A HOUSE JOINT RESOLUTION

Respectfully requesting the Honorable Eloy S. Inos, Governor, to relieve Mr. Alan Fletcher from his duties as Executive Director of the Commonwealth Utilities Corporation due to his poor record of performance.

WHEREAS, Alan Fletcher (hereinafter, “Fletcher”) was first hired at CUC in February 2011 as deputy executive director and administrator of the water and wastewater division; and

WHEREAS, Fletcher was responsible for the administration of, and compliance with stipulated orders when he was initially hired by CUC; and

WHEREAS, Fletcher had been at the helm of CUC in an acting capacity since May 2012, after the resignation of former executive director Abe Utu Malae when his contract was immediately renewed by the new governor; and

WHEREAS, applications were submitted by the governor to the EPA for its review upon the resignation of Abe Malae after which EPA then returned with five candidates that EPA deemed most qualified to fill the position of executive director; and

WHEREAS, Governor Eloy S. Inos, after reviewing the submission of documents and correspondences between CUC, EPA, and the interview committee stated, “Upon completion of my review, it appears that the selection panel has diligently performed its task to ensure that the top candidates are capable and duly qualified to carry
out the duties and responsibilities to manage the administration and operation of CUC. In
an effort to move CUC ahead toward high quality standards, I have selected Alan
Fletcher to serve as executive director for CUC;” and

WHEREAS, Inos said that Fletcher’s selection would provide for continuity at
CUC and was quoted as stating: “We are making progress at CUC and I am confident
that he will continue in that direction;” and

WHEREAS, the people of the CNMI cannot afford the “progress at CUC” and
because the CNMI cannot bear to continue in the direction it is currently going; and

WHEREAS, CUC has repeatedly requested and received rate increases which
have resulted in CUC being enriched to the point where CUC is benefitting to the
detriment to the CNMI’s suffering people; and

WHEREAS, CUC makes continuous petitions to CPUC to raise rates without
plans of cost reductions within CUC; and

WHEREAS, CUC has made it a habit to operate without transparency and;
WHEREAS, CUC has failed to make a reduction of its rates to DPW to reflect
savings realized pursuant to switching to LED (Liquid Emitting Diodes) streets lights
funded thru ARRA and;

WHEREAS, CUC has added a fleet of non-efficient vehicles that consume high
amounts of fuel relative to other options; and

WHEREAS, CUC has recently expanded its office space for executives after
renting a new office space for a power distribution crew at another location; and
WHEREAS, CUC has been outfitting executive offices with lavish furnishings at a time when the regular customers find it hard to even pay their utility bills; and

WHEREAS, CUC’s CFO is alleged to have hired and assigned his spouse within the corporation and instructed the spouse’s immediate manager not to have spouse work on weekends because of family commitments—a classic example of the practice of nepotism within the corporation; and

WHEREAS, CUC has failed to terminate an employee who was convicted and found guilty in a court of law for theft of service and said employee is still under the payroll of CUC to this date; and

WHEREAS, Mr. Fletcher favored Change Order #5 which served to extend up to 15 years a contract for TeleSource in Tinian and an increase of contract payment for this extension when this will be additional cost to consumers not only in Tinian, but Saipan and Rota as well because it appears Mr. Fletcher wants the Commonwealth to be locked in to this contract at a time when it should be looking for other ways and alternative to generating electricity thereby realizing savings to its consumers.

WHEREAS, CUC’s water and wastewater electric charges are two times higher that actual water usage thereby aggravating the high cost of utilities; and

WHEREAS, Mr. Fletcher has no plans for moving forward or how to balance the management and operations of CUC versus a fair and equitable rate for utilities for its customers; and
NOW THEREFORE BE IT RESOLVED, that based on upon Fletcher's record
of performance and based on further review it is quite clear that Fletcher is not able to
carry out the duties and responsibilities to manage the administration and operation of
CUC in a satisfactory manner; and

BE IT FURTHER RESOLVED THAT to move CUC ahead toward high
quality standards, Fletcher be relieved of his duties as soon as a replacement can be hired
from amongst qualified replacements for the position of executive director for CUC

BE IT FURTHER RESOLVED, that the Speaker of the House of
Representative and the President of the Senate shall certify and Clerk of the House of
Representatives and the Senate Legislative Secretary shall attest to the adoption of this
concurrent resolution and thereafter the Clerk of the House of Representatives shall
transmit copies to the Honorable Governor Eloy S. Inos, the Honorable U.S. Delegate
Gregorio C. Kilili Sablan, and the Mayors of Rota, Tinian and Aguigan, Saipan, and the
islands north of Saipan.

Prefilled: 1-31-14
Date: 1-31-14
Introduced By: Rep. Francisco S. Dela Cruz