



Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

PART I - To be completed by OPA

In the Appeal of)
) NOTICE OF APPEAL
)
Pacific Data Systems, Inc (PDS))
(Name of Company), APPELLANT) Docket No. OPA-PA 15-005
)
)

PART II - Appellant Information

Name: Pacific Data Systems, Inc (PDS)
Mailing Address: 185 Ilipog Drive, Suite 204A
Tamuning, GU 96913
Business Address: same as above
Email Address: John@pdsguam.com
Daytime Contact No.: 671-300-0202
Fax No.: 671-300-0265

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
DATE: 4/7/15
TIME: 11:35 AM BY: CJ
FILE NO OPA-PA: 15-007
15-005

PART III - Appeal Information

- A) Purchasing Agency: Guam Power Authority (GPA)
B) Identification/Number of Procurement, Solicitation, or Contract: IFB Bid GPA-072-14 MS
C) Decision being appealed was made on PDS Protest was made on 11-24-2014, the GPA Protest Decision is still pending and has not been issued by GPA as of this date (date) by:
[X] GPA Chief Procurement Officer _ Director of Public Works _ Head of Purchasing Agency

Note: You must serve the Agency checked here with a copy of this Appeal within 24 hours of filing.

- D) Appeal is made from: (Please select one and attach a copy of the Decision to this form)
[X] Decision on Protest of Method, Solicitation or Award
Decision on Debarment or Suspension
Decision on Contract or Breach of Contract Controversy
(Excluding claims of money owed to or by the government)
Determination on Award not Stayed Pending Protest or Appeal
(Agency decision that award pending protest or appeal was necessary to protect the substantial interests of the government of Guam)

E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:

- Teleguam Holdings LLC
DOCOMO Pacific, Inc.



Appendix A: Notice of Appeal Form **PROCUREMENT APPEAL**

PART IV - Form and Filing

In addition to this form, the Rules of Procedure for Procurement Appeals require the submission together with this form of additional information, including BUT NOT LIMITED TO:

1. A concise, logically arranged, and direct statement of the grounds for appeal;

This is a Procurement Appeal made under §12201 by Pacific Data Systems (PDS) regarding a timely Protest made by PDS of a selection decision of Guam Power Authority (GPA) in the above referenced procurement. The original protest by PDS in this Appeal was made on November 24, 2014 (see Exhibit 1). This appeal is made due to the failure by GPA to render a timely decision in the Protest filed by PDS on November 24, 2014, in GPA Invitation for Bids GPA-IFB-072-14MS for Voice and Data Services.

As of the date of this appeal filing, 134 days have passed since PDS filed its Protest with GPA. PDS now makes this appeal to the Public Auditor in an effort to have the OPA compel GPA to comply with Guam Procurement Law¹ and regulations² by issuing a decision on the pending PDS November 24, 2014 protest.

There are previous precedents for the OPA taking the action requested by PDS. In OPA-PA-08-003 IBSS - Guam Public School System (GPSS), the OPA ordered GPSS to take action on a long pending protest by IBSS of a GPSS procurement. In the Hearing Officer's Finding and Recommendations the OPA determined GPSS' failure to produce a Protest decision was:

- a violation of 5 G.C.A. § 5425(c) and (d)
- a violation of 2 G.A.R., Div.4, Chap. 9 §9101(g)
- a bad faith act that violates 5 G.C.A. §5003
- a failure that undermined the integrity of the procurement process

The OPA made a similar ruling in OPA-PA-12-012 ordering GSA to render a Decision on pending Protests in GSA Invitation for Bid GSA-064-11.

PDS believes the failure by GPA to act in a timely manner on the subject pending PDS protest in this procurement, GPA-IFB-072-14MS is no less egregious behavior by GPA than the similar failure to act by GPSS and GSA cited by the OPA in the aforementioned Appeal decisions.

2. A statement specifying the ruling requested;

PDS requests that the OPA order GPA to immediately make a decision (an order to GPA to issue a protest decision within 7 days of the OPA Decision) on the PDS protest pending in GPA Invitation to Bid GPA-IFB-072-14MS.

3. Supporting exhibits, evidence, or documents to substantiate any claims and the grounds for appeal unless not available within the filing time in which case the expected availability date shall be indicated.

Exhibit 1: November 24, 2014 Protest by PDS of GPA Bid - GPA-IFB-072-14MS

Note: Please refer to 2 GAR § 12104 for the full text of filing requirements.

¹ 5 GCA § 5425(b) gives the head of the purchasing agency the "authority" and duty⁹ to settle and resolve a protest. § 5425(c) requires that the decision "shall" be issued "promptly".

² 2 GAR § 9101(g)(1) requires ("shall") the head of the purchasing agency to issue a decision on a protest "as expeditiously as possible".



Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

PART V - Declaration Regarding Court Action

Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of the Public Auditor will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

The undersigned party does hereby confirm that to the best of his knowledge, no case or action concerning the subject of this Appeal has been commenced in court. All parties are required to and the undersigned party agrees to notify the Office of the Public Auditor within 24 hours if court action commences regarding this Appeal or the underlying procurement action.

Submitted this 7th day of April, 2015.

By: _____

APPELLANT – John Day

Authorized Representative of Pacific Data Systems



Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

Exhibit 1

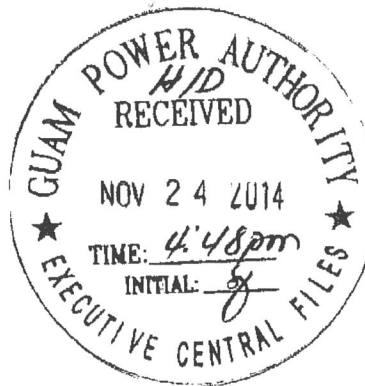
November 24, 2014 Protest by PDS of GPA Bid - GPA-IFB-072-14MS



November 24, 2014

via hand delivery

Mr. John M. Benavente, P.E.
Interim General Manager
Guam Power Authority
P. O. Box 2977
Agana, GU 96932-2977



Subject: **PROTEST of GPA Invitation for Multi-Step Bid GPA-072-14**

Dear Mr. Benavente:

PDS now files this procurement protest under G.C.A. 5 § 5425(a) regarding the above referenced procurement. PDS has filed this protest in order to call to GPA's attention the following issues related to the Notice of Intent of Possible Award and Bid Status issued to PDS on November 13, 2014 (copy attached as Exhibit 1).

- 1. In the Bid Status included with the GPA letter of November 13, 2014, GPA has recommended award for Telecommunications Services A-3, A-4, A-5 to Docomo Pacific, Inc. and rejected the PDS bid for these items due to high price (Exhibit 1 at page 3). However a comparison of the PDS, Docomo Pacific, and GTA bids for these items; drawn from the GPA Bid Abstract (see Exhibit 2) and the bid forms of all bidders¹ (see Exhibit 3 for PDS bid forms and Exhibit 4 for Docomo Pacific, Inc., Exhibit 5 for GTA bid forms) shows the following:

Service	PDS Bid	Doc Pacific Bid	GTA Bid
A-3 Bid (Yr1/Yr2/Yr3)	\$6,000/\$5,700/\$5,415	\$7,200/\$7,200/\$7,200	\$7,800/\$7,800/\$7,800
A-4 Bid (Yr1/Yr2/Yr3)	\$3,000/\$2,850/\$2,707.50	\$16,800/\$16,800/\$16,800	\$4,800/\$4,800/\$4,800
A-5 Bid (Yr1/Yr2/Yr3)	\$9,600/\$9,120/\$8,664	\$7,200/\$7,200/\$7,200	\$19,800/\$19,800/\$19,800
3 Year Total A3/A4/A5	<u>\$53,056.50</u>	<u>\$96,600</u>	<u>\$97,200</u>

As the above comparison clearly shows, PDS was the **lowest bidder** for the A-3 and A-4 services and lowest overall for all WAN services combined; A-3, A-4, A-5. Based on the GPA Wide Area Network design of these data services, all of these services (A-3, A-4, A-5) should be awarded to a single provider; PDS.

Based on the Exhibits provided herein, there can be no confusion regarding the amounts bid by each of the bidders for these services and no alterations or changes

¹ Copies of Bid forms for other bidders (Teleguam Holdings, LLC "GTA" and Docomo Pacific, Inc.) were obtained by PDS via a Freedom of Information Act request.



to these bid amounts should have been made by GPA in its evaluation to determine the lowest bidder for these services. As the lowest responsive bidder, the award for the services related to A-3, A-4, A-5 must be made to PDS and the GPA award should be modified accordingly.

2. Exhibit 6 are copies of Docomo Pacific, Inc. bid documents provided to PDS by GPA on November 20, 2014 in response to a PDS Freedom of Information Act request. These documents relate to the Certificate of Authority issued by the Guam Public Utility Commission (GPUC) to Guam Telecom LLC (GTL). Docomo Pacific, Inc. submitted these documents to GPA, it seems, in order to substantiate its claims of having the proper authority to provide certain regulated Telecommunications Services required by this GPA procurement. However a review of the Docomo Pacific, Inc. bid shows that GTL, is NOT a bidder in this procurement and is in fact a separate legal entity separate from Docomo Pacific, Inc. GPA appears to have treated GTL as a DBA of Docomo Pacific, Inc. rather than what it is; a separate telecommunications carrier and legal entity which is not a bidder in this procurement.

Guam Telecom LLC is NOT a part of Docomo Pacific, Inc. and operates as a separate legal entity. See the following exhibits which clearly show that GTL is a separate legal entity and not a DBA of Docomo Pacific, Inc.

Exhibit 7: Guam Business license for Guam Telecom Limited

Exhibit 8: Annual Report filed with Dept. of Revenue and Taxation for GTL

Exhibit 9: Federal Communications Commission (FCC) Filer ID designation for GTL

Exhibit 10: Universal Service Administrative Company Service (USAC) Service Provider Number (SPIN) for GTL

Exhibit 11: GPUC Certificate of Authority for GTL

Exhibit 12: GPUC Designation of GTC as an Eligible Telecom Provider (ETC)

Exhibit 13: Cover Page of GTL Tariff

PDS does not dispute that GTL may have the regulatory authority to provide the telecommunication services requested by GPA, however, GTL was not a bidder in this bid and as a result, its qualifications and regulatory authorities cannot be "borrowed" by Docomo Pacific, Inc. for this purpose. Just as the other bidders, PDS and GTA, have been granted the required authorities to provide the required GPA services, so too must Docomo Pacific, Inc. GPA made a mistake when it used the qualifications of GTL in the evaluation of Docomo Pacific, Inc. as a responsible and responsive bidder for consideration of the regulated services of this procurement².

² Title 12, Chapter 12 of the Guam Code Annotated §12103(a)



Docomo Pacific, Inc. does not possess the required GPUC regulatory approval to provide the Telecommunications Services specified by GPA in this procurement³. Without the GPUC authorization it would be illegal for Docomo Pacific, Inc. to provide these services to GPA as part of this Bid. As such the award by GPA of IFB items; A-3, A-4, A-5 to Docomo Pacific, Inc. must be rescinded and the award of these items made to the lowest responsive bidder; PDS.

GPA is reminded that PDS has filed a timely protest of this procurement and no further action can be taken until this protest has been duly reviewed and an appropriate final determination made (5 GCA §5425(g)). PDS requests that GPA issue a formal notice of Stay to all parties regarding this procurement as required by law and regulation.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Day', is written over a faint, illegible stamp or watermark.

