

Note: This summary was added after the 2017 publication of “Navigating Legal Pathways to Rate-Funded Customer Assistance Programs: A Guide for Water and Wastewater Utilities.” To access the 2017 report, go to <https://efc.sog.unc.edu/pathways-to-rate-funded-customer-assistance>.



American Samoa^B

American Samoa is an unincorporated U.S. territory.¹ The **American Samoa Power Authority (ASPA)** is an agency under the American Samoa Government and provides electric energy, water, wastewater, and solid waste service to most of the territory’s population.

Currently,² there is no public utility commission that regulates utility rates in American Samoa. Although there have been several attempts to do so, the American Samoa legislature has yet to pass any legislation that forms a commission.

The ASPA is established under **American Samoa Code Annotated (ASCA) § 15.0101**. ASP’s “powers and duties” are listed in A.S.C.A § 15.0102 (10), and include a requirement that ASP “shall develop and publish tariffs and schedule of rates, charges, and services and other rules of providing potable water and for wastewater disposal in accordance with the Administrative Procedures Act, 4.1001 et seq.”

The board that governs ASPA consists of five directors, which are “appointed by the Governor and confirmed by the Legislature.”³ A.S.C.A § 15.0104 (3-4) states the powers and duties designated to the board include that they may “adopt, amend, and repeal bylaws” and “develop policies and programs for the administration, management, and operation of the Authority.”

Title 15 does not address low-income rate assistance programs funded by rate revenue. Thus, it is uncertain if ASPA can implement a low-income rate assistance using rate revenue without any legal challenges. However, considering the fact that ASPA has the authority to set their rates without any specific requirements in how they set that rate schedule, and additionally given that the Board may develop policies

Commission-regulated utilities	N/A
Noncommission-regulated utilities	

State Population (2010):	55,519
Median Annual Household Income (2010):	\$23,892
Poverty Rate (2015):	57.8%
Typical Annual Household Water and Wastewater Expenditures (2017):	N/R
American Samoa has 20 community water systems (CWS), of which 0 are privately-owned and 19 serve populations of 10,000 or fewer people.	
America Samoa has 2 publicly owned treatment works facilities (POTWs), of which 1 treat 1 MGD or less.	
61,345 are served by privately-owned CWS; and 25,751 are served by government-owned CWS.	
Estimated Long-Term Water and Wastewater Infrastructure Needs⁴:	\$0.1 billion
<i>Sources: U.S. Census Bureau 2010, U.S. Environmental Protection Agency's 2016 Safe Drinking Water Information System, 2011 Drinking Water Infrastructure Needs Survey & 2012 Clean Watersheds Needs Survey. See Appendix I for more details.</i>	

and programs to operate their system. ASPA may have an opportunity to establish a low-income customer assistance program using rate revenue.

B. The Tripartite Convention of 1899 declared the western Samoan islands as a German colony and the eastern Samoan islands as a United States territory. The western Samoan islands became independent from Germany in 1962.

1. The Constitution of American Samoa was approved in 1960 and revised in 1967.
 2. As in, the date of this publication, February 2019.
 3. A.S.C.A § 15.0103(a).

4. American Samoa did not participate in the CWNS 2012 (for infrastructure needs)