



**BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

<b>IN RE:</b>	<b>REQUEST BY THE GUAM</b>	)	<b>GWA Docket No. 11-01</b>
	<b>WATERWORKS AUTHORITY FOR</b>	)	
	<b>APPROVAL OF BOND PROJECTS</b>	)	<b>ORDER</b>
	<b>FUNDED BY GWA'S 2010 SERIES</b>	)	
	<b>BOND PROCEEDS</b>	)	

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This matter comes before the Guam Public Utilities Commission (the “PUC”) pursuant to its two July 30, 2012 Orders issued in the instant docket (hereinafter referred to as the “July 30, 2012 Orders”): one which authorized Guam Waterworks Authority (“GWA”) to reprogram its 2010 Series Bond funds, but required the Guam Waterworks Authority (“GWA”) to reserve and restrict \$20 million; and the other which recommended that GWA pay the Government of Guam (“GovGuam”) the amount of \$20 million from the proceeds of the 2010 Series Bond.

**DETERMINATIONS**

On August 29, 2012, GWA filed a Petition for Judicial Review of the July 30, 2012 Orders, challenging the PUC’s decisions, in an action titled Guam Waterworks Authority v. Guam Public Utilities Commission, SP0148-12, filed in the Superior Court of Guam.

On November 7, 2013, Public Law 32-069 (“P.L. 32-069”) was enacted into law. In the findings contained in P.L. 32-069, the Guam Legislature expressly found that “a 2010 rider, inserted during legislative session, required GW A ratepayers to pay back 20 Million Dollars to the General Fund for a loan that was fully paid off in December 2010,

causing an unnecessary burden on ratepayers.” P.L. 32-069, p. 3. (Nov. 7, 2013). However, the Guam Legislature also recognized that “the provision still remains in Guam law and needs to be repealed to make it clear that this is no longer a requirement to be placed upon GWA’s ratepayers” and clearly expressed that “adding another 20 Million Dollars rate increase onto GWA ratepayers is not in the public interest.” *Id.*, p. 3. Accordingly, P.L. 32-069 amended P.L. 30-145 by eliminating the provision which required GWA to pay GovGuam \$20 million, thereby disposing of, and rendering moot, the obligation at issue in the instant proceedings.

The Commission, therefore, issues the following:

**ORDERING PROVISIONS**

Upon careful consideration of the record herein, and in light of P.L. 32-069, and for good cause shown, on motion duly made, seconded and carried by the affirmative vote of the undersigned Commissioners, the Commission hereby ORDERS the following:

1. The July 30, 2012 Orders issued by the PUC in the instant docket are VACATED.

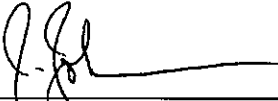
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2. GWA is ordered to pay the PUC's regulatory fees and expenses, including and without limitation, consulting and counsel fees, and the fees and expenses associated with this docket. Assessment of the PUC's regulatory fees and expenses is authorized pursuant to 12 G.C.A. §§ 12002(b) and 12024(b), and Rule 40 of the Rules of Practice and Procedure before the PUC.


SO ORDERED this 30<sup>th</sup> day of December, 2013.

  
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**JEFFREY C. JOHNSON**  
Chairman

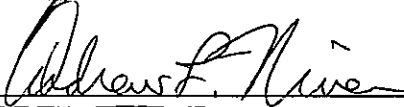
  
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**JOSEPH M. MCDONALD**  
Commissioner

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**ROWENA E. PEREZ**  
Commissioner

  
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**FILOMENA M CANTORIA**  
Commissioner

  
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**MICHAEL A. PANGELINAN**  
Commissioner

  
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**PETER MONTINOLA**  
Commissioner

  
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**ANDREW L. NIVEN**  
Commissioner

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