

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

GUAM WATERWORKS AUTHORITY
REGULATORY MATTERS

DOCKET 98-01



ORDER

This Order addresses regulatory proceedings during the Commission's June 2003 regulatory session to consider a request by Guam Waterworks Authority that the Commission:

- a. Amend the surcharge established by Order dated September 13, 2001 to permit GWA to fund its \$9 million dollar obligation to Navy under the May 9, 2003 Consent Decree in Federal District Court Civil Case 99-102; and
- b. Amend GWA's estimated billing plan [*established by Commission Order dated March 5, 1998 as amended on September 29, 1998*] to resolve inconsistencies with GWA's tariffed water service charge.

On June 13 and 18 2003, the Commission conducted public hearings on these GWA requests pursuant to due and lawful notice.

After carefully considering the evidence and testimony which was introduced at public hearing, including the two GWA - Georgetown stipulations and testimony by Public Auditor Doris Flores Brooks and the report of its administrative law judge dated June 20, 2003 and for good cause shown, the Commission on motion duly made, seconded and carried by the affirmative vote of the undersigned commissioners **HEREBY ORDERS THAT:**

1. The recommendations contained in the two GWA - Georgetown stipulations dated June 16, 2003 are hereby adopted and approved.
2. The Commission's September 13, 2001 Order in Combined Dockets 00-01 and 01-08 is hereby amended as follows:
 - a. GWA is hereby authorized to utilize the surcharge revenues to fund the payment of its obligations to Navy in accordance with the May 9, 2003 Consent Decree in Federal District Court Civil Case 99-102 as well as its obligations to Guam Power Authority and to the Commission.

- b. Except as provided in subsection [a] above, the surcharge shall be assessed, collected, held, disbursed and reconciled in strict accordance with the Commission's September 13, 2001 Order. *[The Commission notes for the record that GWA has paid its obligations to Guam Telephone Authority under the surcharge.]* The surcharge shall remain in force and effect until GWA's obligations to GPA and Navy have been paid in full, whereupon it shall expire.
 - c. ALJ is authorized, consistent with this Order and the September 13, 2001 Order to make such rulings and orders as may be necessary and appropriate to facilitate the implementation and administration of the surcharge and GWA's compliance with these orders.
 3. The Guam Waterworks Authority estimated billing plan, which the Commission established by orders dated March 5, 1998 and September 29, 1998 is hereby amended by deleting sections [c][I] and [iv] and by adding a new section [j] to read as follows:
 - j. **Fixed Charges.** This estimated billing plan shall not apply to fixed charges assessed by GWA that are payable regardless of whether service has been interrupted. Such fixed charges include GWA's minimum monthly service charge and fixed wastewater charges.
 4. The recommendations of Public Auditor Doris Flores Brooks, by her June 16, 2003 letter *[Attachment D to ALJ's June 20, 2003 report]* shall be carefully examined and considered as part of the Commission's proceeding to examine GWA's interim financial plan, which it will file in October 2003 pursuant to the Federal District Court EPA Order.

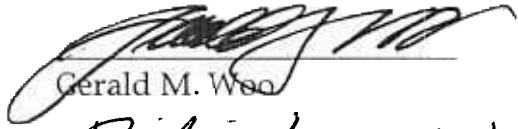
Dated this 23rd day of June 2003.


Terrence M. Brooks


Filomena M. Cantoria


Joseph M. McDonald

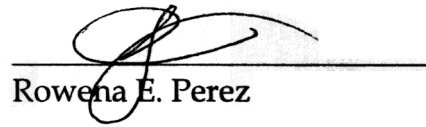

Edward C. Crisostomo



Gerald M. Woo



Richie K.T. Lim



Rowena E. Perez