

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN THE MATTER OF:)	
PACIFIC DATA SYSTEMS GENERAL)	PDS DOCKET 09-01
EXCHANGE TARIFF NO. 1,)	
TARIFF TRANSMITTAL NO. 2)	
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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.² 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.³ At its meeting of March 30, 2009, the Commission considered Tariff Transmittal No. 2 of PDS, but did not have a quorum of Commissioners who could vote on this matter. Therefore, further consideration of the matter was tabled until this meeting of April 20, 2009.⁴ In the meantime, on April 13, 2009, PDS filed with the PUC a revised General Exchange Tariff No. 1, including the changes and revisions contained in Tariff Transmittal No. 2, and further amended the definition of "call termination", as requested by GCG, in Section 6.1.2.E.⁵ Said filing was stamp receipted by the Commission. Upon consideration of the record herein, review of revised General Exchange Tariff No. 1, as amended by Tariff Transmittal No. 2, 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

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

² Id.

³ Georgetown Consulting Group Inc. Report on Tariff Transmittal No. 2, filed March 27, 2009.

⁴ Minutes of Meeting of March 30, 2009, "Other Business".

⁵ 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.

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, is 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 non-regulated telecommunications service. Although PUC approval is not required, there is no objection to inclusion of such 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.
6. The “special access” services provided in Section 6 to telecommunications providers, and not to PDS’ end user customers, are also approved.
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 as of April 14, 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 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.

PDS Tariff Transmittal No. 2
PDS Docket 09-01
PUC ORDER
April 20, 2009

Dated this 20th day of April, 2009.

Jeffrey C. Johnson
Chairman

Joseph M. McDonald

Filomena M. Cantoria

Rowena E. Perez

Michael A. Pangelinan