

1 **D GRAHAM BOTHA, ESQ.**  
2 **General Counsel**  
3 **Guam Power Authority**  
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6 **Ph: (671) 648-3203/3002**  
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8 **BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

9 **IN THE MATTER OF:** )  
10 **The Application of the Guam Power Authority** ) **GPA DOCKET NO. 22-09**  
11 **to Approve the Contract for Merchant Services** ) **PETITION FOR CONTRACT REVIEW**  
12 **for GPA and GWA.** )

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14 **COMES NOW**, the GUAM POWER AUTHORITY (GPA), by and through its counsel  
15 of record, D. GRAHAM BOTHA, ESQ., and hereby files GPA's Petition for the Public Utilities  
16 Commission of Guam to review and approve GPA and GWA's request for approval of the  
17 contract for Merchant Services, as follows:

18 **BACKGROUND**

19 The Guam Power Authority and Guam Waterworks Authority's contract for merchant  
20 services under which they have been able to accept credit and debit card payments expired in  
21 May 2021, and has been continued month to month pending the award of a new contract.  
22 Customer Care and Billing (CC&B) integrates payment solutions with website, point of sale,  
23 mobile applications, and pay by phone. The CCU in Resolution FY2022-09/08-FY2022 has  
24 approved GPA and GWA's request for approval of the contract for Merchant Services with First  
25 Hawaiian Bank.

26 **DISCUSSION**

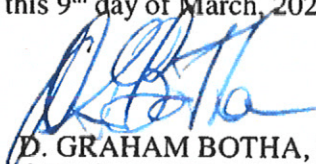
27 GPA hereby petitions the PUC, on behalf of GPA and GWA, pursuant to the Contract  
28 Review Protocol for the Guam Power Authority, approved by the PUC, to review and approve  
the contract for Merchant Services with First Hawaiian Bank. In support of this Petition, GPA

1 hereby provides the PUC with Consolidated Commission on Utilities (CCU) Resolution No.  
2 FY2022-09/08-FY2022, which authorizes the General Managers of GPA and GWA to proceed  
3 with the contract for Merchant Services with First Hawaiian Bank, with an expected cost of  
4 approximately \$600,000 per year and \$3,000,000 for five years, and \$350,000 per year and  
5 \$1,750,000 for GPA and GWA respectively. Said resolution and its exhibits are attached herein  
6 as Exhibit A, and incorporated by reference herein as if fully set forth.

7 **CONCLUSION**

8 The PUC should approve GPA and GWA's request to proceed with the contract for  
9 Merchant Services. Merchant Services are used with Customer Care and Billing for credit cards  
10 and debit cards, and a contract is reasonable, prudent, and necessary.

11 **RESPECTFULLY SUBMITTED** this 9<sup>th</sup> day of March, 2022.

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14 D. GRAHAM BOTHA, ESQ.  
15 GPA General Counsel  
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## **CONSOLIDATED COMMISSION ON UTILITIES**

Guam Power Authority | Guam Waterworks Authority

P.O. Box 2977 ~~Hagatna~~ Hagatna, Guam 96932 | (671) 648-3002 | guamccu.org

### **GPA RESOLUTION NO. FY2022-09**

### **GWA RESOLUTION NO.08-FY2022**

#### **RELATIVE TO THE AUTHORIZATION FOR THE GUAM POWER AUTHORITY AND THE GUAM WATERWORKS AUTHORITY TO AWARD A CONTRACT FOR MERCHANT BANKING SERVICES AND TO PETITION THE GUAM PUBLIC UTILITIES COMMISSION FOR APPROVAL**

**WHEREAS**, the Guam Power Authority (GPA) and the Guam Waterworks Authority (GWA) were authorized by the Consolidated Commission on Utilities (CCU) to issue a Request for Proposal (RFP) for a one-year contract for Merchant Banking Services with the option to extend for four one-year periods on March 23, 2021; and

**WHEREAS**, GPA and GWA personnel were selected to review and evaluate three proposals received in response to the RFP; and

**WHEREAS**, the evaluation committee has completed its review and has determined that, although all three proponents submitted responsive and appropriate technical proposals, the proposal from First Hawaiian Bank was the most comprehensive and acceptable; and

**WHEREAS**, in addition to features offered in its technical proposal, the First Hawaiian Bank, in its price proposal, offered Visa Utility Program and MasterCard® Utility Industry Program rates which offer low interchange rates for utilities; and

**WHEREAS**, this program features a very favorable interchange rate introduced specifically for the utility industry and GPA and GWA expect to save approximately \$1,000,000 and \$220,000 respectively, each year in merchant fees under this new contract; and



1       **WHEREAS**, the First Hawaiian Bank has proposed to provide all implementation support  
2 at no extra cost to the Authority in addition to maintaining consistent pricing throughout the  
3 duration of the contract; and  
4

5       **WHEREAS**, the GPA and GWA General Managers now recommends the approval to  
6 award for a one-year contract for Merchant Banking Services with the option to extend for four  
7 one-year periods at the cost of approximately **\$600,000 per year and \$3 million for five years**  
8 **for GPA and \$350,000 per year and \$1,750,000 for five years for GWA;** and  
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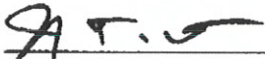
10       **NOW, THEREFORE BE IT RESOLVED**, by the Consolidated Commission on  
11 Utilities, subject to the review and approval of the **PUBLIC UTILITIES COMMISSION (PUC)**,  
12 as follows:

- 13     1.     The General Managers of the Guam Power Authority and Guam Waterworks Authority are  
14           authorized to award the Merchant Banking services contract to the First Hawaiian Bank at  
15           a cost of approximately **\$600,000 per year and \$3 million for five years and \$350,000**  
16           **per year and \$1,750,000 for GPA and GWA**, respectively, for the five-year contract  
17           period consisting of a base year and four additional one-year options. The offer includes  
18           options for renewal that can be exercised at a later date.  
19     2.     The CCU further authorizes the management of GPA and GWA to petition for the PUC's  
20           as required by the contract review protocol.  
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22       **DULY AND REGULARLY ADOPTED AND APPROVED THIS 22<sup>nd</sup> DAY OF**  
23 **FEBRUARY 2022.**  
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26 Certified by:

Attested by:

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30 **JOSEPH T. DUENAS**

31 Chairperson

32 Consolidated Commission on Utilities  
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**MICHAEL T. LIMTIACO**

Secretary

Consolidated Commission on Utilities

1 I, **Michael T. Limtiaco**, Board Secretary of the Consolidated Commission on  
2 Utilities (CCU), as evidenced by my signature above, do hereby certify as follows:

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4 The foregoing is a full, true and correct copy of the resolution duly adopted at a  
5 regular meeting by the members of the Guam CCU, duly and legally held at a place properly  
6 noticed and advertised at which meeting a quorum was present and the members who were  
7 present voted as follows:

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9 Ayes: 4  
10 Nays: Ø  
11 Absent: 1  
12 Abstain: Ø  
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