operations where the ratio of the maximum demand to the minimum demand exceeded three (3), three times in any 30-day period during the preceding 12 calendar months.

24.6.2 Non-profit organizations, as defined by CUC Electric Service Regulations, paragraph 24.5.7, shall have the option to consult with CUC and elect to be billed at either the residential or commercial rates, whichever is more beneficial to the organization. Changes between customer classification rate schedules shall be made in accordance with CUC Electric Service Regulations, Part 24. Rate Schedules.

24.6.3 Rates and Charges: CUC costs shall be recovered through the following rates and charges: Monthly Customer Charges; Electric Non-Fuel Rates; and Electric Fuel Rates.

24.6.3.1 Monthly Customer Charges.

24.6.3.1.1 CUC shall institute a monthly customer charge schedule for each customer classification as a minimum monthly flat-rate charge, with no credit for usage (see EXHIBIT 1, Page 1 of 2).

24.6.3.1.2 The monthly customer charge shall recover a portion of the costs directly associated with serving customers, irrespective of the amount of electric usage. Such costs are for meter reading, billing, accounting, and collecting and for maintaining and providing capital costs related to meters, equipment, and associated services.

24.6.3.2 Electric Non-Fuel Rates.

24.6.3.2.1 CUC shall institute an electric non-fuel rate schedule for each customer classification, under which consumers shall be billed based on the number of kilowatt-hours (kWh) of electricity consumed during the billing period (see EXHIBIT 1, Page 1 of 2).

24.6.3.2.2 The electric non-fuel rates shall pass through monthly, to all consumers of CUC electricity, approximately one-twelfth (1/12) of all CUC annual operating costs associated with electric service; excluding the cost of production fuel and lubricating oils and those costs that are recovered through the monthly customer charge.

24.6.3.2.3 For residential customers, an inverted block rate schedule, with four (4) rate levels, shall be established. Each successive rate level shall have a higher rate per kWh than the previous level, as distinguished by ascending levels of consumption. Total usage will be applied first to the lowest level of the block rate (001 to 500 kWh). For any usage that is above 500 kWh and up to 1,000 kWh shall be billed at the second rate level. Any usage that is above 1,000 kWh and up to 2,000 kWh shall be billed at the third rate level. Any and all usage above 2,000 kWh shall be billed at the fourth level. The inverted block method provides an effective means of promoting conservation when CUC lacks sufficient generating capacity to provide constant reliable electric service to all of its customers. Further, the first (lowest) rate level within the schedule provides a lifeline rate for consumers that use 500 kWh or less of electricity during a billing period. Refer to EXHIBIT 1, Pages 1 and 2, for examples of how CUC would compute the monthly non-fuel charges for residential customers.

24.6.3.2.4 For commercial, government, and non-conforming load customers, separate rate schedules shall be established having only one (1) rate level for each customer classification. Customers within these three (3) classifications shall be charged at the respective rates per kWh. Refer to EXHIBIT 1, Page 2 of 2, for examples of how CUC would compute the monthly non-fuel charges for commercial customers.

- 24.6.3.2.5 The charges based on electric non-fuel rate(s) and the monthly customer charge shall be combined and appear as a separate item, "electric non-fuel charges," on the monthly customer billing statement.
- 24.6.3.2.6 The non-fuel rates and monthly customer charges shall remain in effect for approximately one (1) year from the date of this regulation, unless unanticipated circumstances warrant the need to adjust the rates and charges sooner. Prior to the expiration of the one (1) year period, and each year thereafter, CUC shall commission a review to determine if the non-fuel rates and monthly customer charges should increase or decrease or remain the same.
- 24.6.3.2.7 The CUC Chief Financial Officer shall provide public notice of any adjustments to the electric non-fuel rates and the monthly customer charges, maintain on file the methodology used to determine the rates and charges, take comments, and arrange for public hearings and workshops, as needed, which may be attended by the customers and other members of the public.
- 24.6.3.3 Electric Fuel Rate: CUC shall institute an electric fuel rate schedule, under which all consumers shall be billed based on the number of kilowatt-hours (kWh) of electricity consumed during the billing period (see EXHIBIT 1, Page 1 of 2). The charge per kWh will be the same for all customer classifications, regardless of the level of consumption.
- 24.6.3.3.1 The electric fuel rate shall pass through to all consumers of CUC electricity, the monthly fuel costs for generating electricity. Fuel costs subject to cost recovery shall include only production fuel and lubricating oils. Accordingly, the electric fuel rate may increase or decrease or remain the same from month-to-month.
- 24.6.3.3.2 The electric fuel rate shall take effect on the date that this regulation becomes effective and shall remain in effect through August 31, 2006. The interim electric fuel rate shall be \$0.215 per kWh, as determined by the recent electric rate study. Thereafter, the CUC Chief Financial Officer shall calculate an initial electric fuel rate for September 2006 and for each month thereafter, compute the subsequent months' electric fuel rate.
- 24.6.3.3.3 On the first day of each month, CUC shall announce the electric fuel rate that will be in effect for that month. If the first day of the month falls on a Saturday, Sunday, or holiday, the new fuel rate will be announced on the first business day thereafter. Regardless of when announced, the rate shall be in effect from the first day through the last day of each month.
- 24.6.3.3.4 Because CUC monthly billing periods generally overlap portions of two (2) months, e.g. September 12 through October 13, the fuel rate shall be applied on a pro rata basis according to the number of days each month's usage (September and October) is to the total number of days in the billing period. In the example above, the billing period consists of 31 days, of which 18

