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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

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FILE NO. OPA-PA: 09-012

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7 **PROCUREMENT APPEAL**

8 In the Appeal of) Docket No. OPA-PA-09-012
9 Z4 Corporation,)
10) REQUEST FOR CLARIFICATION AS TO
11) THE OFFICE OF PUBLIC ACCOUNT-
12) ABILITY'S SCHEDULING A HEARING
13) POST THE FINAL APPEALABLE
14) ORDER
15 Appellant.

16 The legislative jurisdiction for the Office of Public Accountability (OPA) in 5 G.C.A.
17 Chapter 5, Article 12, and Public Law 28-68 and the Administrative Rules and Regulations
18 2 G.A.R. Division 4, Chapter 12 do not expressly provide for any further "evidentiary
19 hearings" post the final appealable order.

20 5 G.C.A. Ch. 5, Article 12, Section 5703 states that "The Public Auditor shall not have
21 jurisdiction over disputes having to do with money owed to or by the Government of Guam."

22 Department of Education is a line agency of the Government of Guam and there is an
23 appearance that OPA is conducting a hearing outside its authority in scheduling Appellant's
24 Motion for Evidentiary Hearing. Department of Education while wanting to proceed forward
25 as to resolving all the issues respectfully requests clarification for the record as to the
jurisdiction and the actual issues to be heard.

Dated this 16th day of July, 2010.

DEPARTMENT OF EDUCATION

By: *Laura J. Mooney*
LAURA J. MOONEY
Counsel for Department of Education