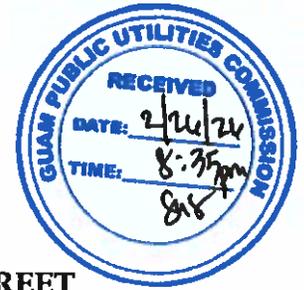


**GUAM PUBLIC UTILITIES COMMISSION**  
**REGULAR MEETING**

**January 29, 2026**

**SUITE 807, DNA BUILDING, 238 ARCHBISHOP F.C. FLORES STREET**  
**HAGATNA, GUAM**

**MINUTES**



**1. CALL TO ORDER**

The Guam Public Utilities Commission [PUC] conducted a regular meeting commencing at 6:30 p.m., on January 29, 2026, pursuant to due and lawful notice. The meeting was called to order at 6:40 p.m. Commissioners Jeffrey C. Johnson, Peter B. Montinola, Joseph M. McDonald, Michael A. Pangelinan and Doris Flores-Brooks were in attendance. The following matters were considered at the meeting under the Agenda included as Attachment "A" hereto.

The Chairperson announced that the next item of business on the agenda is the following PAG matter:

**PORT AUTHORITY OF GUAM**

**2. PAG Docket No. 25-03 - Petition to Adjust the Port Authority of Guam's Tariff Rate.**

Chairman Johnson addressed the next Agenda item, PAG Docket No. 25-03, Petition to Adjust the Port Authority of Guam's ("PAG") Tariff Rate. Chairman Johnson stated that there is no ALJ Report or proposed Order just yet and invited ALJ Joephet R. Alcantara to comment. ALJ Alcantara informed the Commissioners that at the Public Hearings conducted last week in the villages of Dededo, Asan and Tamuning, a number of written and oral testimonies were presented regarding PAG's request to adjust its labor and equipment usage rates. For instance, PUC received testimony from Michelle Quidachay from APL, Mr. John Selleck, who is associated with the Port Users Group ("PUG"), Jacob Tayama from PUG, Catherine Castro and Tae Oh from the Guam Chamber of Commerce. We also received a letter from the Governor of Guam, as well as Senator Sabina Perez. ALJ Alcantara believes additional time is needed to sort through the issues that were raised in both the written and oral testimonies that were given at the public hearings. Accordingly, ALJ Alcantara recommends tabling this matter at this time, in order to resolve some procedural issues that might be encountered.

Chairman Johnson solicited for comments from PAG and PAG General Manager Rory Respicio, appearing virtually before the PUC, stated for the record the following:

In the last hearing in Asan no one testified, however, PAG met with PUG at the Port to go over what this tariff adjustment would mean. It is not an overall tariff adjustment -- it is specific to the labor charge out rate. GM Rory Respicio informed the PUC that both he and Doris Harris, PAG Board Chairperson, are aligned with the Governor's request to hold this matter in abeyance. PAG and its Board have been trying to determine if there is any appetite to implement this tariff adjustment by January of 2027, thus the justification for seeking additional time. PAG continues to

lean on the PUC's Consultant's 74-page report that affirms what PAG is seeking and that the impact is one-tenth of a penny for a canned good and \$60.00 per container. PAG just wants the record to reflect that. All of the work was performed in-house by our finance team headed by our CFO. Because it is a very specific tariff adjustment and not an overall tariff rate, we were able to do that and PAG did not have to employ a consultant to bring us to this stage.

GM Respicio states that he attends conferences, talk to counterparts in the nation and port officials who negotiate with other unions for a five-year contract. Every year there is an escalation clause and that is how his counterparts set their labor rate. As for PAG, it does not get to do that. PAG has to come before the PUC and the last time PAG did that was in 2020 on the last one-percent tariff increase. The Governor has been very supportive to PAG. The Governor gave PAG \$15M from the American Rescue Plan money, which is why PAG did not come to the PUC during FY2022 and 2023. PAG started this petition in FY2024.

