

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



|                                      |   |                       |
|--------------------------------------|---|-----------------------|
| IN THE MATTER OF:                    | ) | GTA Docket 18-02      |
|                                      | ) |                       |
| Request for Investigation of Certain | ) | SECOND STATUS REPORT- |
| Transfers of Money from the Enhanced | ) | UPDATE                |
| 911 Emergency Reporting System Fund. | ) |                       |
| _____                                | ) |                       |

On July 23, 2019, the ALJ met with various officials at the Department of Administration including: Ed Birn, Director; Edith Pangelinan, Deputy Director, Prudencio Rosario, Deputy Financial Manager, and Lestor Carlson, Director of BBMR.

Said officials confirmed that since June of 2018, DOA has maintained a separate E911 savings bank account where all revenue collections for E911 are deposited. They indicated that there is a separate E911 fund maintained for E911. All expenditure transactions are made from the E911 Fund and tracked in that fund. Expenditures are paid from general funds but always tracked through the E911 Fund. DOA’s position is that the E911 Fund is separate and apart from the General Fund, and complies fully with 12 GCA § 12304(b). In DOA’s view, 12 GCA § 12304(b) does not require DOA to maintain a separate bank account.

DOA also points out that the E911 Fund is audited annually as a separate fund.

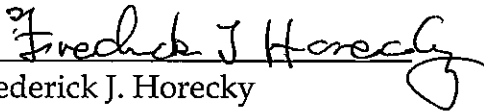
DOA pays expenses from the E911 fund as requested by the Guam Fire Department, such as payroll, vendor, and utility expenses. All such expense payments are therefore essentially approved by GFD. GFD is a line agency of the Government, and it has no accounting function separate from that of DOA. DOA handles all accounting functions for GFD, as it does with all line agencies of the Government of Guam, such as payment of payroll and other expenses.

DOA indicated that it would be cumbersome and burdensome to require the Fire Chief to sign all checks regarding E911 expenditures. However, at the request of the ALJ, DOA agreed to notify the Fire Chief of all requests by DOA that the E911 Fund be reimbursed for expenditures by the revenue savings bank account. In other words, before DOA would reimburse the E911 fund for expenses from the savings bank account, it would notify the Fire Chief in writing the funds from the savings bank account would reimburse the E911 fund, and afford the Fire Chief five days to raise any issue or objection to such reimbursement.

The ALJ concurs with the explanation provided by DOA and BBMR; the notification procedure suggested by DOA will ensure that the Fire Chief is duly advised of any reimbursement of the E911 fund by the Savings Account. Therefore, the ALJ recommends that paragraph 1 of the ORDERING PROVISIONS of the PUC Order in this Docket, dated January 17, 2019, be amended as follows:

1. The Department of Administration does maintain a separate savings bank account for all E911 revenues deposited. E911 expenses are paid from the E911 fund, which is maintained as a separate account from the General Fund. Before DOA reimburses the E911 fund for any expenses from the E911 revenue savings account, DOA shall provide notice of such reimbursement to the Fire Chief and afford the Fire Chief at least 5 days to raise any issue or objection to the reimbursement of the E911 Fund from the revenue savings bank account.

Dated this 23<sup>rd</sup> day of July, 2019.

  
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Frederick J. Horecky  
Chief Administrative Law Judge