John Day
President

xc: Ms. Jaime L. C. Pangelinan - Supply Management Administrator

- Exhibit 1: GPA Notice of Intent of Possible Award dated November 13, 2014
- Exhibit 2: GPA Bid Abstract for all bidders
- Exhibit 3: PDS Bid Forms for bid items A-3, A-4, A-5
- Exhibit 4: Docomo Pacific, Inc. Bid Forms for bid items A-3, A-4, A-5
- Exhibit 5: GTA Bid Forms for Bid items A-3, A-4, A-5
- Exhibit 6: FOIA request documents related to Guam Telecom Limited
- Exhibit 7: Guam Business license for Guam Telecom Limited
- Exhibit 8: Annual Report filed with Dept. of Revenue and Taxation for GTL
- Exhibit 9: Federal Communications Commission (FCC) Filer ID designation for GTL
- Exhibit 10: Universal Service Administrative Company Service (USAC) Service Provider Number (SPIN) for GTL
- Exhibit 11: GPUC Certificate of Authority for GTL
- Exhibit 12: GPUC Designation of GTC as an Eligible Telecom Provider (ETC)
- Exhibit 13: Cover Page of GTL Tariff

³ Title 12, Chapter 12 of the Guam Code Annotated §12102(i)

**EXHIBIT 1:
GPA NOTICE OF INTENT OF POSSIBLE AWARD DATED
NOVEMBER 13, 2014**



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

November 13, 2014

John Day
President / COO
Pacific Data Systems
185 Illipog Drive, HBC Suite 204A
Tamuning, Guam 96913

**RE: NOTICE OF INTENT OF POSSIBLE AWARD ON INVITATION FOR
MULTI-STEP BID NO.: GPA-072-14 FOR VOICE AND DATA SERVICES**

Dear Mr. Day,

As a result of Invitation for Multi-Step Bid No.: GPA-072-14, your bid for the Voice & Data Services for a Three (3) Year Period, for Line Items A-6 and A-7 thru A-13 in the amount of \$164,315.51 is being considered for possible award. However, you are required to provide a PERFORMANCE BOND in the amount of 100% of the Contract Price as specified in Section 12 of the General Terms and Conditions.

You are hereby advised that this Notice of Intent of possible award should not be construed as an award by Guam Power Authority. However, you are requested to submit your Performance Bond on or before fourteen (14) days after receipt of this letter so that consideration of possible award and release of purchase order may be issued. Enclosed is a Performance Bond Form for your perusal.

Your failure to submit the performance guarantee bond by the established deadline will result in delay of the award.

Should you require additional clarification please contact Jamie L.C. Pangelinan, Supply Management Administrator at 648-3054/55.

Sincerely,


JOHN M. BENAVENTE, P.E.
Interim General Manager





GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

November 13, 2014

BID STATUS

John Day
President / COO
Pacific Data Systems
185 Illipog Drive, HBC Suite 204A
Tamuning, Guam 96913

MULTI-STEP BID INVITATION: GPA-072-14

OPENED: November 06, 2014

DESCRIPTION: Voice & Data Services

The following is the result of the above-mentioned bid. Refer to items checked below.

- Cancelled (in its entirety), or partially canceled due to:**
 - Insufficient funds;
 - Change of specifications;
 - Best interest of the Government

- Rejected due to:**
 - Late submission of bid;
 - No bid security or insufficient bid security amount submitted: as required by Section 11 of the General Terms and Conditions;
 - Not meeting the delivery requirements as stated in the IFB;
 - Non-conformance with the specifications;
 - Inability to provide future maintenance and services to the equipment;
 - High price; (Items A-1, A-2, A-3, A-4, and A-5)
 - Others:

Bid is recommended for award to: Docomo Pacific, Inc., Item A-1, A-2, A-3, A-4 and A-5, \$158,400.00 and Pacific Data Systems, Items A-6 and A-7 thru A-13, \$164,315.51.

The Guam Power Authority greatly appreciates the interests and participation in our bids.


JOHN M. BENAVENTE, P.E.
Interim General Manager

**EXHIBIT 2:
GPA BID ABSTRACT FOR ALL BIDDERS**

Invitation Number
 AS 1114-072-14
 Opening Date
 11/26/14
 Opening Time
 10:00 A.M.

PURCHASES & STORES DIVISION
 GUAM POWER AUTHORITY
 ABSTRACT OF BIDS

PHASE II

Number of Invitations Issued 3
 Number of Bids Received 3

Description of Supplies or Services

VOICE & DATA SERVICES

ITEM NO.	QTY	A.1	A.2	A.3	A.4	A.5	A.6	A.7
UNIT	DESCRIPTION	30Mbps	30Mbps	10Mbps	5Mbps	30Mbps	MURFIC	VOICE-TELEPHONES
DISCOUNT	ASSEMBLY TIME (DAY)	MURFIC	MURFIC	MURFIC	MURFIC	MURFIC	MURFIC	MURFIC
1	Basic Data Systems	1 YEAR \$12,000.00	1 YEAR \$11,400.00	1 YEAR \$6,000.00	1 YEAR \$3,000.00	1 YEAR \$9,600.00	1 YEAR \$1,200.00	1 YEAR \$12,600.00
		2 YEAR \$11,400.00	2 YEAR \$10,830.00	2 YEAR \$5,700.00	2 YEAR \$2,950.00	2 YEAR \$9,120.00	2 YEAR \$1,140.00	2 YEAR \$11,970.00
		3 YEAR \$10,830.00	3 YEAR \$10,260.00	3 YEAR \$5,150.00	3 YEAR \$2,707.50	3 YEAR \$8,160.00	3 YEAR \$1,003.00	3 YEAR \$11,371.50
		4 YEAR \$10,260.00	4 YEAR \$9,774.00	4 YEAR \$4,944.25	4 YEAR \$2,572.13	4 YEAR \$7,230.00	4 YEAR \$1,020.05	4 YEAR \$10,002.93
		5 YEAR \$9,774.00	5 YEAR \$9,274.00	5 YEAR \$4,887.04	5 YEAR \$2,443.52	5 YEAR \$7,014.26	5 YEAR \$977.41	5 YEAR \$10,262.78

I hereby certify that all bids received in response to this invitation were opened under my personal supervision, and that the names of all bidders who have entered bids.

BASES FOR AWARD

- Lowest Responsive Bidder
- Tie Bid
- City Bid
- Other Than Lowest Responsive Bidder (See explanation on reverse hereof or attached)

Number of Awards (Continued)

Authorized By:  James T. Payne
 Date: 11/26/14

APPROVAL OF AWARD COMMITTEE AND FINANCIAL OFFICER

NAMES OF PERSONS PRESENT AT THE BID OPENING AND WHOM THEY REPRESENT

(If it is not necessary to fill in this portion of data is recorded elsewhere)

Leah Silas - Silas - Telecom Holdings LLC

Jan Smith - Telecom Holdings LLC

Ronnie McVieaux - Docomo Pacific Corp.

Judy Rosario - Docomo Pacific Corp.

John Maniscalco - Rmc, Inc. Data Systems

Frank Suter - AM-BSI

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ADMINISTRATIVE STATEMENT (When applicable)

VOICE & DATA SERVICES

GUAM POWER AUTHORITY
PURCHASES & STORES DIVISION
ABSTRACT OF BIDS (Continued)

INVITATION NUMBER
MS 11/14-070-19

11/14 B: OLAN

ITEM NO.	A.8	A.9	A.10	A.11	A.12	A.13	B.1	B.2
QTY	UNIT	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
1	LINE	4,200	240	344.70	344.70	3,700	1,000	300
2	LINE	3,900	220	327.52	327.52	3,591	1,710	205
3	LINE	3,790.50	210.60	31.15	31.15	3,401.95	1,624.50	270.75
4	LINE	3,600.90	205.77	245.54	245.54	3,240.80	1,543.20	257.21
5	LINE	3,420.93	195.40	200.81	200.81	3,078.83	1,404.11	244.35
G.T. OPT.								

THIS LINE FOR OPTIONAL USE. INDICATE SHIPPING POINT. LAST PRICE AWARDED. LOT, ETC.

Jesse T. Keyser

PHASE II

VOICE & DATA

GUAM POWER AUTHORITY
PURCHASES & STORES DIVISION
ABSTRACT OF BIDS (Continued)

INVITATION NUMBER
MS APP-072-14
11/14 10:00AM

ITEM NO.	QTY	UNIT	PRICE	ESTIMATED QUANTITY	ESTIMATED PRICE	TOTAL ESTIMATED PRICE	EXT. BIDDING
B.3		VOICE - TELEPHONE					
		PRESTIC					
		UNIT					
		FOR POINT					
	120	lines	\$ 4,200	120		\$ 4,200	
	114	lines	\$ 3,990	114		\$ 3,990	
	100	lines	\$ 3,790.50	100		\$ 3,790.50	
	102	lines	\$ 3,100.90	102		\$ 3,100.90	
	97	lines	\$ 3,920.99	97		\$ 3,920.99	
B.4		SIP					
		FOR ADDITIONAL					
		UNIT					
		FOR POINT					
	120	lines	\$ 5,344.70	120		\$ 5,344.70	
	114	lines	\$ 3,275.92	114		\$ 3,275.92	
	100	lines	\$ 3,115	100		\$ 3,115	
	102	lines	\$ 2,955.59	102		\$ 2,955.59	
	97	lines	\$ 2,000.01	97		\$ 2,000.01	
A.3		Approved					
		FOR ADDITIONAL					
		UNIT					
		FOR POINT					
	120	lines	\$ 5,344.70	120		\$ 5,344.70	
	114	lines	\$ 3,275.92	114		\$ 3,275.92	
	100	lines	\$ 3,115	100		\$ 3,115	
	102	lines	\$ 2,955.59	102		\$ 2,955.59	
	97	lines	\$ 2,000.01	97		\$ 2,000.01	

Jesse T. Lopez

THIS LINE FOR OPTIONAL USE; INDICATE SHIPPING POINT, LAST PRICE AWARDED, LOT, ETC.

Number of Initial Bids Issued: 3
 Number of Bids Received: 3

PURCHASES & STORES DIVISION
 GUAM POWER AUTHORITY
 ABSTRACT OF BIDS

Item No. 3
 Description of Supplies or Services: VOICE & DATA SERVICES

ITEM NO.	QTY	A.1	A.2	A.3	A.4	A.5	AG
		30Mbps	30Mbps	10Mbps	5Mbps	30Mbps	MOBILE
		METRO EMERGENCY	METRO EMERGENCY	METRO EMERGENCY	METRO EMERGENCY	METRO EMERGENCY	VOICE-TELEPHONES
		UPAN SIZES	UPAN SIZES	UPAN SIZES	UPAN SIZES	UPAN SIZES	PREL SERVICE
		NEW FACILITY	HARDWARE	UPAN SIZES	UPAN SIZES	UPAN SIZES	NEW FACILITY
		\$10,000	\$10,000	\$7,200	\$14,000	\$7,200	\$15,543.36
		\$10,000	\$10,000	\$7,200	\$16,000	\$7,200	\$15,949.30
		\$10,000	\$10,000	\$7,200	\$16,000	\$7,200	\$15,543.36
		\$10,000	\$10,000	\$7,200	\$16,000	\$7,200	\$15,543.36
		\$10,000	\$10,000	\$7,200	\$16,000	\$7,200	\$15,543.36

1. Bids by entity listed on this list received in response to this invitation were opened under my personal supervision, and list the name of all bidders here (use attached sheets).