days (rounded to 58 percent or .58) are in September and 13 days (rounded to 42 percent or .42) are in October. For illustration purposes, assume that electric consumption for the 31-day period is 2,345 kWh and electric fuel rates were \$0.222 per kWh for September and \$0.216 for October. Thus, the electric fuel charges for the billing period would be \$514.68, which is computed as follows:

For September, multiply 2,345 kWh times .58 times \$0.222, which equals \$301.94. For October, multiply 2,345 kWh times .42 times \$0.216, which equals \$212.76. Next, add the two amounts (\$301.94 plus \$212.74) for the total charges, which equals to \$514.68. (see EXHIBIT 2)

Computations:

2345	x	.58	x	.222	=	\$301.94	
2345	x	.42	x	.216	=	<u>\$212.74</u>	
301.94	+	212.76				=	\$514.68

24.6.3.3.5 The charges based on the electric fuel rate shall appear as a separate item, “electric fuel charges” on the monthly customer billing statement.

24.6.3.3.6 The methodology in this regulation provides for the computation of the initial and subsequent months’ electric fuel rates (see EXHIBIT 3).

24.6.3.3.7 The initial electric fuel rate shall be computed as follows (see EXHIBIT 3, Formula No. 1 and Example of Computation of Initial Fuel Rate):

- Projected fuel costs for September 2006
- Divided by projected sales, in kWh, for September 2006.

24.6.3.3.8 The subsequent months’ electric fuel rate shall be computed as follows (see Formula No. 2 (EXHIBIT 3, page 1 of 2) and Example of Computation Subsequent Months’ Fuel Rate (EXHIBIT 3, page 2 of 2)):

- Projected fuel costs for the target month.
- Plus or minus any adjustment for the preceding month’s under- or over-recovery of fuel costs.
- Divided by projected sales, in kWh, for the target month.

24.6.3.3.9 Computation of the under- or over-recovery of fuel costs shall be as follows: Previous target month’s actual fuel costs minus (previous target month’s actual sales, in kWh, multiplied by the previous target month’s fuel rate per kWh) (see Formula No. 2 (EXHIBIT 3, page 1 of 2) and Example of Subsequent Months’ Fuel Rate (EXHIBIT 3, page 2 of 2)).

- 24.6.3.3.10 Any difference between the actual fuel costs and the electric fuel rate revenues shall be accumulated in a deferred account and shall be subject to annual reconciliation. No interest shall be charged or paid on any under- or over-recovery balance in the deferred account.
- 24.6.3.3.11 The CUC Chief Financial Officer shall be responsible for calculating the initial and subsequent months' electric fuel rates; maintain on file the methodology used to determine the fuel rates; prescribe the accounts, forms, and details of the calculations; and provide public notice of the monthly electric fuel rates.
- 24.6.3.3.12 The CUC Executive Director or designated representative shall approve the initial and all subsequent months' electric fuel rates before they are published and implemented.

