

Per



# Office of the Governor of Guam

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Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

2009 JUN 18 AM 10:42 AM

17 JUN 2009

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*Mina' Trenta Na Liheslaturan Guåhan*  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 74(LS) "AN ACT TO *ADD* A NEW §8124 TO ARTICLE 1 OF CHAPTER 8 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE GUAM POWER AUTHORITY TO DISCLOSE THE DETAILS OF ITS FUEL PURCHASES ON ITS WEBSITE " which I signed into law on June 16, 2009 as **Public Law 30-29**.

*Sins eru yan Magåhet,*

MICHAEL W. CRUZ, M.D.  
*I Maga'låhen Guåhan, para pa'go*  
Acting Governor of Guam

Attachment: copy of Bill

30-09-0729

Office of the Speaker  
Judith T. Won Pat, Ed. Dg

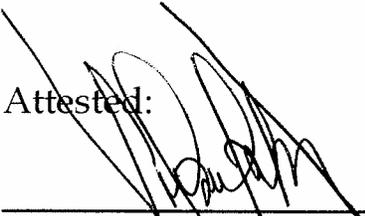
Date	6/17/09
Time	4:30 PM
Received by	[Signature]

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 74 (LS), "AN ACT TO ADD A NEW §8124 TO ARTICLE 1 OF CHAPTER 8 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE GUAM POWER AUTHORITY TO DISCLOSE THE DETAILS OF ITS FUEL PURCHASES ON ITS WEBSITE," was on the 29<sup>th</sup> day of May 2009, duly and regularly passed.

Attested:



Tina Rose Muña Barnes  
Legislative Secretary



Judith T. Won Pat, Ed. D.  
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 4 day of June, 2009, at  
955 o'clock A.M.



Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date: 16 JUN 2009

Public Law No. 30-29

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (FIRST) Regular Session**

**Bill No. 74 (LS)**

As amended.

Introduced by:

Telo Taitague  
R. J. Respicio  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith P. Guthertz, DPA  
T. R. Muña Barnes  
v. c. pangelinan  
Adolpho B. Palacios, Sr.  
M. J. Rector  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §8124 TO ARTICLE 1 OF  
CHAPTER 8 OF TITLE 12, GUAM CODE ANNOTATED,  
RELATIVE TO REQUIRING THE GUAM POWER  
AUTHORITY TO DISCLOSE THE DETAILS OF ITS  
FUEL PURCHASES ON ITS WEBSITE.**

1        **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that at One Hundred Twelve Million Seven Hundred Eight Thousand Six Hundred  
4 Eight Dollars (\$112,708,608), One Hundred Fifty-seven Million One Hundred  
5 Twenty-one Thousand Six Hundred Ninety-nine Dollars (\$157,121,699) and One  
6 Hundred Seventy-four Million Seven Hundred Forty-seven Thousand Six Hundred

1 Thirty-nine Dollars (\$174,747,639) for Fiscal Years 2005, 2006 and 2007,  
2 respectively, fuel purchases have been the largest expense category on the audited  
3 Income Statements of the Guam Power Authority (GPA). As such, *I Liheslatura* is  
4 acutely aware of the importance of transparency for all fuel purchases made by  
5 GPA.

6 To ensure integrity and transparency in the procurement of fuels of its  
7 generators, it is the intent of *I Liheslatura* to require the Guam Power Authority to  
8 disclose the details of every fuel purchase on its website.

9 **Section 2.** A new §8124 is hereby *added* to Article 1 of Chapter 8 of Title  
10 12, Guam Code Annotated, to read as follows:

11 **“§8124. Disclosure of Fuel Purchase on Agency’s Website.**

12 Within five (5) days of the date of the transaction, Saturdays, Sundays and  
13 government of Guam holidays excepted, the Guam Power Authority *shall*  
14 disclose the following information on its website for each fuel purchase:

- 15 (a) the type of fuel purchased;
- 16 (b) the quantity of fuel purchased;
- 17 (c) the total price of the fuel purchased;
- 18 (d) the cost to ship the fuel purchased to Guam; and
- 19 (e) the expected date of delivery of the fuel purchased.

20 The Guam Power Authority, for fuel purchase contracts for multiple  
21 shipments for different future delivery dates *or* for different types of fuels  
22 shipped for the same delivery date, *shall* disclose the information required  
23 in items (a), (b), (c), (d) and (e), *supra*, for each shipment of fuel *or* each  
24 type of fuel.

1            Nothing herein *shall* be construed as to limit the Guam Power  
2 Authority from disclosing any additional information regarding its fuels  
3 purchases.”