2. Bids by _____ (Name)
 Date: 11/06/14

3. Bids by _____ (Name)
 Date: 11/06/14

4. Bids by _____ (Name)
 Date: 11/06/14

5. Bids by _____ (Name)
 Date: 11/06/14

6. Bids by _____ (Name)
 Date: 11/06/14

7. Bids by _____ (Name)
 Date: 11/06/14

8. Bids by _____ (Name)
 Date: 11/06/14

9. Bids by _____ (Name)
 Date: 11/06/14

10. Bids by _____ (Name)
 Date: 11/06/14

11. Bids by _____ (Name)
 Date: 11/06/14

12. Bids by _____ (Name)
 Date: 11/06/14

13. Bids by _____ (Name)
 Date: 11/06/14

14. Bids by _____ (Name)
 Date: 11/06/14

15. Bids by _____ (Name)
 Date: 11/06/14

16. Bids by _____ (Name)
 Date: 11/06/14

17. Bids by _____ (Name)
 Date: 11/06/14

18. Bids by _____ (Name)
 Date: 11/06/14

19. Bids by _____ (Name)
 Date: 11/06/14

20. Bids by _____ (Name)
 Date: 11/06/14

21. Bids by _____ (Name)
 Date: 11/06/14

22. Bids by _____ (Name)
 Date: 11/06/14

23. Bids by _____ (Name)
 Date: 11/06/14

24. Bids by _____ (Name)
 Date: 11/06/14

25. Bids by _____ (Name)
 Date: 11/06/14

26. Bids by _____ (Name)
 Date: 11/06/14

27. Bids by _____ (Name)
 Date: 11/06/14

28. Bids by _____ (Name)
 Date: 11/06/14

29. Bids by _____ (Name)
 Date: 11/06/14

30. Bids by _____ (Name)
 Date: 11/06/14

31. Bids by _____ (Name)
 Date: 11/06/14

32. Bids by _____ (Name)
 Date: 11/06/14

33. Bids by _____ (Name)
 Date: 11/06/14

34. Bids by _____ (Name)
 Date: 11/06/14

35. Bids by _____ (Name)
 Date: 11/06/14

36. Bids by _____ (Name)
 Date: 11/06/14

37. Bids by _____ (Name)
 Date: 11/06/14

38. Bids by _____ (Name)
 Date: 11/06/14

39. Bids by _____ (Name)
 Date: 11/06/14

40. Bids by _____ (Name)
 Date: 11/06/14

41. Bids by _____ (Name)
 Date: 11/06/14

42. Bids by _____ (Name)
 Date: 11/06/14

43. Bids by _____ (Name)
 Date: 11/06/14

44. Bids by _____ (Name)
 Date: 11/06/14

45. Bids by _____ (Name)
 Date: 11/06/14

46. Bids by _____ (Name)
 Date: 11/06/14

47. Bids by _____ (Name)
 Date: 11/06/14

48. Bids by _____ (Name)
 Date: 11/06/14

49. Bids by _____ (Name)
 Date: 11/06/14

50. Bids by _____ (Name)
 Date: 11/06/14

51. Bids by _____ (Name)
 Date: 11/06/14

52. Bids by _____ (Name)
 Date: 11/06/14

53. Bids by _____ (Name)
 Date: 11/06/14

54. Bids by _____ (Name)
 Date: 11/06/14

55. Bids by _____ (Name)
 Date: 11/06/14

56. Bids by _____ (Name)
 Date: 11/06/14

57. Bids by _____ (Name)
 Date: 11/06/14

58. Bids by _____ (Name)
 Date: 11/06/14

59. Bids by _____ (Name)
 Date: 11/06/14

60. Bids by _____ (Name)
 Date: 11/06/14

61. Bids by _____ (Name)
 Date: 11/06/14

62. Bids by _____ (Name)
 Date: 11/06/14

63. Bids by _____ (Name)
 Date: 11/06/14

64. Bids by _____ (Name)
 Date: 11/06/14

65. Bids by _____ (Name)
 Date: 11/06/14

66. Bids by _____ (Name)
 Date: 11/06/14

67. Bids by _____ (Name)
 Date: 11/06/14

68. Bids by _____ (Name)
 Date: 11/06/14

69. Bids by _____ (Name)
 Date: 11/06/14

70. Bids by _____ (Name)
 Date: 11/06/14

71. Bids by _____ (Name)
 Date: 11/06/14

72. Bids by _____ (Name)
 Date: 11/06/14

73. Bids by _____ (Name)
 Date: 11/06/14

74. Bids by _____ (Name)
 Date: 11/06/14

75. Bids by _____ (Name)
 Date: 11/06/14

76. Bids by _____ (Name)
 Date: 11/06/14

77. Bids by _____ (Name)
 Date: 11/06/14

78. Bids by _____ (Name)
 Date: 11/06/14

79. Bids by _____ (Name)
 Date: 11/06/14

80. Bids by _____ (Name)
 Date: 11/06/14

81. Bids by _____ (Name)
 Date: 11/06/14

82. Bids by _____ (Name)
 Date: 11/06/14

83. Bids by _____ (Name)
 Date: 11/06/14

84. Bids by _____ (Name)
 Date: 11/06/14

85. Bids by _____ (Name)
 Date: 11/06/14

86. Bids by _____ (Name)
 Date: 11/06/14

87. Bids by _____ (Name)
 Date: 11/06/14

88. Bids by _____ (Name)
 Date: 11/06/14

89. Bids by _____ (Name)
 Date: 11/06/14

90. Bids by _____ (Name)
 Date: 11/06/14

91. Bids by _____ (Name)
 Date: 11/06/14

92. Bids by _____ (Name)
 Date: 11/06/14

93. Bids by _____ (Name)
 Date: 11/06/14

94. Bids by _____ (Name)
 Date: 11/06/14

95. Bids by _____ (Name)
 Date: 11/06/14

96. Bids by _____ (Name)
 Date: 11/06/14

97. Bids by _____ (Name)
 Date: 11/06/14

98. Bids by _____ (Name)
 Date: 11/06/14

99. Bids by _____ (Name)
 Date: 11/06/14

100. Bids by _____ (Name)
 Date: 11/06/14

NAMES OF PERSONS PRESENT AT THE BID OPENING AND WHOM THEY REPRESENT

(It is not necessary to fill in this portion if date is recorded elsewhere)

- Leah Sias-Sprits - Telephon Holdings, LLC
- Jon Santos - Telephon Holdings, LLC
- Ferris Maloney - Docomo Pacific P.C.
- Judy Posario - Docomo Pacific P.C.
- John Munkavics - Pacific Data Systems
- Frank Santos - CMAA/P.C.

ADMINISTRATIVE STATEMENT (When applicable)

PHASE 2

VOICE & DATA SERVICES

GUAM POWER AUTHORITY
PURCHASES & STORES DIVISION
ABSTRACT OF BIDS (Continued)

INVESTMENT NUMBER
MS 11/21/14 10:00 AM

ITEM NO.	A.8	A.9	A.10	A.11	A.12	A.13	B.1	B.2
QTY	VOICE TELEPHONE	SIP	SP	MANAGED TELEPHONE	MANAGED TELEPHONE	DIGITAL (NUMBERING)	ADDITIONAL	ADDITIONAL
UNIT	PER MONTH	MONTHLY	MONTHLY	PER MONTH	PER MONTH	MONTHLY	PER MONTH	PER MONTH
FOR POINT	CONTRACT	CONTRACT	CONTRACT	CONTRACT	CONTRACT	CONTRACT	CONTRACT	CONTRACT
1 ST	25, 905.60	\$431.76	\$431.76	\$3,238.40	\$9,282.84	\$840.00	\$1,200.00	\$354.00
2 ND	25, 905.60	\$431.76	\$431.76	\$3,238.40	\$9,282.84	\$840.00	\$1,200.00	\$354.00
3 RD	25, 905.60	\$431.76	\$431.76	\$3,238.40	\$9,282.84	\$840.00	\$1,200.00	\$354.00
1 ST	25, 905.60	\$431.76	\$431.76	\$3,238.40	\$9,282.84	\$840.00	\$1,200.00	\$354.00
2 ND	25, 905.60	\$431.76	\$431.76	\$3,238.40	\$9,282.84	\$840.00	\$1,200.00	\$354.00

THIS LINE FOR OPTIONAL USE; INDICATE SHIPPING POINT, LAST PRICE AWARDED, LOT, ETC.

Joseph F. Reyna

INVITATION NUMBER
MS RPA-072-14
11/08/14 10:00AM

GUAM POWER AUTHORITY
PURCHASES & STORES DIVISION
ABSTRACT OF BIDS (Continued)

PHASE II

VOICE & DATA

ITEM NO.	QTY	UNIT	FOR DEL. POINT	B.3 VOICE- TELEPHONE PRIVILEGE Additional Lines	B.4 SIP Additional Lines	A.9 (Amended) Approx and Features (POTS) Additional Lines	A.13 (Amended) D.D. (Direct Inward Calling) Attr. Bids
1st Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
2nd Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
3rd Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
4th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
5th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
6th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
7th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
8th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
9th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
10th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
11th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
12th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
13th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
14th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
15th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
16th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
17th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
18th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
19th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20
20th Year	5,181.12			\$215.88	\$215.88	\$215.88	\$1.20

THIS LINE FOR OPTIONAL USE; INDICATE SHIPPING POINT, LAST PRICE AWARDED, LOT, ETC.

Jesse L. Ruyter

Invitation Number
AS 100-070-14
Opening Date
11/06/14

PURCHASES & STORES DIVISION
GUAM POWER AUTHORITY
ABSTRACT OF BIDS

Phase II

Number of Invitations Issued: 3
Number of Bids Received: 3

Description of Supplies or Services
VOICE & DATA SERVICES

ITEM NO.	QTY	UNIT	DESCRIPTION		DISCOUNT	BIDDER	PRICE		
			MAKE-TIME (Days)	MAKE-TIME (Days)					
2	1 YEAR	30Mbps	A.1	A.2	A.3	A.4	A.5	A.6	A.7
	1 YEAR	30Mbps	METRO-EMERSON	METRO-EMERSON		METRO-EMERSON	METRO-EMERSON	METRO-EMERSON	METRO-EMERSON
	2 YEAR	30Mbps	METRO-EMERSON	METRO-EMERSON		METRO-EMERSON	METRO-EMERSON	METRO-EMERSON	METRO-EMERSON
	3 YEAR	30Mbps	METRO-EMERSON	METRO-EMERSON		METRO-EMERSON	METRO-EMERSON	METRO-EMERSON	METRO-EMERSON
	1 YEAR	30Mbps	METRO-EMERSON	METRO-EMERSON		METRO-EMERSON	METRO-EMERSON	METRO-EMERSON	METRO-EMERSON
	2 YEAR	30Mbps	METRO-EMERSON	METRO-EMERSON		METRO-EMERSON	METRO-EMERSON	METRO-EMERSON	METRO-EMERSON

I hereby certify that all bids mentioned in response to this invitation were opened under my personal supervision, and that the names of all bidders have been entered herein.

