



AMERICAN SAMOA GOVERNMENT
OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

PETER TALI COLEMAN
Governor

TUFELE LI'A
Lt. Governor

EXECUTIVE ORDER NO. 4-1983

DECREASE OF WHARFAGE AND TONNAGE
FEES CHARGED TO MARLEX PETROLEUM OF
AMERICAN SAMOA, INC.

Section 1. Authority

This executive order is issued under authority of Article IV, Section 6 of the Revised Constitution of American Samoa and 20.1607(g) ASCA.

Section 2. Background recitals

(a) On April 22, 1981, Marlex Petroleum, Inc. (hereinafter Marlex), entered the agreement with the American Samoa Government (hereinafter Government) entitled "Amended Permit and Agreement".

(b) This agreement is specifically designed to provide and protect the unique needs of the people of the Territory of American Samoa, and their Government, for an uninterrupted supply of petroleum products at reasonable cost. The small population and geographical remoteness of this island American territory are specially noted.

(c) During the six-month period beginning April 22, 1981, Marlex operated below its maximum allowable pricing of petroleum products, as a whole, supplied to the consumers of American Samoa by approximately \$960,000 and sustained losses during this period of approximately \$350,000.


(d) A significant element of these losses was the wharfage and tonnage charges incurred by Marlex, in maintaining a tanker as floating storage while implementing plans to provide for both immediate and long term territorial and regional petroleum supply requirements. These plans were consistent with the economic development program of the American Samoa Government.

(e) Accordingly, it was agreed with Marlex, collaterally with the Amendment to the Amended Permit and Agreement entered May 7, 1982, to decrease the wharfage and tonnage charges incurred as provided in Section 3 of this order.

Section 3. Decrease of wharfage and tonnage fees

On the basis of the authority vested in the Governor of American Samoa and the background recitals set forth above, it is ordered that the wharfage and tonnage fees imposed by 20.1607 ASCA on and incurred by Marlex during the six-month, period beginning April 22, 1981, are decreased up to \$130,000.

Dated: July 13, 1983.


PETER TALI-COLEMAN
Governor of American Samoa