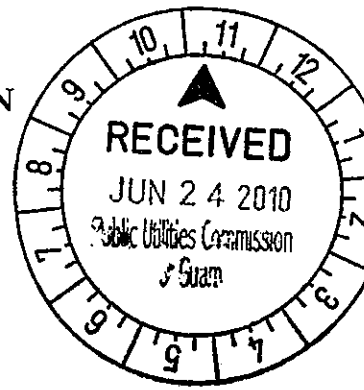


BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN RE: GTA TELEGUAM LLC AND  
GUAM POWER AUTHORITY/  
POLE ATTACHMENTS

GTA Docket 09-04




ORDER RE: HEARING ON JURISDICTION AND SCHEDULING CONFERENCE

The Administrative Law Judge [ALJ] issues this Order for the purpose of proceeding ahead with the matters presented in this docket and to work towards their resolution. Previously the parties (MCV, IT&E, and GTA ) filed written briefs concerning whether the PUC has jurisdiction to address rates or charges concerning pole attachments under Title 47 U.S.C. §224, and whether PUC jurisdiction is preempted by federal telecommunications law. Before proceeding to the merits of the disputes herein, the ALJ will afford the parties an opportunity to present argument on the jurisdictional issue. Good cause appearing, the ALJ hereby ORRDERS as follows:

- (1) The parties shall appear at the Public Utilities Commission on July 6, 2010 at 10:00 a.m.;
- (2) The parties shall have the opportunity to present oral argument on the issue of whether the PUC has jurisdiction to address the complaint herein or to set rates and charges for pole attachments, and whether PUC jurisdiction is preempted by federal telecommunications law. Briefs have already been filed by the parties concerning these issues;
- (3) If the ALJ finds that the PUC does have jurisdiction, the parties shall be prepared to present their views on whether this matter should be converted into a rate proceeding; and what procedure the ALJ should follow in determining the appropriate rates and charges which the Guam Power Authority should charge for pole attachments.
- (4) Such further proceedings shall be scheduled as the ALJ determines to be necessary after the hearing on July 6, 2010.

The Hearing and Scheduling Conference will be conducted at the Public Utilities Commission, Suite 206, GCIC Building, 414 W. Soledad Avenue, Hagatna, Guam.

SO ORDERED this 24<sup>th</sup> day of June 2010.

  
FREDERICK J. HORECKY  
Administrative Law Judge