Submitted by: *Janet Lynn*
(Signature)
Date: 11/06/14

BASIS FOR AWARD

- Lowest Responsive Bidder
- To Bid
- Only Bid
- Other Than Lowest Responsive Bidder (See explanation on reverse hereof or attached)

Number of Awards (Contingent)

APPROVAL OF AWARDING OFFICER AND EMPLOYER (Required)

NAMES OF PERSONS PRESENT AT THE BID OPENING AND WHOM THEY REPRESENT

(It is not necessary to fill in this portion if data is recorded elsewhere)

- Leah Selas - Spirals - Telegraph Holdings, LLC
- Tom Santos - Telegraph Holdings, LLC
- Fannie Mathews - Docomo Pacific
- Udy Pasario - Docomo Pacific
- Tom Montoya - Pacific Data Systems
- Frank Santos - GMA/BSK

ADMINISTRATIVE STATEMENT (When applicable)

INVITATION NUMBER
 MS 104-270-19
 11/20/14 10:00 AM

GUAM POWER AUTHORITY
 PURCHASES & STORES DIVISION
 ABSTRACT OF BIDS (Continued)

VOICE & DATA SERVICES

ITEM NO.	A-8	A-9	A-10	A-11	A-12	A-13	B-1	B-2
VOICE - TELEPHONE	SIP	TRUNKING	SIP	MANAGED TELEPHONE	MANAGED TELEPHONE	DIVISION (MANAGED)	ADDITIONAL TRUNKING	ADDITIONAL TRUNKING
PRE-ARRANGED	TRUNKING	TRUNKING	STLS (MAN)	STLS (MAN)	STLS (MAN)	NUMBERS	TRUNKING	TRUNKING
CONTRACTS	TRUNKING	TRUNKING	TRUNKING	TRUNKING	TRUNKING	TRUNKING	TRUNKING	TRUNKING
1 YEAR \$5,000.44	\$200-	\$200-	\$405.40	\$405.40	\$405.40	7-20	\$4,000-	\$600-
2 YEAR \$5,000.44	\$200-	\$200-	\$405.40	\$405.40	\$405.40	1-20	\$4,000-	\$600-
3 YEAR \$5,000.44	\$200-	\$200-	\$405.40	\$405.40	\$405.40	1-20	\$4,000-	\$600-
EXT. OPT. 1 YEAR \$5,000.44	\$200-	\$200-	\$405.40	\$405.40	\$405.40	1-20	\$4,000-	\$600-
2 YEAR \$5,000.44	\$200-	\$200-	\$405.40	\$405.40	\$405.40	1-20	\$4,000-	\$600-

THIS LINE FOR OPTIONAL USE; INDICATE SHIPPING POINT, LAST PRICE AWARDED, LOT, ETC.

James T. Lopez

GUAM POWER AUTHORITY
 PURCHASES & STORES DIVISION
 ABSTRACT OF BIDS [Continued]

ITEM NO.	QTY	UNIT	FOR DEL. POINT	B.3	B.4	A.9	A.13
NOTE & DATA							
				B.3	B.4	A.9	A.13
				TRILE- TELEPHONE	SIP	(Amended)	(Amended)
				PERIODIC	TRADITIONAL	APPROX. 10 (BIDDER	APPROX. 10 (BIDDER
				ADDITIONAL	ADDITIONAL	RESOURCES	RESOURCES
				LINES	LINES	(2015)	(2017) BIDS
						ADDITIONAL	
						LINES	
1 ST YEAR	5,000.44			\$ 144 -		\$ 405.40	\$ 1.20
2 ND YEAR	5,000.44			\$ 144 -		\$ 405.40	\$ 1.20
3 RD YEAR	5,000.44			\$ 144 -		\$ 405.40	\$ 1.20
4 TH YEAR	5,000.44			\$ 144 -		\$ 405.40	\$ 1.20
5 TH YEAR	5,000.44			\$ 144 -		\$ 405.40	\$ 1.20

THIS LINE FOR OPTIONAL USE; INDICATE SHIPPING POINT, LAST PRICE AWARDED, LOT, ETC.

Jose J. Reyes

EXHIBIT 3:
PDS BID FORMS FOR BID ITEMS A-3, A-4, A-5

A2. 30Mbps METRO ETHERNET WAN SITES (Amended)

Harmon Main Office to ISP (Internet)				
3-year Base Period			1-Year Extension Options	
1st year	2 nd year	3 rd Year	1 st yr Extn	2 nd yr Extn
\$ 12,000.00	\$ 11,400.00	\$ 10,830.00	\$ 10,288.50	\$ 9,774.08
Twelve Thousand Dollars	Eleven Thousand Four hundred Dollars	Ten Thousand Eight Hundred and Thirty Dollars	Ten Thousand Two Hundred Eighty Eight Dollars and fifty cents.	Nine Thousand Seven Hundred Seventy Four Dollars and eights cents.

A3. 10Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

T & D Compound to Fadian and Cabras Compound to Fadian Office				
3-year Base Period			1-Year Extension Options	
1st year	2 nd year	3 rd Year	1 st yr Extn	2 nd yr Extn
\$ 6,000.00	\$ 5,700.00	\$ 5,415.00	\$ 5,144.25	\$ 4,887.04
Six Thousand Dollars	Five Thousand Seven Hundred Dollars	Five Thousand Four Hundred Fifteen Dollars	Five Thousand One Hundred Forty Four Dollars and twenty five cents	Four Thousand Eight Hundred Eighty Seven Dollars and four cents

A4. 5Mbps METRO ETHERNET WAN SITES (PRICE PER SITE)(Amended)

<p>Julale Customer Services</p> <p>Tenjo Diesel Power Plant</p> <p>Agana Substation</p> <p>Talofofo Diesel/Substation</p> <p>Potts Junction Power Pole, Rt.3 Mabolo Dr.</p> <p>Umatac Substation</p>				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
\$ 3,000.00	\$ 2,850.00	\$ 2,707.50	\$ 2,572.13	\$ 2,443.52
Three Thousand Dollars	Two Thousand Eight Hundred Fifty Dollars	Two Thousand Seven Hundred and Seven Dollars and fifty cents	Two Thousand Five Hundred Seventy Two Dollars and thirteen cents	Two Thousand Four Hundred Forty Three Dollars and fifty two cents

A5. 30Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

Macheche Substation to Fadian				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
\$ 9,600.00	\$ 9,120.00	\$ 8,664.00	\$ 8,230.80	\$ 7,819.26
Nine Thousand and Six Hundred Dollars	Nine Thousand One Hundred Twenty Dollars	Eight Thousand Six Hundred Sixty Four Dollars	Eight Thousand Two Hundred Thirty Dollars and eight cents	Seven Thousand Eight Hundred Nineteen Dollars and twenty six cents

A6. Mobile Data 4G (PRICE PER DEVICE) (Amended)

Mobile Data (4 Devices)				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
\$ 1,200.00	\$ 1,140.00	\$ 1,083.00	\$ 1,026.85	\$ 977.41
Twelve Hunded Dollars	One Thousand One Hundred and Forty Dollars	One Thousand and Eight Three Dollars	One Thousand and Twenty Eight Dollars and eight	Nine Hundred and Seventy Seven Dollars and forty

A7. VOICE - TELEPHONE PRI SERVICE (NEW FACILITY) (Amended)

Fadian Facility PRI (3 PRI Lines)
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EXHIBIT 4:
DOCOMO PACIFIC, INC. BID FORMS FOR BID ITEMS A-3, A-4, A-5

A2. 30Mbps METRO ETHERNET WAN SITES (Amended)

Harmon Main Office to ISP (Internet)				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals)	(\$ in 2 decimals)	(\$ in 2 decimals)	(\$ in 2 decimals)	(\$ in 2 decimals)
\$10,800.00	\$10,800.00	\$10,800.00	\$10,800.00	\$10,800.00
(In Words)	(In Words)	(In Words)	(In Words)	(In Words)
Ten Thousand Eight Hundred Dollars Only	Ten Thousand Eight Hundred Dollars Only	Ten Thousand Eight Hundred Dollars Only	Ten Thousand Eight Hundred Dollars Only	Ten Thousand Eight Hundred Dollars Only

A3. 10Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

T & D Compound to Fadian and Cabras Compound to Fadian Office				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals)	(\$ in 2 decimals)	(\$ in 2 decimals)	(\$ in 2 decimals)	(\$ in 2 decimals)
<u>\$7,200.00</u>	<u>\$7,200.00</u>	<u>\$7,200.00</u>	<u>\$7,200.00</u>	<u>\$7,200.00</u>
(In Words)	(In Words)	(In Words)	(In Words)	(In Words)
Seven Thousand Two Hundred Dollars Only	Seven Thousand Two Hundred Dollars Only	Seven Thousand Two Hundred Dollars Only	Seven Thousand Two Hundred Dollars Only	Seven Thousand Two Hundred Dollars Only

A4. 5Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

Julale Customer Services Tenjo Diesel Power Plant Agana Substation Talofoto Diesel/Substation Apra Heights Substation Potts Junction Power Pole, Rt.3 Mabololo Dr. Umatac Substation Yigo Substation				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals) <u>\$16,800.00</u>	(\$ in 2 decimals) <u>\$16,800.00</u>	(\$ in 2 decimals) <u>\$16,800.00</u>	(\$ in 2 decimals) <u>\$16,800.00</u>	(\$ in 2 decimals) <u>\$16,800.00</u>
(In Words) Sixteen Thousand Eight Hundred Dollars Only	(In Words) Sixteen Thousand Eight Hundred Dollars Only	(In Words) Sixteen Thousand Eight Hundred Dollars Only	(In Words) Sixteen Thousand Eight Hundred Dollars Only	(In Words) Sixteen Thousand Eight Hundred Dollars Only

A5. 30Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

Macheche Substation to Fadian				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals) <u>\$7,200.00</u>	(\$ in 2 decimals) <u>\$7,200.00</u>	(\$ in 2 decimals) <u>\$7,200.00</u>	(\$ in 2 decimals) <u>\$7,200.00</u>	(\$ in 2 decimals) <u>\$7,200.00</u>
(In Words) Seven Thousand Two Hundred Dollars Only	(In Words) Seven Thousand Two Hundred Dollars Only	(In Words) Seven Thousand Two Hundred Dollars Only	(In Words) Seven Thousand Two Hundred Dollars Only	(In Words) Seven Thousand Two Hundred Dollars Only

A6. Mobile Data 4G (PRICE PER DEVICE) (Amended)

Mobile Data (4 Devices)				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals) <u>\$1,416.00</u>	(\$ in 2 decimals) <u>\$1,416.00</u>	(\$ in 2 decimals) <u>\$1,416.00</u>	(\$ in 2 decimals) <u>\$1,416.00</u>	(\$ in 2 decimals) <u>\$1,416.00</u>
(In Words) One Thousand Four Hundred Sixteen Dollars Only	(In Words) One Thousand Four Hundred Sixteen Dollars Only	(In Words) One Thousand Four Hundred Sixteen Dollars Only	(In Words) One Thousand Four Hundred Sixteen Dollars Only	(In Words) One Thousand Four Hundred Sixteen Dollars Only

**EXHIBIT 5:
GTA BID FORMS FOR BID ITEMS A-3, A-4, A-5**

A2. 30Mbps METRO ETHERNET WAN SITES (Amended)

Harmon Main Office to ISP (Internet) \$1,650.00 Monthly Recurring Charge				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals) \$ <u>19,800.00</u>	(\$ in 2 decimals) \$ <u>19,800.00</u>	(\$ in 2 decimals) \$ <u>19,800.00</u>	(\$ in 2 decimals) \$ <u>19,800.00</u>	(\$ in 2 decimals) \$ <u>19,800.00</u>
(In Words) Nineteen Thousand Eight hundred dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred dollars and zero cents.

A3. 10Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

\$650.00 Monthly Recurring Charge (Price Per Site) T & D Compound to Fadian and Cabras Compound to Fadian Office				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1st yr Extn	2nd yr Extn
(\$ in 2 decimals) \$ <u>7,800.00</u>	(\$ in 2 decimals) \$ <u>7,800.00</u>	(\$ in 2 decimals) \$ <u>7,800.00</u>	(\$ in 2 decimals) \$ <u>7,800.00</u>	(\$ in 2 decimals) \$ <u>7,800.00</u>
(In Words) Seven thousand eight hundred dollars & zero cents.	(In Words) Seven thousand eight hundred dollars & zero cents.	(In Words) Seven thousand eight hundred dollars & zero cents.	(In Words) Seven thousand eight hundred dollars & zero cents.	(In Words) Seven thousand eight hundred dollars & zero cents.

