

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

In the Matter of:)
) **GTA Docket 10-01**
)
Joint Petition of GTA Telecom LLC and)
Pacific Data Systems Inc. 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 January 26, 2010, GTA Telecom LLC [GTA] and Pacific Data Systems Inc. [PDS] 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 Interconnection Agreement between GTA and PDS by Order dated September 18, 2006. ² In their present Petition, the parties request that the PUC approve a specific Amendment to the Interconnection Agreement attached as Exhibit "A" to the Petition.

The Amendment requires that GTA provide PDS with "Dedicated Transport unbundled from other Network Elements at the rate set forth in the Pricing Attachment". Subject to certain terms and conditions, the Amendment also grants PDS the right under applicable law "to convert such transport to unbundled dedicated transport", upon proper notice to GTA. ³

PUC Legal Counsel has filed a Report herein recommending that the Commission approve the Petition of the Parties. The PUC adopts the recommendation of Counsel, and finds that the amendment proposed by GTA and PDS does not violate the standards set forth in 47 USC §252[e][2][A]. The Amendment offers a Dedicated Transport Service to PDS, which service is available to other parties on the same pricing terms and conditions. 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

¹ GTA & PDS Petition for Approval of the 2nd Amendment to the Interconnection Agreement, GTA Docket 10-01, filed January 26, 2010.

² PUC Order Approving Interconnection Agreement, Docket 05-11, issued September 18, 2006.

³ Exhibit "A" to GTA & PDS Petition for Approval of the 2nd Amendment to the Interconnection Agreement.

the public interest to provide the people of Guam with modern, innovative, accessible, and affordable telecommunications services and products. ⁴

Order

Based upon the foregoing, the Guam Public Utilities Commission **orders that:**

1. Amendment 2 to the Interconnection Agreement between GTA Telecom LLC and Pacific Data Systems Inc., as filed with their January 26, 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 amended Interconnection Agreement shall be submitted to PUC for approval pursuant to 47 USC §252[e][1] prior to taking effect.
3. The 2nd Amendment as approved herein shall terminate not later than September 26, 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 PDS are ordered and directed to each pay one half of the PUC's regulatory expenses and fees in this docket.

Dated this 25th day of February, 2010.

Jeffrey C. Johnson
Chairman

Joseph M. McDonald
Commissioner

⁴ See Guam Telecommunications Act of 2004, 12 GCA §12101(2).

PUC Order
GTA Docket 10-01
GTA/PDS Joint Petition
for Approval of Amendment of IA
February 23, 2010

Rowena E. Perez
Commissioner

Filomena M. Cantoria
Commissioner

Michael A. Pangelinan
Commissioner