

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN RE: Tariff Transmittal No. 14, )  
Promotional Offerings ) GTA DOCKET 10-05  
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**PUC COUNSEL REPORT**

**BACKGROUND**

In its Petition filed June 7, 2010, GTA Teleguam LLC [GTA] proposes a tariff which establishes a promotional offering for customers who subscribe to Spyder Broadband Services without voice services.<sup>1</sup> Tariff Transmittal No. 14, an amendment to General Exchange Tariff No. 1 supplies a residential one-party access line, with certain limitations, to residential subscribers who subscribed to Spyder Broadband Services.<sup>2</sup> The line will be provisioned to allow outgoing E911 and 611 (GTA repair center) abbreviated dialing only with unlimited incoming calls.<sup>3</sup> The Promotional Offering states that it will only be in effect for the period of July 1, 2010 through September 28, 2010.<sup>4</sup>

During the promotional period, all applicable non recurring rates will be charged and the promotional monthly rate will be \$1.00 per line.<sup>5</sup>

In accordance with 12 GCA §12106 of the Guam Telecommunications Act of 2004, telecommunications companies, such as GTA, are required to file new tariffs with the PUC. Any new proposed tariff cannot go into effect until after thirty (30) days prior notice to the PUC, unless there is prior authorization by the PUC.<sup>6</sup> Since GTA filed the Tariff Transmittal No. 14 on June 8, 2010 with the PUC, it did not go into effect until

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<sup>1</sup> GTA Petition, GTA Docket 10-05, filed June 8, 2010.

<sup>2</sup> New Par. XVII, Promotional Offerings, General Exchange Tariff No. 1.

<sup>3</sup> Id.

<sup>4</sup> Id.; as will be subsequently discussed, the Promotion Offering was in fact only effective July 7, 2010.

<sup>5</sup> Par. XVIII.

<sup>6</sup> 12 GCA §12106(b).

July 9, 2010. Even though the tariff is now in effect, the PUC still has the statutory authority to further review such tariff and suspend the operation or effectiveness of the same for a period of not more than four months after notice is filed.<sup>7</sup> In the event that the PUC approves this tariff, GTA will be required to come back to the Commission for further approval if it seeks to extend the Promotional Offering beyond September 28, 2010 (such would constitute an amendment to a tariff under the law, which is also subject to PUC review).

### RECOMMENDATION

Counsel met with Eric N. Votaw, Vice President, Regulatory, of GTA to discuss this Promotional Offering. The intent of the Offering is to ensure that customers have access to critical services like E911 and the ability to call GTA for service issues. One of the purposes of the Guam Telecommunications Act of 2004 is to “provide the people of Guam with modern, innovative, accessible, and affordable telecommunications services...”<sup>8</sup> It is likely that this Promotional Offering will enable residential customers of GTA to have greater access to E911 service and GTA’s repair services. Such offering is only for a period of short duration, and this test period will give both GTA and the PUC an opportunity to determine if such offering should continue after September 28, 2010.

Counsel recommends that the PUC approve Tariff Transmittal No. 14, Promotional Offering. However, the Tariff should be corrected to indicate that its effective date is July 9, 2010. A draft Order is submitted to the Commission for its consideration.

Dated this 15<sup>th</sup> day of July, 2010.

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Frederick J. Horecky  
PUC Counsel

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<sup>7</sup> 12 GCA §12106(d).

<sup>8</sup> 12 GCA §12101(b)(2).