A4. 5Mbps METRO ETHERNET WAN SITES (PRICE PER SITE)(Amended)

<p>\$400.00 Monthly Recurring Charge (Price Per Site)</p> <p>Julale Customer Services</p> <p>Tenjo Diesel Power Plant</p> <p>Agana Substation</p> <p>Talofoto Diesel/Substation</p> <p>Apra Heights Substation</p> <p>Potts Junction Power Pole, Rt.3 Mabolo Dr.</p> <p>Umatac Substation</p> <p>Yigo Substation</p>				
3-year Base Period			1-Year Extension Options	
1st year	2nd year	3rd Year	1 st yr Extn	2 nd yr Extn
(\$ in 2 decimals) \$ <u>4,800.00</u>	(\$ in 2 decimals) \$ <u>4,800.00</u>	(\$ in 2 decimals) \$ <u>4,800.00</u>	(\$ in 2 decimals) \$ <u>4,800.00</u>	(\$ in 2 decimals) \$ <u>4,800.00</u>
(In Words) Four thousand eight hundred dollars & zero cents.	(In Words) Four thousand eight hundred dollars & zero cents.	(In Words) Four thousand eight hundred dollars & zero cents.	(In Words) Four thousand eight hundred dollars & zero cents.	(In Words) Four thousand eight hundred dollars & zero cents.

A5. 30Mbps METRO ETHERNET WAN SITES (PRICE PER SITE) (Amended)

\$1,650.00 Monthly Recurring Charge (Price Per Site)				
Macheche Substation to Fadian				
3-year Base Period			1-Year Extension Options	
1st year	2 nd year	3 rd Year	1 st yr Extn	2 nd yr Extn
(\$ In 2 decimals) <u>\$ 19,800.00</u>	(\$ In 2 decimals) <u>\$ 19,800.00</u>	(\$ In 2 decimals) <u>\$ 19,800.00</u>	(\$ In 2 decimals) <u>\$ 19,800.00</u>	(\$ In 2 decimals) <u>\$ 19,800.00</u>
(In Words) Nineteen Thousand Eight hundred Dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred Dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred Dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred Dollars and zero cents.	(In Words) Nineteen Thousand Eight hundred Dollars and zero cents.

A6. Mobile Data 4G (PRICE PER DEVICE) (Amended)

\$50.00 Monthly Recurring Charge (Price Per Device)				
Mobile Data (4 Devices)				
3-year Base Period			1-Year Extension Options	
1st year	2 nd year	3 rd Year	1 st yr Extn	2 nd yr Extn
(\$ In 2 decimals) <u>\$ 600.00</u>	(\$ In 2 decimals) <u>\$ 600.00</u>	(\$ In 2 decimals) <u>\$ 600.00</u>	(\$ In 2 decimals) <u>\$ 600.00</u>	(\$ In 2 decimals) <u>\$ 600.00</u>
(In Words) Six Hundred dollars & zero cents.	(In Words) Six Hundred dollars & zero cents.	(In Words) Six Hundred dollars & zero cents.	(In Words) Six Hundred dollars & zero cents.	(In Words) Six Hundred dollars & zero cents.

**EXHIBIT 6:
FOIA REQUEST DOCUMENTS RELATED TO GUAM TELECOM
LIMITED**

Annual 47 C.R.F. § 64.2009(e) CPNI Certification
EB Docket 06-36

Annual 47 C.F.R. § 64.2009(e) CPNI Certification for 2013

Date filed: February 6, 2014

Name of Company Covered by this Certification: Guam Telecom, LLC

Form 499 Filer ID: 825686

Name of Signatory: James W. Hofman, II

Title of Signatory: Chief Legal Officer

I, James W. Hofman, II, certify that I am the Chief Legal Officer of Guam Telecom, LLC and as such do hereby certify, affirm, depose and say that I have authority to make this Customer Proprietary Network Information ("CPNI") Annual Certification of Compliance on behalf of Guam Telecom, LLC. I have personal knowledge that Guam Telecom, LLC has established adequate operating procedures to ensure compliance with the Commission's CPNI rules as set forth in 47 C.F.R. § 64.2001 *et seq.*

Attached to this Certification is an Accompanying Statement explaining how the company's procedures ensure compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

Guam Telecom, LLC received no customer complaints in the past year concerning the unauthorized release of CPNI. Further, Guam Telecom, LLC has taken no action against data brokers for the unauthorized release of CPNI during calendar year 2013. Guam Telecom, LLC will report any information it may obtain with respect to the processes pretexters are using to attempt to access CPNI and what steps Guam Telecom, LLC is taking to protect CPNI.

This Certification is dated this 6th day of February, 2014



James W. Hofman, II
Chief Legal Officer
Guam Telecom, LLC

Your submission has been accepted

ECFS Filing Receipt	
Confirmation number: 2014217817105	
Proceeding	
Name	Subject
08-36	CPNI Compliance Certification Annual Filing
Contact Info	
Name of Filer: Guam Telecom LLC	
Email Address: smiles@docomopacific.com	
Attorney/Author Name: Sean Miles	
Address	
Address For: Filer	
Address Line 1: P.O. Box 24728	
City: Barrigada	
State: GUAM	
Zip: 96921	
Details	
Type of Filing: REPORT	
Document(s)	
File Name	Custom Description Size
CPNI Annual Certification_Guam Telecom LLC 2014.pdf	52 KB
Disclaimer	
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GUAM TELECOM, LLC

STATEMENT OF CPNI OPERATING PROCEDURES

- 1.) It is the policy of Guam Telecom, LLC (the "Company") not to use, disclose, or permit access to Customer Proprietary Network Information ("CPNI"), as defined in the FCC's rules, for any purposes other than the following, all of which are permitted without customer approval under FCC rules:
 - a.) For the purpose of providing or marketing Company service offerings among categories of service to which the customer already subscribes.
 - b.) For the purpose of providing inside wiring installation, maintenance, and repair services.
 - c.) For the purpose of marketing "adjunct-to-basic" services, such as speed dialing, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID., and call forwarding.
 - d.) For the purpose of protecting the rights or property of the Company, or to protect users of its services and other carriers from fraud, abusive, or unlawful use of or subscription to such services.
- 2.) The Company has established a program to inform and train personnel that they may not use, disclose, or permit access to CPNI for any purpose other than those set forth above. At present, the Company does not engage in outbound marketing using CPNI.
- 3.) Because the Company does not use, disclose or permit access to CPNI except as described above, by definition, it does not need to maintain a record of sales and marketing campaigns that use customers' CPNI, or of instances where CPNI is disclosed to third parties, or where third parties were allowed access to CPNI.
- 4.) Because the Company does not use CPNI except as described above, the Company does not utilize a notification and customer approval process (i.e., an Opt-Out or Opt-In process). If the Company changes its marketing procedures, an appropriate customer notification process will be instituted.
- 5.) With respect to a customer's online access to their information, the company does not provide online access to any CPNI until the customer requesting such access receives a password that has been established without the use of readily available biographical information or account information.
- 6.) Customers who contact the Company via inbound calls are able to access their call detail information. The Company does take measures to secure the customer information with proper authentication, including the use of passwords and other methods

that comply with FCC rules to protect call detail information. Billing personnel can provide CPNI data to customers by placing a return call to the customer's telephone number of record and/or mailing the requested information to the address of record, provided that the address of record has not changed within the previous 30 days.

7.) Customers who present themselves at the Company's retail location and who request CPNI are asked for proper photographic identification (i.e., state issued driver's license or the equivalent). CPNI will be disclosed only if the customer presents valid photo ID matching the customer's account information.

8.) The Company has not detected any unauthorized access to CPNI, either by employees, pretexters or other third parties. The Company did not receive any customer complaints regarding CPNI in 2013.

9.) The Company will notify the customer immediately if the customer's address of record is created (except at the time of service initiation) or changed. This notification is made by mail to the customer's pre-existing address of record, and does not reveal the changed information.

10.) In the event of any breach of a customer's CPNI as described in section 64.2011 of the FCC rules, the Company will, as soon as practicable and in all events within seven (7) days of determination of the breach, notify law enforcement through <http://www.fcc.gov/eb/cpni>, and subsequently notify the customer(s), in accordance with the procedures and in the sequence prescribed by that rule section. The Company will maintain a record of any such breaches and notifications for at least two (2) years.

11.) The Company has in place a supervisory review process regarding compliance with its CPNI policy.

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



GT Docket 09-01

APPLICATION OF
GUAM TELECOM, LLC
FOR CERTIFICATE OF AUTHORITY
UNDER 12 G.C.A. §12103

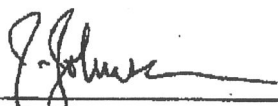
CERTIFICATE OF AUTHORITY

On April 6, 2009, Guam Telecom LLC, a foreign corporation licensed and authorized to do business within the Territory of Guam, filed an application with the Guam Public Utilities Commission [PUC] for issuance of a certificate of authority under 12 GCA 12103 to provide resold local exchange telecommunications services and facilities based local telecommunications services. The application, with supporting documentation, under went review by PUC's Legal Counsel, who reported that Guam Telecom LLC had satisfied the standards set forth in 12 GCA §12103[c] and should, therefore, be issued a certificate, subject to the condition that it files and PUC approves its tariff for these certificated services in accordance with 12 GCA §12106.

After careful review of the application, PUC Legal Counsel's Report, and the record in this docket, which contains Guam Telecom LLC's certificate of public notice of its application in accordance with section three of PUC's Certification Rules and for good cause shown, IT IS HEREBY ORDERED THAT:

1. PUC hereby issues to Guam Telecom LLC a certificate of authority to provide resold and facilities based local exchange services within the Territory of Guam; provided, however that no such service shall be provided until Guam Telecom LLC files and obtains PUC approval of its tariff for said services.
2. This certificate authority is subject to the terms, conditions and requirements of 12 GCA §12103 and to all PUC rules, regulations and orders.
3. All proceedings in this docket are hereby ratified and confirmed.

Dated this 28th day of May, 2009.



Jeffrey C. Johnson
Chairman

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

APPLICATION OF GUAM TELECOM, LLC
FOR CERTIFICATE OF AUTHORITY
UNDER 12 GCA 12103

DOCKET 06-9



CERTIFICATE OF AUTHORITY

On September 8, 2006, Guam Telecom, LLC [GT], a Delaware limited liability company, which is duly registered as a Guam foreign limited liability company, filed an application with the Guam Public Utilities Commission [PUC] for issuance of a certificate of authority under 12 GCA 12103 to provide facilities-based and resold special access service in the form of private line service on Guam. The application, with supporting documentation, underwent review by PUC's independent consultant [Georgetown], who recommended by report dated October 20, 2006 that GT had satisfied the standards set forth in 12 GCA 12103[c] and should, therefore, be issued a certificate of authority, provided that a) the certificate does not grant GT with the authority to provide switched local exchange services; and b) GT filed corrections and clarifications to its proposed tariff, as discussed in the report. By amended petition filed November 1, 2006, GT so corrected and clarified its proposed tariff.

After careful review of the application and the record herein, which includes GT's certification of public notice of its application in accordance with section 3 of the Commission's Certification Rules, pursuant to the authority delegated to the undersigned by PUC's November 20, 2006 order and for good cause shown, **IT IS ORDERED THAT:**

1. PUC hereby issues to Guam Telecom, LLC a certificate of authority to provide facilities-based and resold special access services in the form of private line service on Guam. This certificate does not authorize GT to provide switched local exchange services.
2. This certificate of authority is subject to the terms, conditions and requirements of 12 GCA 12103 and to all PUC rules, regulations and orders.

