

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



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

DOCKET 08-004

**DECISION AND ORDER**

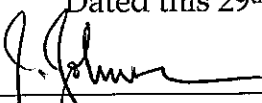
On September 9, 2008, Guam International Country Club, Inc. [GICC] petitioned the Guam Public Utilities Commission to increase golf rates and fees for Guam residents. Administrative Law Judge David A. Mair issued a scheduling order, and GICC and Georgetown Consulting Group ["GCG"] submitted evidence, testimony and briefs concerning their respective positions. Subsequent to a preliminary conference, a public hearing was convened by the ALJ upon due and lawful notice at 6:00 p.m. December 15, 2008, at Room 207 GCIC Building, to consider GICC's rate request. At the hearing GICC and GCG submitted a stipulation which proposed specific rate relief (copy made Exhibit A hereto). One member of the public, Nicolas F. Borja submitted written comments, which have been incorporated into the record. Subsequent public hearings were held on December 16 at the Piti Social Hall and the Dededo Senior Citizen Center; however no additional public comments were received.

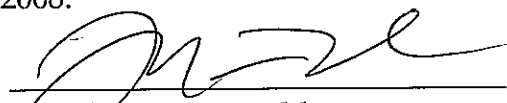
After careful consideration of the record herein, the report of legal counsel, public comment, and the Stipulation of GICC and GCG, for good cause shown and on motion duly made, seconded and carried by the affirmative vote of the undersigned commissioners, the Commission hereby FINDS AND ORDERS THAT:


1. GICC has complied with the requirements of Ratepayer's Bill of Rights in this docket; all notices required pursuant to law have been duly given and all required public hearings have been held.
2. It has been affirmatively established, by a preponderance of the evidence, that a rate change is necessary for GICC.
3. The rate increases proposed by the Stipulation, Exhibit "A" attached hereto, are just and reasonable. The rates set forth in Exhibit "A" are hereby approved effective as of the date of this order.
4. GICC is directed to notify its customers by notice prominently posted at its clubhouse and published newspaper notice of the rate increases.

- 1           5.     In accordance with its Stipulation, GICC shall propose a new panel of  
2           members ("comparable municipal facilities in the mainland United  
3           States"), consistent with the requirements set forth in P.L. 19-34 §23(b), no  
4           later than one (1) year from the date of this Order, or one-hundred-twenty  
5           (120) days before GICC files any new rate petition, whichever is sooner.
- 6           6.     GICC shall propose a methodology using the newly determined panel  
7           members to set appropriate rates, and disclose all data used to develop the  
8           panel and proposed rates, as soon as possible, but no later than when the  
9           proposed new panel is filed.
- 10          7.     Either party may petition the PUC for relief from the Stipulation for good  
11          cause.
- 12          8.     Legal counsel is directed to monitor compliance by GICC with the terms  
13          and conditions of the stipulation in this docket and to thereafter advise the  
14          Commission as to any GICC regulatory matters which will require  
15          Commission scrutiny during 2009.
- 16          9.     All rulings and orders of the Commission's administrative law judge  
17          during the course of this proceeding are confirmed and ratified. All  
18          motions not heretofore granted are denied. No other matters require  
19          discussion.
- 20          10.    GICC shall pay for the Commission's regulatory fees and expenses,  
21          including without limitation, consulting and counsel fees and the fees and  
22          expenses of conducting and transcribing the hearing proceedings.  
23          Assessment of PUC's regulatory fees and expenses is authorized pursuant  
24          to 12 GCA §§12002(b) and 12024(b), and Rule 40 of the Rules of Practice  
25          and Procedure before the Public Utilities Commission.

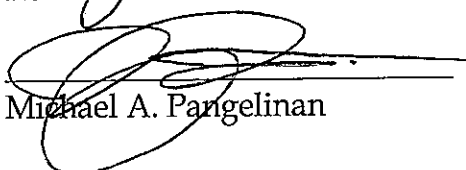
26                   Dated this 29<sup>th</sup> day of December, 2008.