PAG CFO Jose ("Jojo") Guevara commented that PAG did its due diligence and worked with the PUG all throughout this process since 2024. PAG has provided an explanation and answered the questions posed and PAG is ready to provide a presentation today. PAG was not able to answer all the comments or respond to all of the testimonies presented, however, PAG met with PUG and showed PUG what PAG's financial condition is. PAG showed PUG why the requested tariff increase is justified and the majority of PUG understood. PAG was hoping to have an audience with PUC to present PAG's basis for the tariff adjustment.

GM Rory Respicio further stated for the record that PUG commented that there was a lot of information to take in. Obviously, there is but PAG did not want to oversimplify this process. PAG has stressed that through its diligence -- PAG's financial stewardship over the last eight years in particular. When PAG floated the 2018 revenue bond, there was a commitment under the bond covenant that our monthly allotment would be \$4.8M. Fast forward to today, PAG's monthly allotment is still at \$4.8M. PAG's employment rates generally flatlined and remained the same. PAG has clean audits, positive bond ratings and, throughout that same period, PAG had about \$106M in federal funds, which is why PAG is very active at the federal level.

And, as explained to ALJ Alcantara, this is the reason PAG is correcting the structural imbalance in how the tariff is administered and how the tariff has been prepared. GM Respicio has asked PAG's consultants early on why there isn't an automatic mechanism to adjust the tariff rate year after year and GM Respicio was informed that it is because no one has ever asked. That is where the thought came about, the Consumer Price Index ("CPI"). PAG did not put a percentage. The PUC Consultant came back with 4%, and PAG proposed it to its Board -- whether it would be amenable to 4% or the CPI, whichever is higher. PAG's Board passed the subsequent resolution agreeing to that particular language. PAG then met with the PUG that Thursday afternoon, and PUG asked if instead of saying 4% or the CPI, whichever is higher, could we agree to 4% or the CPI, whichever is lower? PAG agreed but stated it is up to the PUC to decide. That is an amendment PAG could be amenable to -- that the language be changed from "4% or the CPI, whichever is higher" to "4% or the CPI, whichever is lower". That way PAG will not have to come back to the PUC year after year to go through this very painful process of having to adjust those labor rates. PAG also explained to the industry that it is restructuring how these labor rates are being presented. PAG has some employees that are on Step 10 -- some employees that are on Step 1 and Step 2, and PAG will be taking them at the median pay range, that way everyone will be billed at Step 5. The billing is predictable -- it is consistent. PAG is still subsidizing the industry and the operations because it understands PAG's role in our island's economy and in our region. PAG is not looking to see what its shortfall is and then making it up at the expense of the ratepayers. This is going to cure a

structural deficiency that I have witnessed as GM since day 1 and that I have been wanting to correct.

Then, after this PAG will have to petition the PUC for an overall tariff increase, because when the PUC passed the tariff increase in 2017, that gave PAG the 7.5, then 7%, then 1%, and that last 1% in 2020, certain thresholds were set – i.e., if the CPI went above a certain percentage, if the container throughput went below 100,000. Based on the percentage of the throughput, we should be at 100,000 TEUs. We've flatlined at about 85,00 TEUs. Thus, the revenue that was projected for PAG back in 2017 – PAG was not hitting those marks. This is not about PAG overspending or over-hiring. This is not about promising to have better services. PAG informs the industry that it went from 36 hours in vessel productivity down to 24.5 hours. PAG has gone from deferred maintenance to preventive maintenance. That can be seen in PAG's balance sheet – our maintenance expenses have gone up, particularly in the last several years, because PAG is now performing preventive maintenance. PAG is doing everything that it can and check-marking all those boxes to ensure that PAG can run like a company, but at the same time, going through this very painful public process to try to correct how this tariff is being administered. PAG has asked its partners – in particular, the Chamber of Commerce not to say that this is 17% increase thus causing a public panic. How PAG invoices its carriers does not translate how this impact is felt at the cash register. That's when PUC's Consultant affirmed, one-tenth of a penny per canned good.

We need to take the time to communicate what this impact would be. PAG's Board is extremely sensitive, as the Governor and Lieutenant Governor have been, in the areas of affordability. This is why PAG is okay with the suggestion of putting this matter in abeyance. PAG just can't pause indefinitely. And, if the best PAG can get is January 2027, I think it is still a big victory for PAG, in terms of how this tariff is being administered and how to correct the structural imbalance and inefficiencies in the under-billings that PAG has determined.