Dated this 20 day of November 2006.

Terrence Brooks
Chairman

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

PETITION OF GUAM TELECOM LLC
FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER

GT DOCKET 10-02



ORDER APPROVING DESIGNATION

Procedural History

On October 26, 2010, Guam Telecom LLC ("GT") submitted a Petition for Designation as an Eligible Telecommunications Carrier ("ETC") throughout the Territory of Guam.¹ In its petition, GT acknowledged the authority of the Commission to make such a designation and stated that it had never made an ETC application to the Federal Communications Commission ("FCC"). In its Petition, GT contends that it should be granted ETC Designation based upon the criteria and standards set forth in prior Commission Orders and precedent.²

On November 6 and 8, 2010, the PUC placed a notice in the Pacific Daily News inviting written comment from interested parties, on or before November 22, 2010, on GT's Petition for ETC Designation.³ To date no comments have been received. On November 15, 2010, PUC Counsel filed his Report recommending that, subject to certain conditions, that GT's Petition be granted.⁴

Previously GT was issued a Certificate of Authority by the PUC to provide resold and facilities based local exchange services on Guam.⁵

Discussion and Findings of Fact

1. Pursuant to 47 U.S.C. §214(e)(2), the Commission is generally responsible for designating a telecommunications carrier as an ETC within the Territory of Guam in accordance with the requirements of the Federal Act.

¹ GT Petition for Designation as an Eligible Telecommunications Carrier, GT Docket 10-02, filed October 26, 2010.

² See PUC Orders Approving ETC Designation in Docket No. 06-08, Application of Pulse Mobile, LLC (Pulse Mobile); and Docket 08-05, Application of PTI Pacifica.

³ See Notice, GT Docket 10-02, published in the Pacific Daily News on November 6, 2010.

⁴ PUC Counsel Report, GT Docket 10-02, filed November 15, 2010.

⁵ See GT Docket No. 09-01; in Docket 10-01, PUC approved GT's General Exchange Tariff No. 1.

2. The Federal Act provides that the Commission may designate a telecommunications carrier as an ETC if the following requirements are satisfied:
 - (a) the carrier offers services that are supported by the federal universal service support mechanism, either using its own facilities or a combination of its own facilities and resale of another carrier's services;
 - (b) the carrier advertises the availability of such services and the charges therefore using media of general distribution; and
 - (c) the designation of such carrier as an ETC is in the public interest (if such carrier is seeking designation for an area served by a rural telephone company that has already been designated as an ETC).⁶
3. GT is authorized to provide resold and facilities based local exchange services, including voice and data, in the entire Territory of Guam.⁷ GT also certifies in its petition that it will offer all of the services designated by the FCC for support pursuant to Section 254(c) of the Federal Act to any requesting customer within its designated service area; GT offers, or will offer, the supported services either using its own facilities or a combination of its own facilities and resale of another carrier's services; and GT advertises, or will advertise, the availability of supported services and the charges therefore using media of general distribution.
4. The FCC has indicated that a commitment in the Petition to provide all of the supported services and to advertise using media of general application upon designation as an ETC is sufficient to satisfy the FCC's requirements. The Commission finds that GT must certify to the Commission no later than August 31, 2011 that GT (a) offers all of the services designated by the FCC for support pursuant to Section 254(c) of the Federal Act either using its own facilities or a combination of its own facilities and resale and (b) advertises the availability of supported services and the charges therefore using media of general distribution as described in its Petition. The Commission finds that the August 31 due date is necessary to satisfy the need for sufficient time for the Commission to perform a "due diligence" review.
5. With respect the supported local usage, GT indicates that it "will satisfy the local usage criterion for ETC designation based upon its offering of unlimited local usage calling plans." Consistent with the FCC's rules, the

⁶ 47 U.S.C. §214(e). The FCC has defined the services that are to be supported by the federal universal service support mechanisms to include: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multifrequency (DTMF) signaling or its functional equivalent; (4) single-party service or its functional equivalent; (5) access to emergency services, including 911 and enhanced 911; (6) access to operator services; (7) access to interexchange services; (8) access to directory assistance; and (9) toll limitation for qualifying low-income customers. 47 C.F.R. §54.101(a).

⁷ See GT Docket 09-01 (Issuance of a Certificate of Authority to GT) and GT 10-01 (approving GT's General Exchange Tariff #1).

Commission finds that any designation of GT as an ETC be conditioned on GT's compliance with any local usage requirements prescribed by the FCC.

6. With respect to supported access to emergency service, GT indicates that it will offer emergency service and E911 service. It provides its subscribers with access to all and enhanced all through arrangements with the local incumbent exchange carrier, GTA. To the extent a governmental authority in the Territory of Guam implements E911 systems, GT will be required to provide E911 service. Therefore, the Commission finds that any designation of GT as an ETC be conditioned on GT's compliance with any FCC requirements concerning E911 service when implemented in the Territory of Guam.
7. On March 17, 2005, the FCC adopted additional requirements for ETC designation proceedings in which the FCC acts pursuant to 47 U.S.C. §214(e)(6).⁸ All carriers seeking ETC designation from the FCC must satisfy these requirements. The Commission finds that such additional requirements should be used by the Commission in evaluating GT's petition for ETC designation, in the same manner as the Commission found in Docket 06-08 concerning its evaluation of Pulse Mobile's petition for ETC designation.
8. Pursuant to the additional requirements adopted by the FCC in the *ETC Designation Order*, any applicant for ETC designation must:
 - (1) (i) Commit to provide service throughout its proposed designated service area to all customers making a reasonable request for service. Each applicant shall certify that it will:
 - (A) Provide service on a timely basis to requesting customers within the applicant's service area where the applicant's network already passes through the potential customer's premises; and
 - (B) Provide service within a reasonable period of time, if the potential customer is within the applicant's licensed service area but outside its existing network coverage, if service can be provided at reasonable cost by
 - (1) Modify or replacing the replacing the requesting customer's equipment;
 - (2) Deploying a roof-mounted antenna or other equipment;
 - (3) Adjusting the nearest cell tower;
 - (4) Adjusting network or customer facilities;

⁸ In the matter of *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (released March 17, 2005)(the "ETC Designation Order").

(5) Reselling services from another carrier's facilities to provide service; or

(6) Employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment.

(ii) Submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed designated service area. Each applicant shall demonstrate how signal quality, coverage or capacity will improve due to the receipt of high-cost support; the projected start date and completion date for each improvement and the estimated amount of investment for each project that is funded by high-cost support; the specific geographic areas where the improvements will be made; and the estimated population that will be served as a result of the improvements in a particular wire center are not needed, it must explain its basis for this determination and demonstrate how funding will otherwise be used to further the provision of supported services in that area.

- (2) Demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.
 - (3) Demonstrate that it will satisfy applicable consumer protection and service quality standards. A commitment by wireless applicants to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service will satisfy requirement. Other commitments will be considered on a case-by-case basis.
 - (4) Demonstrate that it offers a local usage plan comparable to the one offered by the incumbent local exchange carrier in the service areas for which it seeks designation.
 - (5) Certify that the carrier acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.
9. The Commission finds that GT has satisfied all of the additional mandatory requirements set forth in the *ETC Designation Order*. First, GT has certified that it will provide service throughout the Territory of Guam to all customers making a reasonable request for service in accordance with the FCC's requirements. In this regard, GT has committed that it will notify the Commission within thirty (30) days of any determination that it cannot provide service to a requesting customer in accordance with the

FCC's requirements. Second, GT has certified that it will have a reasonable amount of back-up power, the ability to reroute traffic and the capability to manage traffic spikes to remain functional in emergency situations. Third, GT has committed to comply with applicable service quality rules, standards, and consumer protection. Fourth, GT has indicated that it will offer a rate plan to its universal service customers that includes unlimited local usage comparable to the rate plan offered by GTA Telecom, LLC. Fifth, GT has certified that it acknowledges that the PUC may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

10. GT has submitted a five-year plan that describes proposed improvements or upgrades to its network, and the estimated amount of investment for each project that is funded by high-cost support. However, because the FCC has recognized that such plans are always subject to change and given FCC precedent for the filing of such plans after ETC designation, the Commission finds that such a detailed build-out plan should be updated by GT following ETC designation as part of its annual filing with the Commission.
11. For the public interest determination, the *ETC Designation Order* provides that the Commission should consider the benefits of increased consumer choice, and the unique advantages and disadvantages of the ETC applicant's service offering. The Commission believes that GT's universal service offering may provide a variety of benefits to customers in Guam, including consumer choice and advantageous service offerings. For instance, universal service support will help GT construct facilities to improve its coverage to all areas in Guam. In addition, GT has made detailed commitments to provide high quality service throughout the Territory of Guam. Designation of GT as an ETC will advance universal service by bringing consumer on Guam new and advanced telecommunications services which will create increased competitive choice. Finally, given the size of the federal universal service fund, the Commission believes it is unlikely that GT's ETC designation would have an adverse impact of the federal universal service fund.
12. GT is obligated under Section 254(e) of the Federal Act to use high cost support "only for the provision, maintenance, and upgrading of facilities and service for which support is intended" and is required under Section 54.314 of the FCC's rules to certify annually that it is in compliance with this requirement. GT has certified to the Commission that, "consistent with Section 54.314(b) of the FCC's rules, all federal high-cost support will be used solely for the provision, maintenance and upgrading of facilities and service for which support is intended pursuant to Section 254(e) of the [Federal] Act." The Commission finds that GT should be required to file an annual certification with the Commission in substantially the form required by Section 54.314(b) and (c) of the FCC's rules to verify that GT will use federal high-cost support only for those facilities and services for which the support is intended, regardless of whether the certification

must actually be filed by GT with the USAC and the FCC under Section 54.314(b).

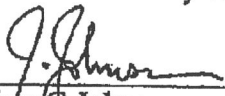
13. In addition, GT has committed to submit to the Commission on an annual basis the following records and documentation, in addition to any other information or reports that the Commission may reasonably request from time to time:
- GT's progress towards meeting its build-out plans;
 - Information on any outage lasting at least 30 minutes and potentially affecting either at least 10 percent of the end users serviced or 911 facilities;
 - The number of requests for service from potential customers within GT's service area that were unfulfilled for the past year;
 - The number of complaints per 1,000 lines;
 - GT's compliance with applicable service quality standards and consumer protection rules;
 - GT's ability to function in emergency situations;
 - GT's certification that it is offering a local usage plan comparable to that offered by the incumbent local exchange carrier; and
 - GT's certification that it acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access in the service area.
14. The Commission finds that GT must submit these records and documentation to the Commission by August 31 of each year, beginning in 2011. Consistent with FCC requirements: (1) the progress report should detail GT's progress towards meeting GT's five-year service quality improvement plan, explanations of how much universal service support was received and how the support was used to improve service quality in each wire center or cell tower for which designation was obtained, and an explanation of why any network improvement targets have not been met; and (2) the information on GT's outages should include the date and time of onset of the outage, a brief description of the outage, the particular services affected by the outage, the geographic areas affected by the outage and steps taken to prevent a similar outage situation in the future. The Commission finds that GT must provide additional information and reports to the Commission when request therefore is made by the Commission or its staff from time to time.

