

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



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)
IN RE: PETITION FOR APPROVAL OF)
GWA’S THIRD FIVE-YEAR)
FINANCIAL PLAN (BASE RATE)
INCREASES))
_____)

GWA DOCKET 19-08

**ORDER GRANTING
PETITION TO INTERVENE**

On May 18, 2021, the U.S. Department of the Navy on behalf of the Department of Defense (hereinafter collectively referred to as the “Navy”) filed a Petition to Intervene (the “Petition”) in the instant matter. On May 21, 2021, the Administrative Law Judge (the “ALJ”) assigned to this matter issued a Notice affording the Parties to file a response to the Petition by no later than May 26, 2021. Guam Waterworks Authority (“GWA”) and Georgetown Consulting Group (“Georgetown”) each filed a response indicating their non-opposition to the Petition.

Rule 8 of the Guam Public Utility Commission’s Rules of Procedure provides that non-parties may intervene where such non-parties claim an interest in the pending proceedings. In this instance, the Navy seeks to intervene because it “maintains numerous military installations within the Territory of Guam which activities obtain and use water and wastewater services” from GWA; and that “[t]he nature and extent of DoD’s property, financial and other interests on Guam are substantial.”¹ The Navy further submits that the “DoD is one of the largest purchasers of water and wastewater services in the Territory of Guam.”² Significantly, too, it indicates that it has been a party in other

¹ Petition for Leave to Intervene and Become a Party, Department of the Navy and Department of Defense, GWA Docket 19-08, p. 1 (May 18, 2021).

² Petition, p. 1.

dockets related to revenue requirement or cost allocation and rate design issues; and that its “participation can assist in producing complete and accurate discovery and developing a sound record.”³

Accordingly, the Navy submits that “[t]he nature of the matters which are the subject of this docket could have a substantial impact on the Movant” and that it has “a crucial and strategic interest in securing water and wastewater services at the lowest reasonable and nondiscriminatory cost.”⁴ Further, such intervention “would not unreasonably broaden the issues or delay the proceedings in this docket.”⁵

Indeed, the Navy is in fact a large purchaser of GWA water; and its operations are undoubtedly crucial to the security of the nation and the island. In addition, the proposed creation of a new “Navy Customer Class” will directly impact the Navy. For these reasons, the Navy will certainly be affected by the outcome of this proceeding.

Moreover, this Commission has permitted the Navy to participate in prior rate cases. This Commission has encouraged and permitted participation by stakeholders and ratepayers in discharging its obligations set forth in Public Utilities Commission and the Guam Telecommunications Act of 2004, found at 12 G.C.A. Section 12101 *et seq.* Based on the Navy’s assertions in its Petition, taking into consideration that the existing parties to these proceedings have no objections to the Navy’s proposed participation in this case, as well as the other reasons set forth herein, the ALJ hereby GRANTS the Navy’s Petition to Intervene.

³ Petition, pp. 1-2.

⁴ Petition, p. 1.

⁵ Petition, p. 2.

The parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings, and other documents which may hereinafter be filed in this proceeding to the Navy and its attorneys. Further, GWA shall respond to the Navy's May 20, 2021 First Data Request two GWA no later than two weeks from the date of this Order.

SO ORDERED this 9th day of June, 2021.



JOEPHET R. ALCANTARA
Administrative Law Judge