

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN THE MATTER OF:)
) GTA DOCKET 12-12
)
GTA TELECOM LLC, GENERAL) **ORDER**
EXCHANGE TARIFF NO. 1, TARIFF)
TRANSMITTAL NO. 22)

INTRODUCTION

1. This matter comes before the Guam Public Utilities Commission [PUC] upon the Tariff Transmittal of Teleguam Holdings LLC [GTA] to update its provision of Metro Ethernet Transport Services for inclusion of 2 Megabit to 1 Gigabit of local area network connectivity.¹
2. For its Metro Ethernet Transport Services, GTA will incorporate the rates and charges set forth in NECA [National Exchange Carrier Association] Tariff F.C.C. No. 5, Ethernet Transport Service Section 17.4.8(c), Rate Band 6 for applicable Rates and Charges.²

BACKGROUND

3. In accordance with the notice provisions of 12 GCA §12106(b) GTA requests that the PUC approve its supplemental filing effective on November 22, 2012.³
4. GTA's General Exchange Tariff No. 1, XII [Metro Ethernet Transport Services] indicates that Ethernet Transport Service (ETS) is a high speed data transport service that provides end-to-end transmission using Ethernet Packet technology at transport speeds ranging from 2 Mbps to 1 Gbps. It is a means for transporting broadband multimedia traffic (i.e., voice, data and video) using variable length Ethernet packets with the ability to interconnect multiple locations using GTA's network.⁴

¹ GTA Tariff Transmittal No. 22, GTA Docket 12-12, filed October 23, 2012.

² In its initial filing, GTA indicated that Ethernet Transport Services would be charged in accordance with Rate Band 5. However, GTA filed an Amended Tariff Transmittal No. 22 on November 9, 2012 [GTA Revised Tariff Transmittal No. 22, GTA Docket 12-12, filed November 9, 2012]. Therein GTA indicates that the FCC has reassigned GTA to Rate Band 6. The tariff now indicates that the applicable Rate Band charges by GTA for Metro Ethernet Services will be in accordance with the then current rate band assignment of the FCC.

³ GTA Tariff Transmittal No. 22, GTA Docket 12-12, filed October 23, 2012, at p. 1.

⁴ GTA General Exchange Tariff No. 1, XII A [Metro Ethernet Transport Services].

5. Essentially, GTA has adopted the rates and charges for ETS services as set forth in the National Exchange Carrier Association Inc. (NECA) Tariff No. 5. Rates and charges are set forth in the NECA Tariff No. 5 for services such as: ETS Channel Terminations, Ports, and ETS Ethernet Virtual Connection, etc.
6. In general, customer charges increase as the capacity utilized by the customer increases between 2 Mbps to 1 Gbps. The ETS services all include “non-recurring” charges.
7. At present, the FCC has placed GTA in Rate Band 6. It is possible, however, that in January 2013, FCC will place GTA in Rate Band 4. Thus, the particular charges for ETS services will vary in the future, depending upon which Rate Band GTA is placed in.⁵
8. PUC Counsel issued his Report on November 19, 2012; PUC adopts the recommendation set forth therein.⁶

DETERMINATIONS

10. Tariff Transmittal No. 22 replaces and updates the current tariff which GTA has in effect concerning Metro Ethernet Transport Services. The proposed tariff clarifies that it will now include 2 Megabit to 1 Gigabit of local area network connectivity. Tariff Transmittal 22 also clarifies the ETS services that are available to customers and the applicable charges.
11. Furthermore, PUC caused public notice of this tariff filing to be published in the Pacific Daily News on November 7, 2012. Said notice gave interested parties until November 19, 2012 to file any comments concerning the tariff. Pacific Data Systems Inc. filed a comment on November 19. PDS’ comment that GTA should file with the PUC any tariff changes to its Metro Ethernet Services, whether the source of such change is NECA or otherwise, should be adopted.
12. This offering will help insure that customers in Guam have access to Metro Ethernet Transport Services, and are aware of the applicable costs for such services. The availability of Metro Ethernet Transport Services to customers in Guam promotes

⁵ Conference between GTA representatives Eric Votaw, Serge Quenga, and PUC Counsel Fred Horecky, on November 9, 2012; see also GTA Revised Tariff Transmittal No. 22, GTA Docket 12-12, filed November 9, 2012.

⁶ PUC Counsel Report, GTA Docket 12-12, issued November 19, 2012.

one of the purposes of the Guam Telecommunications Act of 2004, which is to provide the people of Guam with access to modern, innovative and affordable telecommunications services.⁷

ORDERING PROVISIONS

Upon consideration of the record herein, Revised Tariff Transmittal No. 22 filed by GTA on November 9, 2012, and the Report of PUC Legal Counsel, for good cause shown and on motion duly made seconded and carried by the affirmative vote of the undersigned Commissioners, the Commission hereby ORDERS that:

1. GTA's Revised Tariff Transmittal No. 22, relative to update of Metro Ethernet Services, was properly filed pursuant to 12 GCA §12106(a), which requires telecommunications companies such as GTA to file tariffs indicating the rates, classifications, and terms and conditions of its telecommunications services.
2. Revised Tariff Transmittal No. 22, including all changes, revisions, and additions therein to GTA's General Exchange Tariff No. 1, is hereby approved and adopted.
3. Revised Tariff Transmittal No. 22 shall be effective on November 22, 2012.
4. GTA shall file its Revised Tariff with the PUC, and shall also provide notice of the same to its Customers on its website.
5. GTA shall file with the PUC any further changes in its tariff for Metro Ethernet Services, whether the source of such changes is NECA or any other source.
5. GTA is ordered to pay for the PUC's regulatory fees and expenses incurred in this Docket, including, without limitations, consulting and counsel fees and expenses. Assessments of the PUC's regulatory fees and expenses is authorized pursuant to 12 GCA §12002(b) and 12024(b), 12104, 12103, the Rules Governing Regulatory fees for Telecommunications Companies, and Rule 40 of the Rules of Practice and Procedure before the PUC.

⁷ 12 GCA §12101(b).

ORDER
GTA General Exchange Tariff No. 1
Tariff Transmittal No. 22
GTA Docket 12-12
November 20, 2012

Dated this 20th day of November, 2012.

Jeffrey C. Johnson
Chairman

Joseph M. McDonald
Commissioner

Rowena E. Perez
Commissioner

Filomena M. Cantoria
Commissioner

Michael A. Pangelinan
Commissioner

Peter Montinola
Commissioner