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OFFICE OF THE PUBLIC AUDITOR

Fax

To: Mr. D. Graham Botha, Esq. – Legal Counsel
From: Theresa Gumataotao
OPA Procurement Appeals

Agency: Guam Power Authority
Pages: 3 (Including cover)

CC:
Date: Tuesday – May 20, 2008

Fax: 648-3290
Phone: 648-3225

Re: Notice of Pre-Hearing: OPA-PA-08-004

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

See attached Notice and kindly acknowledge receipt of this fax by re-sending this cover page with your agency receipt stamp, date, and initials of receiver.
Thank you.

 Theresa x.207 tgumataotao@guamopa.org

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See Notice Attached.

Further, if any disabled person or party wishes to attend the announced meeting and requires special accommodations, auxiliary aids, or services please contact Theresa Gumataotao at 475-0390 x. 207.

Thank you.

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OFFICE OF THE PUBLIC AUDITOR

PROCUREMENT APPEALS

IN THE APPEAL OF,

O&M ENERGY, S.A.

APPELLANT.

)
) **NOTICE OF PRE-HEARING CONFERENCE**
)

) Appeal No. : OPA-PA-08-004
)
)
)

TO:

Appellant – O&M Energy, S.A.

Mr. Juan Rodriguez
Business Manager
Parque Empresarial “La Finca”
Paseo del Club Deportivo 1
28223 Pozuelo de Alarcon
Madrid, Spain

VIA EMAIL: juanr@unionfenosa.es

Authorized Representative for Appellant – O&M Energy, S.A.

Mr. Danny Leon Guerrero
Suite # 225 and # 235
International Trade Center
Tamuning, Guam 96913

VIA EMAIL: danny.guerrero@yahoo.com

Attorney for the Purchasing Agency – Guam Power Authority

Mr. D. Graham Botha, Esq.
Legal Counsel
Guam Power Authority
1911 Route 16, Ste 227
Harmon, Guam 96913

VIA FACSIMILE 648-3290

Messers Rodriguez, Leon Guerrero, and Botha,

A Pre-Hearing conference will be held before the Hearing Officer for Procurement Appeals at the Office of the Public Auditor on Tuesday May 27, 2008, at 3:00 PM, relative to the above

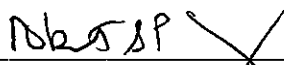
referenced appeal. For the benefit of the parties and their counsel, the Hearing Officer issues the following statement regarding the scheduled Pre-Hearing conference.

The Pre-Hearing conference will focus on expediting the disposition of the appeal and may include:

- a) formulation and simplification of the issues;
- b) possibility of obtaining admissions of fact and of documents that will avoid unnecessary proof, stipulations regarding the authenticity of documents, and advance rulings from the Hearing Officer on the admissibility of evidence;
- c) the avoidance of unnecessary proof and of cumulative evidence;
- d) the identification of witnesses and documents, the need and schedule for filing and exchanging pretrial briefs;
- e) the disposition of pending motions;
- f) the need for adopting special procedures for managing potentially difficult or protracted actions, complex issues, multiple parties, or unusual proof problems;
- g) establishing a reasonable limit on the time allowed for presenting evidence; and
- h) such other matters as may facilitate the just, speedy, and inexpensive disposition of the action.

Dated this 20th day of May, 2008.

Sincerely,



Robert G.P. Cruz, Esq.
Hearing Officer