

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



IN THE MATTER OF:)
) PTI Docket 19-01
JOINT PETITION OF TELEGUAM)
HOLDINGS, LLC AND PTI PACIFICA INC.)
d/b/a IT&E FOR APPROVAL OF) **ORDER**
AMENDMENT #1, WIRELESS)
INTERCONNECTION AGREEMENT)
_____)

INTRODUCTION

1. This matter comes before the Guam Public Utilities Commission ["PUC"] on the Petition of TeleGuam Holdings LLC ["GTA"] and PTI Pacifica Inc. d/b/a IT&E ["PTI"] for approval of Amendment #1 to Wireless Interconnection Agreement.¹
2. In Amendment #1, the Parties request that certain amendments be made to various provisions of the Wireless Interconnection Agreement.²

BACKGROUND

3. On March 28, 2019, the PUC approved the Wireless Interconnection Agreement between the Parties.³ The Parties have now determined that certain amendments must be made to either correct or further explain certain provisions of the Wireless Interconnection Agreement. The amendments are primarily of a technical nature.
4. The Parties further request that "the GPUC approve the Agreement in accordance with the requirements of Section 252(e) of the Act by determining that the grounds for rejection of such agreement are not applicable to the proposed amendments in Amendment #1."⁴

¹ Joint Petition of GTA and IT&E, PTI Docket 19-01 for Approval of Amendment #1 to Wireless Interconnection Agreement, filed July 23, 2019.

² Id., at Amendment #1 to Wireless Interconnection Agreement.

³ PUC Order, PTI Docket 19-01, dated March 28, 2019, at Ordering Provision No. 1, p. 4.

⁴ Joint Petition of GTA and IT&E for Approval of Amendment #1 to Wireless Interconnection Agreement, PTI Docket 19-01, filed July 23, 2019, at p. 1.

5. The ALJ filed his Report herein dated August 24, 2019. The PUC adopts the findings and recommendations therein.⁵

DETERMINATIONS

6. All of the Amendments appear to be a reasonable accommodation between the Parties. Such amendments seek to more accurately describe their mutual responsibilities and duties under the Agreement. Some of the Amendments are technical corrections.
7. In the GLOSSARY of the Agreement, §2.32 concerns LOCAL/EXTENDED LOCAL CALLING SERVICE/EXTENDED AREA SERVICE (LOCAL/EAS) TRAFFIC. The Definition provides that local/EAS Traffic is any Non-Access Telecommunications Traffic, including VOIP-PSTN Traffic, that originates from an End User Customer physically located in one exchange and terminates to an End User Customer physically located in either the same exchange or other mandatory local calling area associated with the originating End User Customer's exchange.
8. The original definition provided that Local/EAS Traffic did not include traffic that originated from or was directed to or through an ISP or traffic originated as CMRS traffic. Amendment #1 deletes "traffic originated as CMRS traffic". Such CMRS traffic is no longer excluded from Local/EAS Traffic. CMRS traffic may be Local/EAS Traffic.
9. In the Interconnection Attachment, §4, a trunk group on the direct interconnection facility for traffic exchanged between PTI and GTA is established. However, the Amendment changes the provisioning for the designated trunk group. The trunk group will now be provisioned with PTI's NPA/NXX(s) rate centered at GTA's exchange(s) and/or EAS exchange(s) rather than GTA's wireline NPA/NXX(s) rate.
10. Based upon the proposed Amendment, §4.1.1 of the Interconnection Attachment, Landline-to-Wireless, now provides that Non-Access Telecommunications Service Traffic calls originated on GTA's network for termination on PTI's network shall be routed from GTA to PTI *via* the two-way direct trunk group. Prior to the Amendment, the provision provided that such Non-Access Telecommunications

⁵ ALJ Report, PTI Docket 19-01, dated August 24, 2019.

Service Traffic calls could be routed from GTA to PTI *via* a two-way or one-way trunk group. The “one-way trunk group” has been eliminated.