Chairman Johnson thanked GM Respicio and inquired if the Commissioners had any questions. Commissioner Flores-Brooks inquired if there are any plans for PAG's Board to either modify its request in line with the negative testimonies, not just from the Governor but from all the people that were cited – most of them did not request an abeyance – most of them just said "No" – will PAG's Board reconsider this docket?

PAG GM Respicio stated that the Open Government Law does not allow the board members to have any meetings or discussions outside of the duly noticed public meeting that have an agenda that's been published. The most GM Respicio has done is reached out to the Board Chairperson to share the Governor's letter requesting that the PUC hold this matter in abeyance. GM Respicio thinks it was very prudent for the Governor to address her letter to PUC Board Chairman and not to the PAG Board, because this is where the matter lies. When the matter first came up, as CFO Guevara stated, we just had a Board meeting, the agenda was published. GM Respicio does not know if PAG would take this back to its Board for reconsideration when PAG's Board has already taken a position as a Board -- it passed the resolution in January of last year, calling on this tariff adjustment. In February there was another resolution, and then the PUC, through its consultant, came up with the 74-page report. The testimony that PAG received from the PUG -- PUG didn't constitute that meeting officially. APL had taken a position on their own. The Senator's testimony -- there is some testimony in opposition to it in addition to the Governor's testimony.

In conclusion, GM Respicio believes that this matter is before the PUC and is unsure if the PAG will take this back to its Board and file an amended docket when all the information is currently before the PUC. Chairman Johnson replied that it would be up to the PAG Board to decide if they want to revisit this. GM Respicio stated that PUC proceeded with these public hearings, and since the matter is before the PUC, it will be up to the PUC to amend, to reject, to just dispose of this docket.

Commissioner Flores-Brooks then pointed out that any petitioner can always amend their docket and the PAG is certainly free to do that. Commissioner Flores-Brooks then reiterated her question and inquired if this matter will be taken up before PAG's Board at their next meeting, either to amend the docket or withdraw the docket, as the PUC will proceed if it does not hear anything from PAG's Board. Chairman Johnson then stated that the PUC will wait to see what PAG's Board determines.

GM Respicio then stated that PAG and the Board Chairperson does not oppose the abeyance and give PUC additional time to answer those questions that came up during the public hearings and to pivot to the 74-page PUC's Consultant's report to affirm everything that PAG has been submitting so as to really communicate what this tariff adjustment would do and when the right time would be to implement it and what that implementation would look like.

Chairman Johnson thanked GM Respicio and CFO Guevara. Commissioner Montinola thereafter moved to table this docket, which motion was seconded by Commissioner McDonald, and the motion was carried and unanimously approved.

## **ADMINISTRATIVE MATTERS**

### **3. Guam Power Authority Power Quality Review Protocol.**

The PUC then transitioned to administrative matters, beginning with the PUC's Guam Power Authority Power Quality Review Protocol. Chairman Johnson invited legal counsel Anthony R. Camacho to present this matter. Legal counsel Camacho stated although he has researched whether there is a power quality review protocol presently in place within the United States, he has been unsuccessful in locating one. Legal counsel Camacho informed the PUC that he did find an organization which has a 97-page model program to measure the quality of electrical power, which consists mostly of mathematical measuring formulas. He has reached out to GPA with a concept and, although he has yet to hear back from GPA, he understands the complexity involved. The power quality has a couple of variables: the quality of the power generated that goes through the transmission; the types of devices and the amount of electricity that the end-user has affects the quality of the power, separate and apart from what is produced. It is still very much a work in progress. Chairman Johnson added that we somewhat have the power quantity issue settled now with the new powerplant and the new solar plants coming on board. The concerns that the community has had are brownouts, blackouts, all these things over time and we should strive to have a better system – have metrics that we would measure as we go forward in time. Chairman Johnson states that he is meeting with GPA for preliminary discussions and requested that legal counsel Camacho attend so he can obtain some of their input – what GPA feels are feasible. Chairman Johnson stated he is not aware whether any utilities have this system in place but it would be nice to have basic things measured.

