

**BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

IN THE MATTER: )  
 )  
The Application of the Guam )  
International Country Club for ) **DOCKET 08-004**  
Approval of Rates for Guam Residents.)  
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\_\_\_\_\_ )

**ORDER**

This matter comes before the Administrative Law Judge [ALJ] upon the PUC Counsel Compliance Report filed herein on March 8, 2010. PUC Counsel alleges that GICC has failed to propose a new panel of members (“comparable municipal facilities in the mainland United States”), consistent with the requirements of P.L. 19-34, for rate making purposes or to propose a new methodology using the newly determined panel members to set appropriate rates, as required by the Decision and Order of the PUC issued on December 29, 2008. Furthermore, despite demand, GICC has failed to pay the Commission’s regulatory fees and expenses in this proceeding.

The ALJ is hereby issuing a scheduling of proceedings to determine whether administrative action should be taken against GICC, or whether sanctions and/or penalties should be imposed, regarding its alleged failure to comply with the PUC’s Decision and Order filed December 29, 2008. Good cause appearing, IT IS HEREBY ORDERED:

1. GICC Counsel will submit a written response to the PUC Counsel Compliance Report filed herein which specifically addresses each of the allegations contained therein.
2. In his response, GICC Counsel shall address whether the PUC should take any of the following administrative actions:
  - (a) Revoking the Rate and Fee increases approved by the Commission on December 29, 2008, for failure of GICC to comply with its duties under the Stipulation and Decision and Order;
  - (b) Imposing penalties upon GICC of not more than Five Hundred Dollars (\$500.00) for every violation, neglect or failure with regard to the Commission’s Order per day;

- 1 (c) requiring GICC to submit its financial records, including all bank  
2 records to the Commission, for determination of whether GICC has  
3 the ability to pay regulatory expenses and fees due;
- 4 (d) finding GICC in contempt for failing to comply with its obligations  
5 under the December 29, 2008 Order; and
- 6 (e) prohibiting GICC from filing any further rate application or  
7 petition with the PUC until such time as it complies with the  
8 December 29, 2008 Order.

9 3. GICC's response shall be filed on or before March 29, 2010. PUC Counsel  
10 shall file any reply thereto on or before April 2, 2010.

11 4. The ALJ will conduct an evidentiary hearing to address the issues  
12 presented in paragraph 2 above and in PUC Legal Counsel Report on  
13 April 6, 2010 at 2:00 p.m.

14 5. There should be no alteration or changes in any of the dates set forth in  
15 this Scheduling Order without the approval of the Administrative Law  
16 Judge.

17 SO ORDERED: March 8, 2010.

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20 David A. Mair, Esq.  
21 Administrative Law Judge  
22 Public Utilities Commission  
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