

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

In the Matter of

GTA DOCKET 10-03

Joint Petition of GTA TeleCom, LLC and
Guam Telecom, LLC for approval of the
Amendment of the Interconnection
Agreement pursuant to Section 252 of the
Telecommunications Act of 1996

ORDER APPROVING AMENDMENT TO INTERCONNECTION AGREEMENT

Findings

On February 18, 2010, GTA TeleCom LLC [GTA] and Guam Telecom, LLC [GT] filed a Joint Petition with the Guam Public Utilities Commission [PUC] for approval of an Amendment to their Interconnection Agreement, pursuant to Section 252 of the Telecommunications Act of 1996.¹ The Commission originally approved the Interim Interconnection Agreement between GTA and GT by Order dated December 23, 2009.² In their present Petition, the parties request that the PUC approve an Amendment to the Interconnection Agreement; such amendment is made Attachment "A" to the Petition.³

The proposed 1st Amendment to the Interconnection Agreement provides "Alternative Interconnection Arrangements" for a "Mid-Span Fiber Meeting" ("MSFM"). Both parties agree that if it is necessary to construct or deploy fiber cable for any MSFM, the GTA Agana Central Office will serve as the MSFM location.⁴ The parties further indicate that the MSFM location currently provided in their Interconnection Agreement (the GTA Tumon Office) is not as suitable for the parties as the GTA Agana Central Office Location.⁵

¹ GTA & GT Joint Petition for Approval of the Amendment to the Interconnection Agreement, GTA Docket 10-03, filed February 18, 2010.

² PUC Order Approving Interconnection Agreement, GT Docket 09-02, issued December 23, 2010.

³ Attachment "A" to GTA & GT Petition for Approval of the Amendment of the Interconnection Agreement.

⁴ Id. at ¶3.

⁵ Id.

PUC Legal Counsel has filed a Report herein recommending that the Commission approve the Petition of the parties.⁶ The Report indicates that the Amendment makes arrangements for fiber splice and cable connection for the MSFM, agreed transmission and routing, maintenance of required tariff provisions reflecting price and billing rates, and other necessary terms.⁷ The parties represent that applicable billing rates are already established in the Interconnection Agreement, the National Exchange Carrier Association (NECA) Tariff No. 4, and General Exchange Tariffs.

The PUC adopts the recommendation of Counsel, and finds that the 1st Amendment proposed by GTA and GT does not violate the standards set forth in 47 USC §252[e][2][A]. The Amendment offers Interconnection Arrangements for a Mid-Span Fiber Meeting that are available to other parties. The GTA Agana Central Office Location is a more suitable environment for both parties as their MSFM. The Amendment does not discriminate against a telecommunications carrier not a party to the Interconnection Agreement. The Amendment is consistent with the public interest, convenience and necessity. It is in the public interest to provide the people of Guam with modern, innovative, accessible, and affordable telecommunications services and products.⁸

Order

During the Commission's consideration of this matter, the Commission authorized the Chairman to act upon the parties' Petition pursuant to the statutory authority contained in 12 GCA § 12004. Such authorization is based upon the lack of a quorum of Commissioners who could consider this matter, Counsel's favorable initial recommendation, and the need of the parties' expressed to implement the Amendment to their Interconnection Agreement as soon as possible. Action by the Chairman on the Petition is subject to the ratification of the Commission. Based upon the foregoing, the Guam Public Utilities Commission **orders that:**

1. The 1st Amendment to the Interconnection Agreement between GTA TeleCom, LLC and Guam Telecom, LLC as filed with their February 18, 2010 Petition, is approved.
2. In the event that the parties revise, modify or further amend their Interconnection Agreement, as approved herein, the revised, modified or

⁶ PUC Counsel Report, GTA Docket 10-03, filed March 23, 2010.

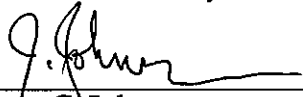
⁷ Id.

⁸ See Guam Telecommunications Act of 2004, 12 GCA §12101(2).

amended Interconnection Agreement shall be submitted to PUC for approval pursuant to 47 USC §252[e][1] prior to taking effect.

3. The 1st Amendment as approved herein shall terminate not later than August 8, 2010.
4. The Amendment is approved as an "Interim" Amendment. PUC reserves the jurisdiction and authority to enforce the Amendment and/or the Interconnection Agreement, to issue appropriate orders with regard thereto, and to hear and resolve complaints with respect to the Amendment or the Interconnection Agreement pursuant to PUC's existing authority.
5. GTA and GT are ordered and directed to each pay one half on the PUC's regulatory expenses and fees in this docket.

Dated this 25th day of March, 2010.



Jeffrey C. Johnson
Chairman