Legal counsel Camacho informed the PUC that in most jurisdictions that handle the issue of power quality, it is a required part of the service contract between the utility company and a customer; it usually states a range of power that is supposed to be provided; and, what happens if equipment is damaged.

Chairman Johnson then stated that GPA, in its monthly bills to its customers, has been providing a price comparison of Guam power as compared with other jurisdictions, such as the other islands in the Pacific, and stateside like Hawaii and California. Chairman Johnson further stated that he would like to see this information on GPA's bill on a regular basis. GPA's power rates compare very favorably with a lot of jurisdictions and he has yet to see one with a lower cost power structure

than GPA in the entire Pacific. Other island nations have a significantly higher cost — double, triple and even quadruple. With regard to the nations in our area, some of them are heavily subsidized such as South Korea and Taiwan, so they compare more favorably. The government is stepping in and paying a large portion of the power bill. Looking at Japan, which is not subsidized, we are about the same as Japan, which is about 25 cents per kWh. Looking at the developed nations, such as Europe and so forth - the OECD countries, Guam is in the median or the average. Half the nations are cheaper than Guam and half are more expensive than Guam. I believe GPA needs to convey that message out to its customers more often. Moving forward, with the way the amount of our fuel purchase is dropping, our pricing is going to be relatively stable and a lot more reliable than it had been in the past. Both residences and businesses can have a more predictable pricing structure. If we can get the stability and reliability problem improved over time, I believe we will be in a pretty good position. I just want to get that out there - GPA is open to transparency and sharing that information with the community. This is a project that will open up in 2026. Chairman Johnson thanked legal counsel Camacho for his research and insight.

**4. Resolution No. 26-03 - Relative to the Approval of the Employment Agreement for In-House Legal Counsel Anthony R. Camacho.**

Chairman Johnson announced that the next item of business on the Agenda is Resolution No. 26-03, relative to the approval of the Employment Agreement for In-House Legal Counsel Anthony R. Camacho. The Commissioners reviewed the Resolution presented. Chairman Johnson informed the PUC that legal counsel Camacho will be PUC's full time in-house legal counsel and will be commencing his employment, per the contract, on March 1, 2026. Commissioner Montinola moved to approve said Resolution, which motion was seconded by Commissioner McDonald, and the motion was carried and unanimously approved.

**5. FY2025 FOIA Annual Report.**

Chairman Johnson announced that the final item of business on the Agenda, is PUC's FY2025 FOIA Annual Report to be submitted to the Office of the Attorney General, Government of Guam, on January 30, 2026. The Commissioners read the contents of the PUC's FY2025 FOIA Annual Report, and approved the same.

**ADJOURNMENT**

There being no further business before the Commission, Commissioner Montinola moved to adjourn the meeting, which motion was duly seconded by Commissioner Pangelinan. The motion passed unanimously and the meeting was adjourned at 7:30 p.m.



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**Jeffrey C. Johnson**  
Chairperson

**ATTACHMENT "A"**  
**THE GUAM PUBLIC UTILITIES COMMISSION**  
**NOTICE OF PUBLIC MEETING**

NOTICE IS HEREBY GIVEN that the GUAM PUBLIC UTILITIES COMMISSION ("PUC") will conduct a regular business meeting, commencing at 6:30 p.m., on Thursday, January 29, 2026, at Suite 807, DNA Bldg., 238 Archbishop F.C. Flores St., Hagatna, Guam.

The following business will be transacted:

**AGENDA**

1. Call to Order

**PORT AUTHORITY OF GUAM**

2. PAG Docket No. 25-03: Petition to Adjust the Port Authority of Guam's Tariff Rate; ALJ Report, and proposed Order.

**ADMINISTRATIVE MATTERS**

3. Guam Power Authority Power Quality Review Protocol.
4. Resolution No. 26-03: Relative to the Approval of the Employment Agreement for In-House Legal Counsel Anthony R. Camacho.
5. FY2025 FOIA Annual Report.

**ADJOURNMENT**

Further information about the meeting may be obtained from the PUC's Administrator Lourdes R. Palomo at 671-472-1907. Those persons who require special accommodations, auxiliary aids, or services to attend the meeting should also contact Mrs. Palomo.

