

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN RE:	REQUEST BY THE GUAM WATERWORKS AUTHORITY TO)	GWA Docket No. 15-02
	REPROGRAM 2013 BOND PROCEEDS))	ORDER
)	

INTRODUCTION

This matter comes before the Guam Public Utilities Commission (the "PUC") at the request of Petitioner Guam Waterworks Authority ("GWA") for approval to reprogram projects funded by GWA's 2013 Bond ("2013 Bond") proceeds, filed with the PUC on December 5, 2014.

DETERMINATIONS

In its Petition, GWA sought approval to reallocate \$9.7 million of 2013 Bond funds to complete projects required under the November 10, 2011 Order for Preliminary Relief Re: Deadlines for Outstanding Projects under the Amended Stipulated Order issued by the District Court of Guam in <u>U.S. v. Guam Waterworks Authority</u>, Civil Case No. 02-00035 (hereinafter referred to as the "Amended Stipulated Order"). The Petition was supported by Resolution No. 01-FY2015 ("CCU Resolution"), issued by the Consolidated Commission on Utilities ("CCU"), which approved GWA's Capital Improvement Plan for 2014-2019 (hereinafter referred to as the "CIP"), and authorized GWA to seek PUC approval for the 2013 Bond fund reallocations.

In addition, the Petition was further supported by the CIP, which is attached to GWA's Petition as "Exhibit A" to the CCU Resolution. GWA's request for reprogramming affects only a few potable water and wastewater projects, as well as an electrical engineering project, and a single miscellaneous project, which are contained in the CIP.

GWA further set forth such projects requiring 2013 Bond reprogramming in its Petition. The capital improvement projects requiring reprogramming include only a few potable water and wastewater projects, as well as an electrical engineering project, and a single miscellaneous project. Pursuant to 12 G.C.A. §12004, the PUC is tasked with reviewing and approving all uses of bond proceeds.

On December 24, 2014, the Administrative Law Judge of the PUC (the "ALJ"), issued an ALJ Report regarding GWA's request to reprogram the 2013 Bond proceeds. Upon review, and based on the documentation provided by GWA, the ALJ found that the projects for which GWA sought approval for reprogramming in its Petition were designed to improve Guam's water and wastewater utility infrastructure; to increase their reliability and efficiency; and to comply with the Amended Stipulated Order. Accordingly, the ALJ found that such projects and the reallocations were reasonable given the need for the expansion and improvement of Guam's water and wastewater systems; and, therefore, recommended the PUC's approval of the Petition.

The ALJ, however, further recommended that GWA submit to the PUC updates on the meter replacement program. The ALJ recommended that the PUC require GWA to report on the status of this program by April 1, 2015.

The Commission hereby adopts the findings made in the December 24, 2014 ALJ Report and, therefore, issues the following:

ORDERING PROVISIONS

Upon consideration of the record herein, the December 24, 2014 ALJ Report, and for good cause shown, on motion duly made, seconded and carried by the affirmative vote of the undersigned Commissioners, the Commission hereby ORDERS the following:

- GWA's petition for approval to reprogram \$9.7 million of 2013
 Bond funds is hereby GRANTED.
- 2. With respect to the Meter Replacement Program, GWA shall file a report with the PUC detailing the status of the program by April 1, 2015.

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[SIGNATURES TO FOLLOW ON NEXT PAGE]

3. GWA is further ordered to pay the PUC's regulatory fees and expenses, including and without limitation, consulting and counsel fees, and the fees and expenses associated with this docket. Assessment of the PUC's regulatory fees and expenses is authorized pursuant to 12 G.C.A. §§ 12002(b) and 12024(b), and Rule 40 of the Rules of Practice and Procedure before the PUC.

SO ORDERED this 29th day of December, 2014.

JERFREY C. JOHNSON

Chairman

JOSEPH M. MCDONALD

Commissioner

MUCHAEL A. PANGELINAN

Commissioner

ANDREW L. NIVEN

Commissioner

ROWENA E PEREZ

Commissioner

FILOMENA M. CANTORIA

Commissioner

PETER MONTINOLA

Commissioner

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