EXHIBIT 1

**COMMONWEALTH UTILITIES CORPORATION
SCHEDULE OF ELECTRIC CHARGES AND RATES**

CUSTOMER CLASSIFICATIONS	MONTHLY CUSTOMER CHARGES	RATES PER KILOWATT-HOUR (kWh)		
		ELECTRIC NON-FUEL RATES	ELECTRIC FUEL RATES	TOTAL RATES PER kWh
RESIDENTIAL	\$ 5.60			
1 To 500 kWh		\$ 0.016	\$ 0.215	\$ 0.231
501 To 1,000 kWh		0.066	0.215	0.281
1,001 To 2,000 kWh		0.086	0.215	0.301
Over 2,000 kWh		0.127	0.215	0.342
COMMERCIAL (All kWh Billed)	7.67	0.086	0.215	0.301
GOVERNMENT (All kWh Billed)	7.67	0.091	0.215	0.306
NON-CONFORMING LOAD (All kWh Billed)	\$ 56.00	\$ 0.222	\$ 0.215	\$ 0.437

COMPUTATIONS OF MONTHLY BILLINGS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS:

Assume RESIDENTIAL CUSTOMER consumed 2,345 kWh during current billing period.

Non-Fuel (Monthly Customer Charge and Usage Charges):

Monthly Customer Charge			\$	5.60
Non-Fuel Usage Charges:	Rate	Usage		
	per kWh			
001 to 500 kWh	\$ 0.016	500		8.00
501 to 1,000 kWh	0.066	500		33.00
1,001 to 2,000 kWh	0.086	1,000		86.00
Over 2,000 kWh	0.127	345		43.82
Electric Non-Fuel Charges (shown on billing statement)			\$	176.42
Electric Fuel Charges (prorated)	\$0.222 / \$0.216	2,345		514.68
(shown on billing statement)	(see EXHIBIT 2)			
TOTAL ELECTRIC CHARGES ON BILLING STATEMENT			\$	<u>691.10</u>

Assume COMMERCIAL CUSTOMER consumed 2,345 kWh during current billing period.

Non-Fuel (Monthly Customer Charge and Usage Charges):

Monthly Customer Charge			\$	7.67
Non-Fuel Usage Charges:	Rate			
	per kWh	Usage		
All kWh used during billing period	\$ 0.086	2,345		201.67
Electric Non-Fuel Charges (shown on billing statement)			\$	209.34
Electric Fuel Charges	\$0.222 / \$0.216	2,345		514.68
(shown on billing statement)	(see EXHIBIT 2)			
TOTAL ELECTRIC CHARGES ON BILLING STATEMENT			\$	724.02

EXHIBIT 2

**COMPUTATION OF MONTHLY ELECTRIC FUEL CHARGES
PRORATING CHARGES BETWEEN MONTHS
REFERENCE REGULATIONS, PART 24.6.3.3.4**

EXAMPLE FOR A BILLING PERIOD OF SEPTEMBER 12 TO OCTOBER 13, 2006 WITH THEORETICAL ELECTRIC FUEL RATES.

	<u>DATES</u>	<u>BILLING PERIOD NO. DAYS</u>	<u>PERCENT (Rounded)</u>	<u>METER READING</u>
PREVIOUS READING	12-Sep-06	18	58	71606
CURRENT READING	13-Oct-06	13	42	73951
TOTAL		31	100	
TOTAL MONTHLY USAGE				2,345 kWh

TOTAL MONTHLY USAGE 2,345 kWh

<u>MONTH</u>	<u>MONTHLY FUEL RATE (per kWh)</u>	<u>PERCENT (Rounded)</u>	<u>PRO RATA USAGE (kWh)</u>	<u>MONTHLY FUEL CHARGES</u>
SEPTEMBER	\$ 0.222	58	1,360	\$ 301.94
OCTOBER	\$ 0.216	42	985	212.74
TOTAL		100	2,345	

ELECTRIC FUEL CHARGES \$ 514.68

**FORMULAE FOR THE COMPUTATION OF
MONTHLY ELECTRIC FUEL RATE**

Formula No. 1:

The initial Electric Fuel Rate shall be computed as follows:

$$\text{Electric Fuel Rate (Initial)} = \frac{A}{B}$$

A = CUC projected fuel costs for the month of September 2006.

B = CUC projected sales, in kilowatt-hours (kWh), for the month of September 2006.

Formula No. 2:

The subsequent months' Electric Fuel Rate shall be computed as follows:

$$\text{Electric Fuel Rate (Subsequent Months)} = \frac{C \text{ +/- } D}{E}$$

C = CUC projected fuel costs for the target month.

D = CUC under- or over-recovery of fuel costs for the preceding month.

(Calculation: Previous target month actual fuel costs minus (previous target month actual sales, in kWh, times previous target month fuel rate per kWh).)