Order

Based upon the foregoing, the Commission orders that:

- (h) GT must promptly submit to the Commission any additional information or reports that that Commission reasonably request from time to time.
2. The Commission reserves the jurisdiction and authority to (a) institute an inquiry on its own motion to examine GT's records and documentation to ensure that the high-cost support it receives is being used "only for the provision, maintenance, and upgrading of facilities and services" in the Territory of Guam, (b) revoke GT's ETC designation if it fails to fulfill any requirements of Section 214 of the Federal Act, the FCC's rules and regulations or the Commission's order after GT begins receiving universal service support and (c) assess penalties for violations of the Commission's rules and orders.

Dated this 29th day of November, 2010.



Jeffrey C. Johnson
Chairman

**EXHIBIT 7:
GUAM BUSINESS LICENSE FOR GUAM TELECOM LIMITED**



DEPARTMENT OF REVENUE AND TAXATION
 GOVERNMENT OF GUAM
 P.O. Box 23807
 Barrigada, Guam 96921
 www.guamtax.com

BUSINESS LICENSE

SRL NO: 1518816

Ltd Liability Company
 EXPIRES: JUNE 30, 2015

Service R
 ACCOUNT NO. 13-200501644-001

FEE	50	00
PENALTY		00
TOTAL FEE	50	00

ISSUED TO:

GUAM TELECOM, LLC

DOING BUSINESS AS:

MGV TELECOM

TYPE OF LICENSE:

COMMUNICATION COMMON CARRIER

BUSINESS LOCATION:

LOT 10062-1-1-R1 & 10062-1-6 #497 HARMON

LOOP RD DEDEDU GUAM

MAILING ADDRESS:

PO BOX 24728
 BARRIGADA GUAM

TELEPHONE: HOME

BUSINESS ZIP: 96921
 635-4034

6/27/14

PAID

JUN 27 2014

TREASURER OF GUAM
 #13

KEEP POSTED IN A CONSPICUOUS PLACE.
 LICENSE MUST BE PRODUCED UPON
 DEMAND TO ANY AUTHORIZED GOVT
 OFFICIAL.

John P. Camacho
 JOHN P. CAMACHO

DIRECTOR OF REVENUE AND TAXATION

**EXHIBIT 8:
ANNUAL REPORT FILED WITH DEPT. OF REVENUE AND
TAXATION FOR GTL**

**LIMITED LIABILITY COMPANY
2014 ANNUAL REPORT
GUAM TELECOM, LLC**

DEPT OF REVENUE & TAXATION
GOVERNMENT OF GUAM

SEP 01 2014

BUSINESS REGISTRATION

CHARTER NO. FLLC-433

Name of the Limited Liability Company: **Guam Telecom, LLC**

State or country under whose laws it is organized: **Delaware**

The date of organization or, if a foreign limited liability company, the date on which it was authorized to transact business on Guam: **September 16, 2005**

The address of the principal office of the limited liability company:

**497 Harmon Loop Road
Dededo, Guam 96929**

The management of the limited liability company is vested in its members, the name and address of each member:

MCV Guam Investments, LLC

**497 Harmon Loop Road
Dededo, Guam 96929**

A brief statement of the nature of the business which the limited liability company actually conducts on Guam: **Telecommunications Services.**

Its Registered Agent for Service of Process and Registered Agent's address:

Michael A. Pangelinan

**259 Martyr Street, Suite 100
Hagatna, GU 96910**

I, **JAMES W. HOFMAN, II**, Chief Legal Officer and Secretary of Guam Telecom, LLC, declare under penalty of perjury under the laws of Guam (6 GCA § 4308) that the foregoing is true and correct.

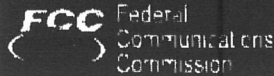
Date: September 1, 2014,



JAMES W. HOFMAN, II
Chief Legal Officer/Secretary

**EXHIBIT 9:
FEDERAL COMMUNICATIONS COMMISSION (FCC) FILER ID
DESIGNATION FOR GTL**

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FCC Form 499 Filer Database Detailed Information

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[FCC site map](#)

FCC Form 499 Filer Database DETAILED INFORMATION

[Form 499 Filer 825686 RSS Feed](#)

Filer Identification Information:

499 Filer ID Number:	825686
Registration Current as of:	Apr 1 2014 12:00AM
Legal Name of Reporting Entity:	Guam Telecom, LLC.
Doing Business As:	MCV TeleCom
Principal Communications Type:	CAP/LEC
Universal Service Fund Contributor:	Yes
(Contact USAC at 888-641-8722 if this is not correct.)	
Holding Company:	Docomo Guam Holdings
Registration Number (CORESID):	0013921457
Management Company:	
Headquarters Address:	P.O. Box 24728
	Guam Telecom, LLC
	G.M.F.
	GU
	96921
Customer Inquiries Address:	P.O. Box 24728
	G.M.F.
	GU
	96921
Customer Inquiries Telephone:	671-969-4628 Ext:
Other Trade Names:	MCV Telecom

Agent for Service of Process:

Local/Alternate Agent for Service of Process:

Telephone:

Extension:

Fax:

E-mail:

Business Address of Agent for Mail or Hand Service of Documents:

City:

State:

ZIP Code:

D.C. Agent for Service of Process: **Lukas, Nace, Gutierrez &**
 Telephone: **703-584-8678**
 Extension:
 Fax:
 E-Mail: **schernoff@fcclaw.com**
 Business Address of D.C. Agent for
 Mail or Hand Service of Documents: **8300 Greensboro Drive**
Suite 1200
 City: **Washington**
 State: **DC**
 ZIP Code: **22010**

FCC Registration Information:

Chief Executive Officer: **Jay Shedd**
 Business Address: **P.O. Box 24728**
Guam Telecom, LLC
 City: **G.M.F.**
 State: **GU**
 ZIP Code: **96921**

Chairman or Other Senior Officer: **John Cruikshank**
 Business Address: **P.O. Box 24728**
Guam Telecom, LLC
 City: **G.M.F.**
 State: **GU**
 ZIP Code: **96921**

President or Other Senior Officer: **Katsuhiro Iiada**
 Business Address: **P.O. Box 24728**
Guam Telecom, LLC
 City: **G.M.F.**
 State: **GU**
 ZIP Code: **96921**

Jurisdictions in Which the Filing Entity Provides Telecommunications Services:

Guam

Use browser "Back" button to return to results page.

[Return to Search Form](#)

This database reflects filings received by USAC as of Nov. 05, 2014 FCC Form 499 Filer Database Software Version 01.03.06 July 21, 2011

FCC Home	Search	RSS	Updates	E-Filing	Initiatives	Consumers	Find People
Federal Communications Commission 445 12th Street SW Washington, DC 20554 More FCC Contact Information...			Phone: 1-888-CALL-FCC (1-888-225-5322) TTY: 1-888-TELL-FCC (1-888-835-5322) Fax: 1-866-418-0232		- Privacy Policy - Website Policies & Notices - Required Browser Plug-ins - Freedom of Information Act		

**EXHIBIT 10:
UNIVERSAL SERVICE ADMINISTRATIVE COMPANY SERVICE (USAC)
SERVICE PROVIDER NUMBER (SPIN)
FOR GTL**

[SLD Home](#) [Site Map](#) [Search Site](#) [Contact SLD](#)
Reference Area - Schools and Libraries Division

Reference
SPIN and BEAR Contact Search Results

Guidance on determining if a company is eligible to provide telecommunications services:

Form 499 Filer column indicates "Y":

- This service provider has successfully filed a Form 499 with USAC. Telecommunications providers with a "Y" are eligible to provide Telecommunications Services and Internet service providers with a "Y" are eligible to provide Interconnected Voice over Internet Protocol (VoIP) services.

All other designations:

- Some service providers that do not have a "Y" designation are eligible to provide Telecommunications Services because they meet certain conditions and are exempt from filing a [Form 499](#). You can [contact the Client Service Bureau](#) to determine if the company has met those conditions.

Form 499 Filer column indicates "X":

- This service provider has been researched by USAC and is **not** eligible to provide Telecommunications Services.

Form 499 Filer column indicates "Z":

- This service provider is currently being researched by USAC to determine if it is eligible to provide Telecommunications Services.

Form 499 Filer column is blank:

- This service provider has not been researched and its status is unverified.

Applicants are reminded that they should confirm this and all other information with the service provider.

Page 1 of 1
Results 1 - 1 of 1

SPIN	Service Provider Name	Doing Business As	Contact Name	Contact Address	Contact Phone	Form 499 Filer	SPAC Filed
143030425	Guam Telecom, LLC	Guam Telecom, LLC	Sean D Miles	497 Harmon Loop Road, Dededo, GU 96929	671969-4093	Y	2006 2009 2010

Questions about the SLD Program? Call our Client Service Bureau at (888) 203-8100.

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**EXHIBIT 11:
GPUC CERTIFICATE OF AUTHORITY FOR GTL**

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

GT Docket 09-01

APPLICATION OF
GUAM TELECOM, LLC
FOR CERTIFICATE OF AUTHORITY
UNDER 12 G.C.A. §12103



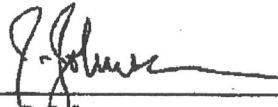
CERTIFICATE OF AUTHORITY

On April 6, 2009, Guam Telecom LLC, a foreign corporation licensed and authorized to do business within the Territory of Guam, filed an application with the Guam Public Utilities Commission [PUC] for issuance of a certificate of authority under 12 GCA 12103 to provide resold local exchange telecommunications services and facilities based local telecommunications services. The application, with supporting documentation, under went review by PUC's Legal Counsel, who reported that Guam Telecom LLC had satisfied the standards set forth in 12 GCA §12103[c] and should, therefore, be issued a certificate, subject to the condition that it files and PUC approves its tariff for these certificated services in accordance with 12 GCA §12106.

After careful review of the application, PUC Legal Counsel's Report, and the record in this docket, which contains Guam Telecom LLC's certificate of public notice of its application in accordance with section three of PUC's Certification Rules and for good cause shown, IT IS HEREBY ORDERED THAT:

1. PUC hereby issues to Guam Telecom LLC a certificate of authority to provide resold and facilities based local exchange services within the Territory of Guam; provided, however that no such service shall be provided until Guam Telecom LLC files and obtains PUC approval of its tariff for said services.
2. This certificate authority is subject to the terms, conditions and requirements of 12 GCA §12103 and to all PUC rules, regulations and orders.
3. All proceedings in this docket are hereby ratified and confirmed.

Dated this 28th day of May, 2009.



Jeffrey C. Johnson
Chairman

**EXHIBIT 12:
GPUC DESIGNATION OF GTC AS AN ELIGIBLE TELECOM
PROVIDER (ETC)**

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

PETITION OF GUAM TELECOM LLC
FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER

GT DOCKET 10-02



ORDER APPROVING DESIGNATION

Procedural History

On October 26, 2010, Guam Telecom LLC ("GT") submitted a Petition for Designation as an Eligible Telecommunications Carrier ("ETC") throughout the Territory of Guam.¹ In its petition, GT acknowledged the authority of the Commission to make such a designation and stated that it had never made an ETC application to the Federal Communications Commission ("FCC"). In its Petition, GT contends that it should be granted ETC Designation based upon the criteria and standards set forth in prior Commission Orders and precedent.²

On November 6 and 8, 2010, the PUC placed a notice in the Pacific Daily News inviting written comment from interested parties, on or before November 22, 2010, on GT's Petition for ETC Designation.³ To date no comments have been received. On November 15, 2010, PUC Counsel filed his Report recommending that, subject to certain conditions, that GT's Petition be granted.⁴

Previously GT was issued a Certificate of Authority by the PUC to provide resold and facilities based local exchange services on Guam.⁵

Discussion and Findings of Fact

1. Pursuant to 47 U.S.C. §214(e)(2), the Commission is generally responsible for designating a telecommunications carrier as an ETC within the Territory of Guam in accordance with the requirements of the Federal Act.

