

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



IN THE MATTER OF: )  
)  
)  
E-911 FISCAL 2015 SURCHARGE )  
[Creation of Docket to Establish E911 )  
Surcharge for Voice Over Internet )  
Protocol Calls] )

GTA Docket 16-01  
ORDER

INTRODUCTION

1. This matter comes before the Guam Public Utilities Commission [“PUC”] upon the E-911 Fiscal 2015 Surcharge Summary prepared by PUC Consultant Slater, Nakamura & Co., LLC [“Slater”], filed on or about March 14, 2016.<sup>1</sup>

BACKGROUND

2. In its E-911 Fiscal 2015 Surcharge Summary, Slater recommended that the PUC establish procedures for assessing and collecting surcharges on VOIP telephone services.<sup>2</sup>
3. Public Law No. 32-096, enacted on November 27, 2013, amended the existing law regarding the Collection of the 911 Surcharge to include Voice Over Internet Protocol (VOIP) Providers.<sup>3</sup>
4. For purposes of Public Law No. 32-096, “VOIP Provider” is defined as “a provider of telephone service over the internet, and within the 671 area code.”<sup>4</sup>
5. Thus, the PUC is required by Public Law No. 32-096 to establish procedures for assessing and collecting surcharges on VOIP telephone services.

DETERMINATIONS

6. Since the technology for VOIP calls is different from that for land line or CMRS calls, the PUC does need to establish a docket in order to properly implement surcharge procedures and protocols for VOIP calls.

<sup>1</sup> Slater, Nakamura & Co., LLC, GTA Docket 16-01, E-911 Fiscal 2015 Surcharge Summary, filed on March 14, 2016.

<sup>2</sup> Id. at p. 7.

<sup>3</sup> Public Law No. 32-096, enacted on November 27, 2013.

<sup>4</sup> Id. at p. 3.

Order  
E911 Fiscal 2015 Surcharge  
Creation of Docket for VOIP Calls  
GTA Docket 16-01  
May 26, 2016

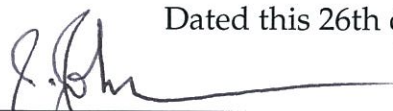
7. A new docket should be created so that the Administrative Law Judge can conduct appropriate proceedings wherein all VOIP service providers can provide input concerning the establishment of an E-911 Surcharge for VOIP telephone service.

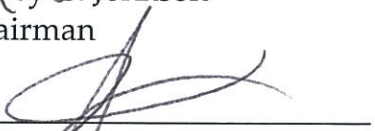
### ORDERING PROVISIONS

After review of the record herein, including the Slater, Nakamura FY 2015 E-911 Surcharge Summary and the PUC Counsel Report, for good cause shown, on motion duly made, seconded and carried by the undersigned Commissioners, the Guam Public Utilities Commission **HEREBY ORDERS** that:

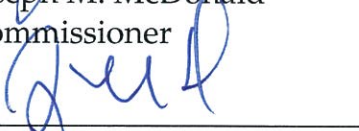
1. The creation of a new docket to address the implementation of the E-911 Surcharge on VOIP telephone services is hereby authorized.
2. The Administrative Law Judge is authorized to conduct appropriate proceedings in such docket, and to then recommend a procedure for implementation of the E-911 Surcharge on VOIP calls.
3. Final implementation of procedures for imposing the E-911 Surcharge on VOIP calls will be subject to the prior review and approval of the Commissioners.
4. GTA is ordered to pay the Commission's regulatory fees and expenses, including, without limitation, consulting and counsel fees and the fees and expenses of conducting the hearing proceedings, from the Enhanced 911 Emergency Reporting System Fund. Assessment of PUC's regulatory fees and expenses is authorized pursuant to 12 GCA §§12103(b) and 12125(b), and Rule 40 of the Rules of Practice and Procedure before the Public Utilities Commission.

Dated this 26th day of May, 2016.


  
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Jeffrey C. Johnson  
Chairman


  
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Rowena E. Perez  
Commissioner

  
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Joseph M. McDonald  
Commissioner

  
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Peter Montinola  
Commissioner

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Michael A. Pangelinan  
Commissioner

  
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Filomena M. Cantoria  
Commissioner

  
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Andrew L. Niven  
Commissioner