E = CUC projected sales, in kWh, for target month.

Example of how the Initial Electric Fuel Rate might be computed for the month of September 2006:

Assume: September 2006 projected fuel costs of \$7.1 million and projected electric sales of 32 million kWh.

$$\text{Electric Fuel Rate (Initial)} = \frac{\$7,100,000}{32,000,000 \text{ kWh}} \quad \text{or} \quad \$0.222 \text{ per kWh}$$

(rounded to nearest 1/10 cent)

Example of how a **Subsequent** Month's Electric Fuel Rate might be computed for any subsequent (target) month after September 2006:

Assume: Target month (October 2006) projected fuel costs of \$7,200,000 and electric sales of 32,500,000 million kWh.

Assume: Previous target month (September 2006) actual fuel costs of \$7,040,000, actual electric sales of 32,500,000 kWh, and fuel recovery charge \$0.222 per kWh.

$$\begin{array}{l} \text{Electric Fuel Rate} = \frac{\$7,200,000 - \$175,000^*}{32,500,000 \text{ kWh}} \quad \text{or} \quad \$0.216 \text{ per kWh} \\ \text{(Subsequent Months)} \end{array} \quad \text{(rounded to nearest 1/10 cent)}$$

* [Actual fuel costs of \$7,040,000 minus (actual sales of 32,500,000 kWh multiplied by fuel rate of \$0.222 per kWh). This results in an over-recovery of fuel costs in the amount of \$175,000, which then must be subtracted from the projected fuel costs for the target month (October 2006). Conversely, had an under-recovery of fuel costs occurred, this amount would be added to the projected fuel costs for the target month.])



**Commonwealth of the Northern Mariana Islands
Department of Public Health**

Office of the Secretary

Joseph K.P. Villagomez, MA
Secretary of Health

NOTICE AND CERTIFICATE OF ADOPTION

**STANDARD GOVERNING THE IMPORTATION, SALE, AND DISTRIBUTION OF
FOREIGN BOTTLED WATER FOR HUMAN CONSUMPTION**

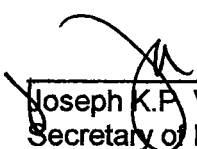
The Secretary of the Department of Public Health (DPH), Commonwealth of the Northern Mariana Islands (CNMI), hereby notifies the public that DPH adopts the regulations establishing a standard for a food, namely water, as necessary to prevent injury to health of the consumer or purchaser of the food. The regulations were proposed on June 19, 2006 and published in the Commonwealth Register at pages 25779-25786 and are being adopted without changes.

DPH finds that these regulations will serve their intended purpose, to establish minimum quality control requirements for the importation, sale, and distribution of bottled water in the Commonwealth, and no opposition or proposed modification to the regulations were offered by the public or Legislature.

DPH requests that this Notice and Certification of Adoption be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 20th day of September 2006 at Saipan, Commonwealth of the Northern Mariana Islands.

Issued by:



Joseph K.P. Villagomez
Secretary of Public Health
Department of Public Health



**Commonwealth of the Northern Mariana Islands
Department of Public Health**

Office of the Secretary

Joseph K.P. Villagomez, MA
Secretary of Health

NOTICE AND CERTIFICATE OF ADOPTION

**RULES AND REGULATIONS GOVERNING THE MANUFACTURING, PACKING,
IMPORTATION, DISTRIBUTION, WAREHOUSING OR HOLDING OF FOOD FOR
HUMAN CONSUMPTION**

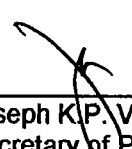
The Secretary of the Department of Public Health (DPH), Commonwealth of the Northern Mariana Islands (CNMI), hereby notifies the public that DPH adopts the regulations governing the manufacturing, packing, importation, distribution, warehousing or holding of food for human consumption. The regulations were proposed on June 19, 2006 and published in the Commonwealth Register at pages 25787-25829 and are being adopted without changes.

DPH finds that these regulations will serve their intended purposes – to provide standards and procedures to ensure environmental health and sanitation in the manufacturing, packing, importation, distribution, warehousing or the holding of food for human consumption in the CNMI – and no opposition or proposed modifications to these regulations were offered by the public or Legislature..

DPH requests that this Notice and Certification of Adoption be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 20th day of September 2006 at Saipan, Commonwealth of the Northern Mariana Islands.

Issued by:

✓ 

Joseph K.P. Villagomez
Secretary of Public Health
Department of Public Health