27                     
28                   \_\_\_\_\_  
29                   Jeffrey C. Johnson  
30                   Chairman

31                     
32                   \_\_\_\_\_  
33                   Joseph M. McDonald

34                     
35                   \_\_\_\_\_  
36                   Rowena E. Perez

37                   \_\_\_\_\_  
38                   Filomena M. Cantoria

39                     
40                   \_\_\_\_\_  
41                   Michael A. Pangelinan



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 Email: arcesq@hotmail.com

6 *ATTORNEY FOR PETITIONER,*  
 7 Guam International Country Club

8 **BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

9  
 10 **IN THE MATTER:**

**DOCKET NO.08-004**

11 **The Application of the Guam International**  
 12 **Country Club for Approval of rates for Guam**  
 13 **Residents.**

**STIPULATION RE RATES AND  
 AMENDMENT TO RATE  
 METHODOLOGY**

14  
 15  
 16 **COMES NOW**, Petitioner, GUAM INTERNATIONAL COUNTRY CLUB (Hereafter  
 17 Referred to as "GICC"), by and through its counsel of record, ANTHONY R. CAMACHO, ESQ., and  
 18 the independent rate consultant for the Public Utilities Commission (PUC) GEORGETOWN  
 19 CONSULTING (GCG), by and through its counsel of record, WILLIAM J. BLAIR, ESQ., who  
 20 hereby **STIPULATE AND AGREE** as follows:  
 21

22 1. GCG and GICC jointly recommend that the rate petition filed by GICC on September  
 23 9, 2008, be settled with the rates attached herein as Exhibit A that should be approved by the PUC  
 24 effective on the date of the PUC Order..  
 25

26 2. The rates attached herein as Exhibit A are a compromise between GICC's original  
 27 proposed rates and the counter-rates proposed by GCG.  
 28

**EXHIBIT**     A

1           3.       The previous methodology to establish rates for GICC to comply with P.L. 19-34,  
2 §23(b) ("The rates GICC charges for Guam residents shall be comparable to rates charged in  
3 comparable municipal facilities in the mainland United States"), which relied on a negotiated  
4 settlement is no longer valid. The parties agree that GICC shall:  
5

6           a.       Propose a new panel members consistent with the requirements set forth in P.L.  
7 19-34, §23(b) no later than one (1) year from the date this stipulation is approved by the PUC, or no  
8 later than one-hundred-twenty (120) days before GICC files any new rate petition, whichever is  
9 sooner.  
10


11           b.       Propose a methodology using the newly determined panel members to set  
12 appropriate rates for GICC.  
13

14           c.       Disclose all data used to develop the panel and proposed rates as soon as  
15 possible but no later than the proposed new panel is filed.  
16

17           4.       Either party may petition the PUC for relief from this Stipulation for good cause.  
18

19           **SO STIPULATED** this 15<sup>th</sup> day of December, 2008 by:  
20

21  
22  
23   
24 **ANTHONY R. CAMACHO, ESQ.**  
25 Attorney for GICC

26  
27   
28 **WILLIAM J. BLAIR, ESQ.**  
Attorney for GCG

GUAM INTERNATIONAL COUNTRY CLUB  
GICC Proposed Rates (Revised)

Rate Sheet

<u>Residents</u>	<u>Holes</u>	<u>Fees</u>	<u>Current Rate</u>	<u>Proposed Increase</u>	<u>Proposed Rate</u>	<u>Proposed Overall Rate</u>	<u>Proposed Overall Rate Incr.</u>
WD	18	Green Fees	22.00	13.9%	25.00	35.00	17%
		Cart Fees	8.00	22%	10.00		
SSH	18	Green Fees	27.00	13.9%	31.00	41.00	17%
		Cart Fees	8.00	22%	10.00		
WD	9	Green Fees	14.00	13.9%	16.00	22.00	16%
		Cart Fees	5.00	22%	6.00		
SSH	9	Green Fees	17.00	13.9%	19.00	25.00	14%
		Cart Fees	5.00	22%	6.00		
<b><u>Seniors</u></b>							
WD	18	Green Fees	17.00	13.9%	19.00	29.00	16%
		Cart Fees	8.00	22%	10.00		
WD	9	Green Fees	12.00	13.9%	14.00	20.00	18%
		Cart Fees	5.00	22%	6.00		
<b><u>Juniors</u></b>							
WD	18	Green Fees	10.00	13.9%	11.00	21.00	17%
		Cart Fees	8.00	22%	10.00		
<b><u>Twilight</u></b>							
WD	18	Green Fees	17.00	13.9%	19.00	29.00	16%
		Cart Fees	8.00	22%	10.00		
<b><u>Ancillary</u></b>							
		Club Rental	7.50		9.50		27%
		Shoe Rental	2.50		3.25		30%
		Driving Range	3.00		3.75		25%
		Locker	3.00		3.75		25%
		Gallery 18H	8.00		10.00		25%
		Gallery 9H	5.00		6.25		25%