BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

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IN THE MATTER OF:)	GTA Docket 17-03	15.1.31
)		
E-911 SURCHARGE)	ORDER	
[Creation of Docket to Establish E911)		
Surcharge for Voice Over Internet)		
Protocol Calls])		

INTRODUCTION

1. This matter comes before the Guam Public Utilities Commission ["PUC"] upon its Order establishing a Docket for the creation of an E-911 Surcharge for Voice Over Internet [VOIP] Protocol Calls.¹

BACKGROUND

- 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.²
- 3. In its May 26, 2016, Order, the PUC authorized the creation of a new docket to address the implementation of the E-911 Surcharge on VOIP telephone services.³
- The Administrative Law Judge [ALJ] was authorized to conduct appropriate proceedings, and to then recommend a procedure for implementation of the E-911 Surcharge on VOIP calls.⁴
- 5. On June 12, 2017, the ALJ notified the Collection Agents and the PUC Consultant Slater Nakamura that a meeting to establish the implementation of the E-911 Surcharge on VOIP calls would be held on July 6, 2017, at the PUC Office.⁵

¹ PUC Order, GTA Docket 16-01 [Creation of a Docket to Establish E911 Surcharge for Voice Over Internet Protocol Calls], dated May 26, 2016.

² Public Law No. 32-096, enacted on November 27, 2013.

³ PUC Order, GTA Docket 16-01 [Creation of a Docket to Establish E911 Surcharge for Voice Over Internet Protocol Calls], dated May 26, 2016, at p. 2.

⁵ Email from ALJ Fred Horecky to Five Collection Agents, Telecom Parties, and PUC Consultant Slater Nakamura.

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6. The ALJ and the Parties collectively developed an implementation protocol for the creation of an E-911 Surcharge for Voice Over Internet [VOIP] Protocol Calls.

DETERMINATIONS

- 7. The ALJ filed his Report herein on July 10, 2017. The PUC adopts the protocol recommended by the ALJ and the Telecom Parties.
- 8. The recommended protocol is a reasonable and appropriate procedure for implementation of an E-911 Surcharge for Voice Over Internet [VOIP] Protocol Calls.

ORDERING PROVISIONS

Upon consideration of the record herein, the prior Order of the PUC and the ALJ Report, and for good cause shown, on motion duly made, seconded, and carried by the affirmative vote of the undersigned Commissioners, the Guam Public Utilities Commission **HEREBY ORDERS** that:

- 1. The following protocol is hereby adopted; each ILEC, CLEC, and CMRS Carrier shall comply with all provisions of the protocol:
 - a. On or before October 31, 2017, each Collection Agent shall file a report with the PUC and Slater Nakamura which includes the following: whether such ILEC or CLEC inclusive of CMRS Carriers is presently reporting and collecting E911 surcharges on VOIP lines, and if so, when such company started collecting such surcharges; how many VOIP accounts it has and how much it has collected on VOIP accounts.
 - b. The E911 Surcharge shall be charged for lines/stations that have full access to VOIP, such that VOIP calls can be made and received.
 - c. On or before December 30, 2017, each Collection Agent for ILEC/CLEC/CMRS shall have fully set up the procedure for implementation of the E911 Surcharge on VOIP calls. Each Collection Agent shall also submit an application to the PUC by that date for approval of any administrative expense sought to be claimed for implementation of the E911 Surcharge on VOIP Calls.

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- d. Commencing on January 1, 2018, each ILEC/CLEC/CMRS shall commence billing the E911 Surcharge to customers for VOIP Calls.
 - 1. Each VOIP provider shall remit the amounts collected from the VOIP E911 Surcharge to the Department of Administration no later than forty-five (45) days after the end of the month in which the amount is collected.
 - 2. All requirements in law or established by the PUC relative to the E911 Surcharge in general shall also be applicable to the VOIP E911 Surcharge.
 - 3. PUC Consultant Slater Nakamura will amend the Collection Agent Reporting worksheet to include VOIP under the landline spreadsheet as a separate Row.
- 2. The PUC regulatory fees and expenses for this matter shall be paid from E-911 Surcharge Collection Funds.

Dated this 27th day of July, 2017.

Jeffrey C. Johnson

Chairman

Rowena/E/Perez Commissioner

Michael A. Pangelinan

Commissioner

Filomena M. Cantoria

Commissioner

Joseph M. McDonald

Commissioner

Peter Montinola

Commissioner

Andrew L. Niven

Commissioner