BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN THE MATTER OF: PACIFIC DATA SYSTEMS GENERAL EXCHANGE TARIFF NO. 1, TARIFF TRANSMITTAL NO. 2

PDS DOCKET 09-01

ORDER

On March 10, 2009, Pacific Data Systems ["PDS"] filed with the Guam Public Utilities Commission [PUC] Tariff Transmittal No. 2, which amends and revises its General Exchange Tariff No. 1.¹ In addition, PDS adds certain new services to Tariff No. 1: Voicemail, Fractional PRI, Special Access Services, Pay Telephone Services, and Centrex Services.

On March 28, 2009, the Georgetown Consulting Group, Inc. ["GCG"] recommended approval of the changes and revisions contained in Tariff Transmittal No. 2; it also approved the addition of new tariffs for voicemail, fractional PRI, Special Access Services, Pay Telephone Services, and Centrex services.²

Upon consideration of the record herein, review of the Tariff Transmittal No. 2 filed by PDS on March 10, 2009, and the Report of GCG, for good cause shown and on motion duly made, seconded and carried by the affirmative vote of the undersigned Commissioners, the Commission hereby ORDERS that:

- 1. PDS' Tariff Transmittal No. 2 was properly filed pursuant to 12 GCA §12106(a), which requires telecommunications companies such as PDS to file tariffs indicating the rates and charges and the classifications, terms, and conditions of its telecommunications services.
- 2. Tariff Transmittal No. 2, including all changes, revisions, deletions, and additions to PDS General Exchange Tariff No. 1, are hereby approved and adopted.
- 3. PUC approval is not required for the rate reduction in Section 4.1B for Analog Business Line (MRC). 12 GCA §12106(d).
- 4. The provision of rates for Voicemail services, in Section 4.08, is a nonregulated telecommunications service. Although PUC approval is not required, there is no objection to inclusion for service in its tariff.
- 5. The provisions and mandates for fractional ISDN PRI services and new service move or change charge, is reasonable and are approved.

¹ Tariff Transmittal No. 2, Pacific Data Systems General Exchange No. 1, filed March 10, 2009.

² Georgetown Consulting Group Inc. Report on Tariff Transmittal No. 2, filed March 27, 2009.

- 6. The "special access" services provided in Section 6 to telecommunications providers, and not to PDS' end user customers, are also approved. PDS shall amend its definition of "Call Termination", as contained in Section 6.1.2E, as suggested in the Report of GCG.³
- 7. The Pay Telephone Services and Centrex services provided in Section 7 and 8 are also approved.
- 8. Any other changes, revisions, deletions or additions set forth in Tariff Transmittal No. 2, although not specifically referenced herein, are hereby deemed to be approved.
- 9. Tariff Transmittal No. 2, and all changes, revisions, deletions or additions contained therein with regard to PDS General Exchange Tariff No. 1, shall be effective on April 10, 2009. A change in a tariff may not be effective except upon thirty (30) days prior notice to the Commission. 12 GCA §12106(b).
- 10. PDS shall file with the PUC a revised General Exhange Tariff No. 1, in accordance with this ORDER, within three (3) days of this date, and obtain a stamped copy thereof.
- 11. PDS is ordered to pay for the PUC's regulatory fees and expenses incurred in this Docket, including, without limitation, consulting and counsel fees and expenses. Assessments of PUC's regulatory fees and expenses is authorized pursuant to 12 GCA §12002(b) and 12024(b), 12104, 12103, the Rules Governing Regulatory fees for Telecommunications Companies, and Rule 40 of the Rules of Practice and Procedure before the PUC.

Dated this 30th day of March 2009.

Jeffrey C. Johnson Chairman Joseph M. McDonald

Filomena M. Cantoria

Rowena E. Perez

Michael A. Pangelinan

³ By email dated March 20, 2009, PDS, through its principal John Day, has agreed to change the definition of "Call Termination" in Section 6.1.2E, as recommended in the GCG Report.