



BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

**ARBITRATION OF INTERCONNECTION
DISPUTES BETWEEN PACIFIC DATA
SYSTEMS, INC. AND GTA TELEGUAM LLC**

Docket No. 08-11

SCHEDULING ORDER

On November 4, 2008, the Chairman of the GPUC issued an order which adopted the ARBITRATION REPORT issued by ALJ Harry M. Boertzel. Subsequently, on November 10, 2008, the Guam Public Utilities Commission approved and ratified the ORDER of the Chairman.

Pursuant thereto, the ALJ is authorized and directed to oversee the enforcement proceedings under IIR§4 in which GTA would be required to either repair or replace the 7 Dark Fiber Routes at issue, consistent with the Limtiaco Standards.

The ALJ hereby requests a brief position statement from the parties (five pages or less) concerning the relief to which PDS is entitled in this proceeding, including the process whereby GTA will provide the 7 Dark Fiber Routes to PDS in guaranteed good working condition, and the monetary remedies to which PDS is entitled under the ICA.

GTA, PDS, and Commission's regulatory consultant, Georgetown Consulting Group, are requested to address the following issues in their position statements:

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(1) Repairs to the 7 Dark Fiber Routes

The repairs needed for each route, the timeline/schedule for all repairs to be completed, in accordance with the GPUC Order; and the process for final determination that the routes are in accordance with the Lintiacco Standards.

(2) Monetary Relief due PDS

What relief, if any, has GTA provided to PDS under ICAA§25.2; what monetary relief is PDS entitled to under the Commission's ORDER; what amounts did PDS pay to GTA for dark fiber routes that were determined not to be in good working condition; what amounts are due from GTA to PDS for overpayment of services and Service Delivery Failure.

(3) Position statements by the parties shall be filed with the Commission on or before December 1, 2008. Thereafter the ALJ will set a Conference for purpose of discussing and resolving the issues herein.

SO ORDERED this 24th day of November, 2008.


DAVID A. MAIR
Administrative Law Judge