¹ GT Petition for Designation as an Eligible Telecommunications Carrier, GT Docket 10-02, filed October 26, 2010.

² See PUC Orders Approving ETC Designation in Docket No. 06-08, Application of Pulse Mobile, LLC (Pulse Mobile); and Docket 08-05, Application of PTI Pacifica.

³ See Notice, GT Docket 10-02, published in the Pacific Daily News on November 6, 2010.

⁴ PUC Counsel Report, GT Docket 10-02, filed November 15, 2010.

⁵ See GT Docket No. 09-01; in Docket 10-01, PUC approved GT's General Exchange Tariff No. 1.

2. The Federal Act provides that the Commission may designate a telecommunications carrier as an ETC if the following requirements are satisfied:
 - (a) the carrier offers services that are supported by the federal universal service support mechanism, either using its own facilities or a combination of its own facilities and resale of another carrier's services;
 - (b) the carrier advertises the availability of such services and the charges therefore using media of general distribution; and
 - (c) the designation of such carrier as an ETC is in the public interest (if such carrier is seeking designation for an area served by a rural telephone company that has already been designated as an ETC).⁶
3. GT is authorized to provide resold and facilities based local exchange services, including voice and data, in the entire Territory of Guam.⁷ GT also certifies in its petition that it will offer all of the services designated by the FCC for support pursuant to Section 254(c) of the Federal Act to any requesting customer within its designated service area; GT offers, or will offer, the supported services either using its own facilities or a combination of its own facilities and resale of another carrier's services; and GT advertises, or will advertise, the availability of supported services and the charges therefore using media of general distribution.
4. The FCC has indicated that a commitment in the Petition to provide all of the supported services and to advertise using media of general application upon designation as an ETC is sufficient to satisfy the FCC's requirements. The Commission finds that GT must certify to the Commission no later than August 31, 2011 that GT (a) offers all of the services designated by the FCC for support pursuant to Section 254(c) of the Federal Act either using its own facilities or a combination of its own facilities and resale and (b) advertises the availability of supported services and the charges therefore using media of general distribution as described in its Petition. The Commission finds that the August 31 due date is necessary to satisfy the need for sufficient time for the Commission to perform a "due diligence" review.
5. With respect the supported local usage, GT indicates that it "will satisfy the local usage criterion for ETC designation based upon its offering of unlimited local usage calling plans." Consistent with the FCC's rules, the

⁶ 47 U.S.C. §214(e). The FCC has defined the services that are to be supported by the federal universal service support mechanisms to include: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multifrequency (DTMF) signaling or its functional equivalent; (4) single-party service or its functional equivalent; (5) access to emergency services, including 911 and enhanced 911; (6) access to operator services; (7) access to interexchange services; (8) access to directory assistance; and (9) toll limitation for qualifying low-income customers. 47 C.F.R. §54.101(a).

⁷ See GT Docket 09-01 (Issuance of a Certificate of Authority to GT) and GT 10-01 (approving GT's General Exchange Tariff #1).

Commission finds that any designation of GT as an ETC be conditioned on GT's compliance with any local usage requirements prescribed by the FCC.

6. With respect to supported access to emergency service, GT indicates that it will offer emergency service and E911 service. It provides its subscribers with access to all and enhanced all through arrangements with the local incumbent exchange carrier, GTA. To the extent a governmental authority in the Territory of Guam implements E911 systems, GT will be required to provide E911 service. Therefore, the Commission finds that any designation of GT as an ETC be conditioned on GT's compliance with any FCC requirements concerning E911 service when implemented in the Territory of Guam.
7. On March 17, 2005, the FCC adopted additional requirements for ETC designation proceedings in which the FCC acts pursuant to 47 U.S.C. §214(e)(6).⁸ All carriers seeking ETC designation from the FCC must satisfy these requirements. The Commission finds that such additional requirements should be used by the Commission in evaluating GT's petition for ETC designation, in the same manner as the Commission found in Docket 06-08 concerning its evaluation of Pulse Mobile's petition for ETC designation.
8. Pursuant to the additional requirements adopted by the FCC in the *ETC Designation Order*, any applicant for ETC designation must:
 - (1) (i) Commit to provide service throughout its proposed designated service area to all customers making a reasonable request for service. Each applicant shall certify that it will:
 - (A) Provide service on a timely basis to requesting customers within the applicant's service area where the applicant's network already passes through the potential customer's premises; and
 - (B) Provide service within a reasonable period of time, if the potential customer is within the applicant's licensed service area but outside its existing network coverage, if service can be provided at reasonable cost by
 - (1) Modify or replacing the replacing the requesting customer's equipment;
 - (2) Deploying a roof-mounted antenna or other equipment;
 - (3) Adjusting the nearest cell tower;
 - (4) Adjusting network or customer facilities;

⁸ In the matter of *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (released March 17, 2005)(the "ETC Designation Order").

(5) Reselling services from another carrier's facilities to provide service; or

(6) Employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment.

(ii) Submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed designated service area. Each applicant shall demonstrate how signal quality, coverage or capacity will improve due to the receipt of high-cost support; the projected start date and completion date for each improvement and the estimated amount of investment for each project that is funded by high-cost support; the specific geographic areas where the improvements will be made; and the estimated population that will be served as a result of the improvements in a particular wire center are not needed, it must explain its basis for this determination and demonstrate how funding will otherwise be used to further the provision of supported services in that area.

- (2) Demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.
 - (3) Demonstrate that it will satisfy applicable consumer protection and service quality standards. A commitment by wireless applicants to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service will satisfy requirement. Other commitments will be considered on a case-by-case basis.
 - (4) Demonstrate that it offers a local usage plan comparable to the one offered by the incumbent local exchange carrier in the service areas for which it seeks designation.
 - (5) Certify that the carrier acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.
9. The Commission finds that GT has satisfied all of the additional mandatory requirements set forth in the *ETC Designation Order*. First, GT has certified that it will provide service throughout the Territory of Guam to all customers making a reasonable request for service in accordance with the FCC's requirements. In this regard, GT has committed that it will notify the Commission within thirty (30) days of any determination that it cannot provide service to a requesting customer in accordance with the

FCC's requirements. Second, GT has certified that it will have a reasonable amount of back-up power, the ability to reroute traffic and the capability to manage traffic spikes to remain functional in emergency situations. Third, GT has committed to comply with applicable service quality rules, standards, and consumer protection. Fourth, GT has indicated that it will offer a rate plan to its universal service customers that includes unlimited local usage comparable to the rate plan offered by GTA Telecom, LLC. Fifth, GT has certified that it acknowledges that the PUC may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

10. GT has submitted a five-year plan that describes proposed improvements or upgrades to its network, and the estimated amount of investment for each project that is funded by high-cost support. However, because the FCC has recognized that such plans are always subject to change and given FCC precedent for the filing of such plans after ETC designation, the Commission finds that such a detailed build-out plan should be updated by GT following ETC designation as part of its annual filing with the Commission.
11. For the public interest determination, the *ETC Designation Order* provides that the Commission should consider the benefits of increased consumer choice, and the unique advantages and disadvantages of the ETC applicant's service offering. The Commission believes that GT's universal service offering may provide a variety of benefits to customers in Guam, including consumer choice and advantageous service offerings. For instance, universal service support will help GT construct facilities to improve its coverage to all areas in Guam. In addition, GT has made detailed commitments to provide high quality service throughout the Territory of Guam. Designation of GT as an ETC will advance universal service by bringing consumer on Guam new and advanced telecommunications services which will create increased competitive choice. Finally, given the size of the federal universal service fund, the Commission believes it is unlikely that GT's ETC designation would have an adverse impact of the federal universal service fund.
12. GT is obligated under Section 254(e) of the Federal Act to use high cost support "only for the provision, maintenance, and upgrading of facilities and service for which support is intended" and is required under Section 54.314 of the FCC's rules to certify annually that it is in compliance with this requirement. GT has certified to the Commission that, "consistent with Section 54.314(b) of the FCC's rules, all federal high-cost support will be used solely for the provision, maintenance and upgrading of facilities and service for which support is intended pursuant to Section 254(e) of the [Federal] Act." The Commission finds that GT should be required to file an annual certification with the Commission in substantially the form required by Section 54.314(b) and (c) of the FCC's rules to verify that GT will use federal high-cost support only for those facilities and services for which the support is intended, regardless of whether the certification

must actually be filed by GT with the USAC and the FCC under Section 54.314(b).

13. In addition, GT has committed to submit to the Commission on an annual basis the following records and documentation, in addition to any other information or reports that the Commission may reasonably request from time to time:

- GT's progress towards meeting its build-out plans;
- Information on any outage lasting at least 30 minutes and potentially affecting either at least 10 percent of the end users serviced or 911 facilities;
- The number of requests for service from potential customers within GT's service area that were unfulfilled for the past year;
- The number of complaints per 1,000 lines;
- GT's compliance with applicable service quality standards and consumer protection rules;
- GT's ability to function in emergency situations;
- GT's certification that it is offering a local usage plan comparable to that offered by the incumbent local exchange carrier; and
- GT's certification that it acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access in the service area.

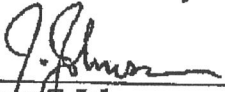
14. The Commission finds that GT must submit these records and documentation to the Commission by August 31 of each year, beginning in 2011. Consistent with FCC requirements: (1) the progress report should detail GT's progress towards meeting GT's five-year service quality improvement plan, explanations of how much universal service support was received and how the support was used to improve service quality in each wire center or cell tower for which designation was obtained, and an explanation of why any network improvement targets have not been met; and (2) the information on GT's outages should include the date and time of onset of the outage, a brief description of the outage, the particular services affected by the outage, the geographic areas affected by the outage and steps taken to prevent a similar outage situation in the future. The Commission finds that GT must provide additional information and reports to the Commission when request therefore is made by the Commission or its staff from time to time.

Order

Based upon the foregoing, the Commission orders that:

- (h) GT must promptly submit to the Commission any additional information or reports that that Commission reasonably request from time to time.
2. The Commission reserves the jurisdiction and authority to (a) institute an inquiry on its own motion to examine GT's records and documentation to ensure that the high-cost support it receives is being used "only for the provision, maintenance, and upgrading of facilities and services" in the Territory of Guam, (b) revoke GT's ETC designation if it fails to fulfill any requirements of Section 214 of the Federal Act, the FCC's rules and regulations or the Commission's order after GT begins receiving universal service support and (c) assess penalties for violations of the Commission's rules and orders.

Dated this 29th day of November, 2010.



Jeffrey C. Johnson
Chairman

**EXHIBIT 13
COVER PAGE OF GTL TARIFF**

Guam Telecom, LLC

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES APPLYING TO GENERAL EXCHANGE TELECOMMUNICATIONS SERVICES WITHIN GUAM

467 Harmon Loop Road
Dededo, Guam 96929

Competitive Local Exchange Telecommunications Services Tariff

This tariff contains the description, regulation, and rates for the furnishing of competitive local exchange telecommunications services provided by Guam Telecom, LLC dba MCV Telecom with principal offices located at 467 Harmon Loop Road, Dededo, Guam 96928. This tariff applies for service furnished within Guam. This tariff is filed with the Guam Public Utilities Commission located at Suite 207, GCIC Building, Hagatna, Guam 96932. Copies may be inspected during normal business hours at the Company's principal place of business in Dededo, Guam.

Issued: April 29, 2010

Effective: May 28, 2010

Issued Under the Authority of the Guam Public Utilities Commission

Craig R. Thompson, President & CEO
P. O. Box 24728
Barrigada, Guam 96921