

**BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

|                                 |   |                  |
|---------------------------------|---|------------------|
| IN THE MATTER OF:               | ) |                  |
|                                 | ) | GTA DOCKET 12-03 |
|                                 | ) |                  |
| JOINT PETITION OF TELEGUAM      | ) |                  |
| HOLDINGS, LLC AND GUAM TELECOM, | ) | <b>ORDER</b>     |
| LLC FOR APPROVAL OF             | ) |                  |
| THE INTERCONNECTION AGREEMENT   | ) |                  |
| PURSUANT TO SECTION 252 OF THE  | ) |                  |
| TELECOMMUNICATIONS ACT OF 1996  | ) |                  |
|                                 | ) |                  |
|                                 | ) |                  |
|                                 | ) |                  |

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**INTRODUCTION**

1. This matter comes before the Guam Public Utilities Commission [“PUC”] upon the Joint petition of TeleGuam Holdings, LLC [“GTA”] and Guam Telecom, LLC [“GT”] (jointly “the Parties”).<sup>1</sup>
2. The Parties submit their Interconnection Agreement for approval by the PUC in accordance with the terms of Section 252(e) of the Telecommunications Act of 1996. They request that the PUC approve the Agreement pursuant to the requirements of Section 252(e).

**BACKGROUND**

3. The parties request that their Interconnection Agreement consists of the same agreement previously executed between GTA and Pacific Data Systems, Inc.
4. On September 28, 2010, the PUC approved the Interconnection Agreement between GTA Telecom LLC and Pacific Data Systems, Inc.<sup>2</sup>
5. Here the Parties wish to “adopt” the Agreement between GTA Telecom LLC and Pacific Data Systems in its entirety, and the parties refer to it as the “Adopted Agreement”, with certain changes as indicated in Attachment A to the Joint Petition.<sup>3</sup>

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<sup>1</sup> Joint Petition of GTA and GT, GTA Docket 12-03, filed June 5, 2012.  
<sup>2</sup> PUC Order Approving Interconnection Agreement, GTA Docket 10-08, dated October 29, 2010.  
<sup>3</sup> Attachment A to the Joint Petition of GTA and GT, GTA Docket 12-03, filed June 5, 2012.

### FINDINGS

6. The “Adopted” Agreement, which GTA and GT intend to use as their Interconnection Agreement, was fully reviewed and approved by the PUC in GTA Docket 10-08.
7. The “Adopted” Agreement includes terms and conditions which the PUC previously ordered, and the proposed ICA complies with the prior orders of the PUC and the ALJ.<sup>4</sup>
8. The Interconnection Agreement Proposed by GTA and IT&E does not violate the standards set forth in 47 USC §252[e][2][A]. The Agreement includes the provisions previously mandated by the PUC; the provisions of the Agreement have been negotiated by the parties and appear to have resulted in a final product which adequately protects the interests of both.
9. The parties have voluntarily negotiated the terms of their Interconnection Agreement in good faith, and the Agreement appears to protect the interests of both parties.
10. The Amendment does not discriminate against a telecommunications carrier not a party to the Interconnection Agreement. The Agreement 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.<sup>5</sup>

### ORDER

Based upon the foregoing, the Guam Public Utilities Commission, by and through its Chairman in accordance with 12 GCA §12004, **orders that:**

1. The Interconnection Agreement between TeleGuam Holdings, LLC and Guam Telecom, LLC, as filed herein on June 5, 2012, is approved.
2. GTA and GT are hereby authorized to utilize the Interconnection Agreement previously approved by the PUC for GTA and PDS on October 29, 2010 as their “Adopted” Agreement.

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<sup>4</sup> PUC Counsel Report, GTA Docket 10-08, dated October 19, 2010, at p. 2.

<sup>5</sup> See Guam Telecommunications Act of 2004, 12 GCA §12101(2).

Order  
In Re: Joint Submission of GTA & GT  
For Approval of ICA  
GTA Docket 12-03  
June 20, 2012

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3. All terms and conditions of GTA and GT, as set forth in Attachment A to their Joint Petition, are also hereby approved. The parties shall comply with all duties and obligations thereunder in accordance with their Interconnection Agreement.
4. In the event that the parties revise, modify or further amend their Interconnection Agreement, as approved herein, the revised, modified or amended Interconnection Agreement shall be submitted to PUC for approval pursuant to 47 USC §252[e][1] prior to taking effect.
5. The Interconnection Agreement as approved herein shall terminate in accordance with Attachment A, but in no event later than September 28, 2013.
6. PUC reserves the jurisdiction and authority to enforce the Interconnection Agreement, to issue appropriate orders with regard thereto, and to hear and resolve complaints with respect to the Interconnection Agreement pursuant to PUC's existing authority.
7. GTA and GT are ordered and directed to each pay one half of the PUC's regulatory expenses and fees in this docket.

Dated this 20<sup>th</sup> day of June, 2012.

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Jeffrey C. Johnson  
Chairman