6

# I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: 5/29/09

## VOTING SHEET

Bill No. 74 (LS)

Resolution No. \_\_\_\_\_

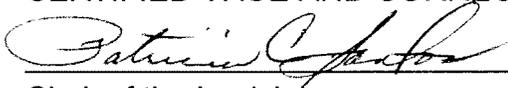
Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

25 \_\_\_\_\_

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



# Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • I Mina' Trenta Na Liheslaturan Guåhan

May 8, 2009

**The Honorable Judith T. Won Pat, Ed.D.**

Speaker  
I Mina' Trenta Na Liheslaturan Guåhan  
155 Hesler Place  
Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**  
Chairperson, Committee on Rules

2009 MAY 26 PM 12:44  
COR

**RE: Committee Report – Bill No. 74 (LS)**

The Committee on Utilities, Transportation, Public Works, and Veterans Affairs, to which was referred **Bill No. 74 (LS)** – “**An act to add a new §8124 to chapter 8 of article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website**”, hereby reports out with the recommendation **TO PASS** the bill as introduced.

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

- 5 To Pass
- \_\_\_\_\_ Not to Pass
- \_\_\_\_\_ To Report Out Only
- \_\_\_\_\_ Abstain
- \_\_\_\_\_ Inactive File

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention on this matter.

Si Yu'os Ma'ase  
  
Thomas C. Ada

COR  
**RECEIVED**  
MAY 11 2009



## **Senator Thomas C. Ada**

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • I Mina' Trenta Na Liheslaturan Guåhan

### **Committee Report**

### **Bill No 74 (LS)**



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • I Mina' Trenta Na Liheslaturan Guåhan

May 8, 2009

### MEMORANDUM

To: All Members, Committee on Utilities, Transportation, Public Works and Veterans Affairs

From: Senator Thomas C. Ada, Chairperson, Committee on Utilities, Transportation, Public Works and Veterans Affairs

Subject: Voting Sheet for Bill No. 74 (LS)

Included herewith for your information and action is the Committee Report on:  
**Introduced Bill No. 74 (LS) – “An act to add a new §8124 to chapter 8 of article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website”**

Please take the appropriate action on the voting sheet. Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me. Your attention and cooperation on this matter is greatly appreciated.

Si Yu'os Ma'ase,

Thomas C. Ada

Attachments: Committee Voting Sheet  
Committee Report  
Bill No. 74 (LS)  
Public Hearing Sign-In Sheet  
Notice of Public Hearing



# Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
 30<sup>th</sup> Guam Legislature • I Mina' Trenta Na Liheslaturan Guåhan

## VOTING RECORD

Bill No. 74 (LS) – “An act to add a new §8124 to chapter 8 of article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website”.

Committee Members	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT OF COMMITTEE	ABSTAIN	INACTIVE FILE
Senator Thomas C. Ada, Chairman		✓				
Senator Adolpho B. Palacios, Sr., Vice Chairman		5/8/09				
Senator Frank B. Aguon, Jr.						
Vice Speaker Benjamin J. F. Cruz						
Senator Tina Rose Muña-Barnes						
Senator Rory J. Respicio		5/8/09				
Senator James V. Espaldon						
Senator Telo Taitague		5/8/09				
Senator Ray Tenorio						

## Public Hearing

**Bill No. 74 (LS)** – T. Taitague/ R.J. Respecio

An act to add a new §8124 to chapter 8 of article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.

### I. Overview

The Committee on Utilities, Transportation, Public Works and Veterans Affairs convened on April 21, 2009 at 1:00 pm to hold a public hearing that included the subject of **Bill No. 74 (LS) – An act to add a new §8124 to chapter 8 of article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.** Notice of the hearing was disseminated to all local media outlets via facsimile on April 14, 2009 and April 17, 2009, thus meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature’s website.

#### Committee Members and Senators present:

Senator Thomas C. Ada	Chairman
Speaker vicente “ben” c. pangelinan	
Senator Telo Taitague	Member, Minority

#### Testimony submitted by:

Joaquin Flores  
Rita Franquez  
John Cruz  
Randy Wiegand (present, but did not testify)

### II. Summary of Testimonies

#### Joaquin Flores:

*Provided written and oral testimony (written testimony is attached)*

Joaquin Flores is the general manager for GPA. He does not express if he was in favor or against Bill 74, but rather that he believes GPA is already in compliance with the intent of the Bill. He expressed that GPA is already showing “integrity and transparency” in the availability of all fuel purchases and expenditures on GPA’s website. In his testimony he stated that 95% of the fuel purchased by GPA is high sulfur oil and the remaining is diesel. He further stated that GPA is already posting its biannual Levelized Energy Adjustment Clause filing on the website ([www.guampowerauthority.com](http://www.guampowerauthority.com)). This includes the invoices from BP Singapore for the monthly fuel shipments. Mr. Flores assured the Committee that GPA’s LEAC filings are reviewed thoroughly by PUC. He believes that GPA is committed both to being transparent and ensuring integrity in its practice and thus he is not sure what else can be done to satisfy the Legislature.

