

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 8: UTILITIES**

**§ 8445. Suspension of Proposed Rates, Charges or Rents.**

(a) After having initiated a hearing to consider a proposed rate change and while said hearing and the decision on same are pending, the Commission may suspend the application of said rate, charge, or rent in full or in part, for a period no longer than five months on and after the time at which it would otherwise have become effective, by delivering a written statement to the affected regulated entity with the reasons for said suspension.

(b) After a full hearing, the Commission may issue such orders as may be appropriate in a proceeding initiated after said rate, charge, or rent is in force. If the proceeding has not been concluded and an order has been issued within the suspension period, the proposed rate, charge, or rent, whether new or revised, shall become effective at the end of said period. In the case of a proposed change for a new service or an increase in the charges, the Commission may, by order, require the interested entity to maintain a precise accounting of all the amounts received by reason of said rates, charges, or rents for new services or increases in rates, charges, or rent, specifying by whom and in benefit of whom said amounts are paid. Once the hearing has concluded and a decision has been issued, the Commission may, by another order, require the affected entity to reimburse with interest the persons in whose representation said amounts were paid, with that portion of said rate, charge, or rent for new service or increase in rates, charges or rents, for which, by determination, the Commission finds no justification. In any hearing in which an already increased or to be increased charge is involved, the weight of the proof demonstrating that said increase in rates, charges, or rents is fair and reasonable shall fall upon the regulated entity.

(c) If the Commission determines that conditions require immediate action, it may waive the requirement for a prior hearing and shall make its determinations pursuant to the information in its possession. If the Commission or the reviewing court subsequently determines that the partial or temporary rates fixed by the Commission were not fair and reasonable, it shall permit the affected regulated entity to recover the amount that represents the difference between the gross income obtained by reason of the temporary rates and the gross income it would have obtained, had the finally authorized rates been fixed originally, by means of a temporary increase in the definitive rates.

**Source:** PL 12-39, § 1(b) (8318), modified; repealed and reenacted by PL 15-35, § 2 (8432), modified.

**Commission Comment:** The Commission deleted figures that were a mere repetition of words in subsection (a) above pursuant to its authority by 1 CMC § 3806.