This Notice is paid for by the Guam Public Utilities Commission.

# GUAM PUBLIC UTILITIES COMMISSION

Jeffrey C. Johnson  
Chairman

Peter B. Montinola  
Vice Chairman

Commissioners  
Joseph M. McDonald  
Michael A. Pangelinan  
Rowena E. Perez-Camacho  
Doris Flores-Brooks

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Lourdes R. Palomo  
Administrator

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Marie M. Leon Guerrero  
Administrator-in Training

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Sheila M. Salas  
Administrative Assistant

Frederick J. Horecky  
Chief Administrative Law Judge

Joephet R. Alcantara  
Administrative Law Judge

Anthony R. Camacho  
Legal Counsel



## RESOLUTION NO. 26-03

### RELATIVE TO THE APPROVAL OF THE EMPLOYMENT AGREEMENT FOR IN-HOUSE LEGAL COUNSEL ANTHONY R. CAMACHO

**WHEREAS**, the **GUAM PUBLIC UTILITIES COMMISSION** (“PUC”) is an autonomous instrumentality independent of the Executive and Legislative Branches of the Government of Guam; and

**WHEREAS**, the **PUC** is empowered pursuant to its (1) Procurement Guidelines and Procedure, ratified and approved at its Regular Meeting held on April 25, 2025, and (2) Title 12, Guam Code Annotated, Chapter 12, §12103, to employ the services of an In-House Counsel required by the **PUC** in the performance of its duties; and

**WHEREAS**, on July 15, 2025, the **PUC**, as Purchasing Agency, issued a Request for Proposal for In-House Counsel (“RFP No. 25-01”); and

**WHEREAS**, **PUC**’s current Legal Counsel **Anthony R. Camacho** applied for and responded to RFP No. 25-01 and it was determined by the **PUC** that the award of a contact under RFP No. 25-01 should be made to **Anthony R. Camacho**, as In-House Legal Counsel, as the most responsive and qualified offeror as determined by evaluating experience and other relevant factors; and

**WHEREAS**, the **PUC** agrees to ratify and affirm the Employment Agreement with **Anthony R. Camacho** more particularly described hereinabove; and

**WHEREAS**, the salary of In-House Legal Counsel, **Anthony R. Camacho**, for the term of the Employment Agreement, shall be for the total amount of **Two Hundred Ten Thousand Dollars (\$210,000.00)** per annum, which is inclusive of compensation for health and welfare benefits. The Guam Federal Wage Determination standards recommends that compensation for Health and Welfare Benefits be included in an employee’s salary where such benefits (i.e., health insurance and others) are not provided to the employee. The **PUC** is unable to provide health insurance or retirement benefits to In-House Legal Counsel **Anthony R. Camacho**.

**NOW THEREFORE**, in due consideration of the above recitals and for good cause shown, the **PUC** hereby resolves that:

1. The Employment Agreement with **Anthony R. Camacho**, as In-House Counsel for the **PUC**, is hereby approved; and
2. The **PUC** hereby ratifies and affirms the Employment Agreement with **Anthony R. Camacho**, as In-House Counsel for the **PUC**, more particularly described hereinabove; and
3. The salary of In-House Legal Counsel, **Anthony R. Camacho**, for the term of the Employment Agreement, shall be for the total amount of **Two Hundred Ten Thousand Dollars (\$210,000.00)** per annum, which is inclusive of compensation for health and welfare benefits; and
4. During the term of his employment, all terms and conditions of said Employment Agreement between the **PUC** and **Anthony R. Camacho** shall remain in full force and effect and shall govern the respective relations of the parties; and
5. That the Chairman is authorized to sign all documents necessary to effectuate the above referenced agreement.

**[SIGNATURES TO FOLLOW ON NEXT PAGE]**

DULY AND REGULARLY ADOPTED ON THIS 29<sup>th</sup> DAY OF JANUARY, 2026.



Jeffrey C. Johnson, Chairman



Peter B. Montinola, Vice Chairman



Joseph M. McDonald, Commissioner



Michael A. Pangelinan, Commissioner



Doris Flores-Brooks, Commissioner