11. §4.2 of the Interconnection Attachment, Wireless-to-Landline, has also been amended. For such Wireless-to-Landline Non-Access Telecommunications Service Traffic the routing *via* a one-way trunk has also been eliminated.
12. The proposed Amendment to §8 of the Interconnection Attachment substitutes “SIGTRAN” for “SS7 Out of Band Signaling” as “the Signaling of choice for interconnecting trunks under this Agreement.” SIGTRAN is a protocol for the transport of message-based signaling protocols over IP networks.⁶ Part of the SIGTRAN Signaling Gateways function to relay, translate, or terminate SS7 signaling.⁷ SS7 (Signaling System 7) “typically employs a dedicated 64 kilobit data circuit to carry packetized machine language messages about each call connected between and among machines of a network to achieve connection control.”⁸
13. In order for the PUC to approve the Amendments to the Wireless Interconnection Agreement, it must determine that the amendments “do not discriminate against a telecommunications carrier not a party to the Interconnection Agreement...”⁹
14. The proposed Amendments do not discriminate against a telecommunications carrier not a party to the Interconnection Agreement. In the Agreement, it is specified that neither party will use any service provided which in any manner prevents other persons from using their service or destroys the normal quality of service to other carriers or to either Party’s customers.¹⁰
15. Furthermore, the Amendments are consistent with the public interest, convenience and necessity. In accordance with the Guam Telecommunications Act of 2004, it is in the public interest to provide the people of Guam with modern, innovative, accessible, and affordable telecommunications services and products.¹¹
16. The Parties request that the PUC approve these amendments retroactive back to the original date of PUC approval for the Wireless Interconnection Agreement, which

⁶ Newton’s Telecom Dictionary (25th Ed.), Definition of “SIGTRAN.”

⁷ Id.

⁸ Newton’s Telecom Dictionary (25th Ed.), Definition of “Signaling System 7”.

⁹ 47 USC §252[e][2][A].

¹⁰ Wireless Interconnection Agreement, p. 38.

¹¹ See Guam Telecommunications Act of 2004, 12 GCA § 12101(2).

was March 28, 2019. PTI Counsel Steve Carrera has represented to the ALJ that all services and billings between the parties since March 29, 2019, have been in accordance with the revisions in Amendment #1, notwithstanding the language in the original Interconnection Agreement.¹² In the Amendment #1 to the Wireless Interconnection Agreement, the parties agreed that the Agreement, as amended, "shall be effective March 29, 2019."¹³

17. The original provisions in the Interconnection Agreement which are now being amended were in error and did not reflect the true operations of the parties. The parties have in fact been operating under the provisions in Amendment #1 since March 28, 2019. Therefore, the parties have requested that the provisions of Amendment #1 be adopted retroactively by the PUC to March 28, 2019.

ORDERING PROVISIONS

After careful review of the record herein, the proposed Amendment #1 to Wireless Interconnection Agreement of GTA and PTI, and considering the recommendations of the ALJ, for good cause shown, on motion duly made, seconded and unanimously carried by the undersigned Commissioners, the Guam Public Utilities Commission hereby **ORDERS** that:

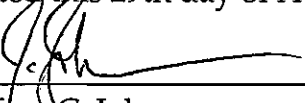
1. Amendment #1 to the Interconnection Agreement between GTA and PTI is approved pursuant to 47 USC 252[e][4].
2. The Amendments satisfy the requirements of 47 USC §252[e][2]. They do not discriminate against any non-party to the Interconnection Agreement.
3. Amendment #1 is approved retroactively to March 28, 2019, in order to correct errors previously made in the language of the Interconnection Agreement.
4. In the event that the Parties further revise, modify, or amend the Interconnection Agreement approved herein, the revised, modified or amended Interconnection Agreement shall be submitted to the PUC for approval pursuant to 47 USC 252[e][1] prior to taking affect.
5. Pursuant to agreement by the Parties, PTI is ordered and directed to pay the PUC's regulatory expenses and fees in this Docket.

¹² Phone conversation between PTI Counsel Steve Carrera and PUC ALJ Fred Horecky on August 9, 2019.

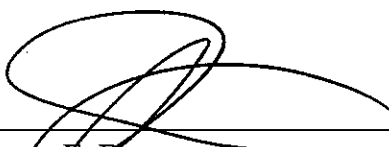
¹³ Amendment #1 to the Wireless Interconnection Agreement, Section II, Signature Page.

Order
Joint Petition of GTA & IT&E
Approval for Amendment #1
PTI Docket 19-01
August 29, 2019


Dated this 29th day of August, 2019.




Jeffrey C. Johnson
Chairman



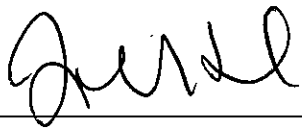
Rowena E. Perez
Commissioner



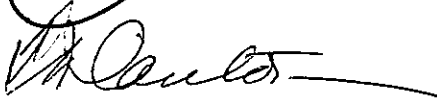
Joseph M. McDonald
Commissioner



Michael A. Pangelinan
Commissioner



Peter Montinola
Commissioner



Filomena M. Cantoria
Commissioner

Mark Miller
Commissioner