Mr. Flores remained steadfast in his objective to accommodate the request as stipulated in Bill 74. He mentioned that GPA has created a separate page on the website for the purpose of posting fuel information. The website includes links to invoices that

reflect the type, quantity, and price of fuel purchased. He stated that GPA also created a table to reflect the best estimate of the timing and cost of future shipments. Mr. Flores explained that GPA is not able to commit to posting future fuel prices because in many cases they do not know the price of fuel until a few days before the fuel is received on island. Mr. Flores testified that GPA is willing to work with the Legislature and the Bill's author to address the requirements as stipulated in the bill, but requested that the information only be specific to high sulfur fuels and not the diesel fuels. Attached to the testimony are snapshots of the website. He concluded his testimony by thanking the Legislature.

Rita Franquez:

*Provided oral testimony*

Rita Franquez is a concerned citizen and is testifying in favor of Bill 74. She states for the record that she can be considered the simple laymen. She believes that the Bill is a good idea. She is delighted that the GPA director is willing to comply and then she suggested that maybe additional items be added to the list of five. She would like to see a synopsis to what has been done and not the projected. She mentioned the addition of simple statistics. Ms. Franquez expressed that she hopes there could be more departments that would simplify their reports and make it an accurate reflection of what is really being done. Not will do, but what has been done. She iterated that she would like to know the details of who did what and how it happened. She sees this transparency in operations as an important stance.

Leonard Olive:

*Provided written testimony (written testimony is attached)*

Leonard Olive is in support of Bill 24. As General Manager for Guam Waterworks Authority, Mr. Olive expressed support for modifying the enabling statute for the Guam Contractors License Board, and more specifically, §70116 which allows the board to revoke the license of contractors who tap into the utility systems without written permission from GWA. Mr. Olive applauds the GCLB for this proposed changed.

## **Question and Answer**

**Senator Ada** began the public hearing by yielding the floor to Senator Telo Taitague.

**Senator Taitague** explained that Bill 74 was introduced because of concerns brought to her by constituents who wanted a simple format to address the fuel cost that GPA was spending. She mentioned that the largest expense for GPA is fuel and that it makes up more than half of GPA total expenses. Bill 74 will require GPA to post the five requested list items on their web site in a simple format. The idea is to make the information readily available and understandable to a layperson.

**Joaquin Flores** mentioned that more than 95% of fuel used by GPA is high sulfur and that diesel should not be in this category. GPA's diesel usage is less that 2-3% a year.

We have a whole staff of people reviewing, compiling and forecasting data on a monthly basis. The invoices alone on heavy oil will be very difficult for one to understand how the LEAC is computed. Two pieces, current and projected LEAC. Then there is an accounting procedure to calculate the blending cost of fuels. There is always issues that come up with the LEAC. It all starts with sales and what are the sales, total cost for the period divided by the total sales. If sales are less, then you are under recovering. If they are higher, then you are over recovering. Fuel projection is very difficult. There is no expert who would be able to accurately project the prices. Generation efficiency; consumption is based on efficiency of which units are in place. That efficiency then drives the volume to be used.

**Senator pangelinan:** So every thing is retrospective? Although it is projected, you still adjust to recover cost?

**Joaquin Flores:** Yes, but the difficulty is that we don't have access to cash. We can undershoot prices for being too low and then prices come too high. If there is a significant miscalculation or if there is a variance of 1 or 2 % of fuel that could result in \$2-3 million in shortfall of cash. The problem is that collection takes about five weeks, to pay for revenue and to pay for fuel. The ship does not leave Singapore until there is a letter of credit secured. Despite people saving, Guam is still burning the same amount of fuel than prior to the \$147 per barrel cost. GPA is adding 1500 customers a year to offset the energy saving. Meter sales are not declining. Guam is still consuming and GPA is still providing energy that people demand on island with very little drops in consumption.

**Senator pangelinan:** Do you run plants at a certain rate to generate certain kilowatts? Is there any room in there just in the operation of the plant? Like a spinning reserve, is there something online that is not being drawn on and is there a gap between when you have to ramp up the fuel consumption because you have to ramp up the engine.

**Joaquin Flores:** Yes there is, the unfortunate thing is that the best way to control that is to not generate and to shut down the unit. The consequence is that there is a cycling cost to that. To cycle to full load and then to take them off the grid is more costly because of the wear and tear on the unit. You want to run these units at the highest capacity factor on a day-to-day basis. At the highest consumption it is at 260 megawatts and in the middle of the night you are down to 160 megawatts, you have to throttle back the base units to the most optimal level.

**Senator pangelinan:** Can you throttle them down where you still consume a "1000 gallons" but not all the way down where you have to ramp them back up immediately. That gap can power the streetlights when you are not consuming any more oil so that cost to run the streetlights at night is free.

**Joaquin Flores:** Unfortunately Senator that is not how it works. Electrical energy has to come from somewhere, and it comes from mechanical energy and mechanical energy comes from fuel. Every time you produce you have to consume. The sweet spot is around 85% load on the unit. It is a very delicate balance to get to the right level.

**Senator Taitague:** The purpose of the bill is to simplify things because the LEAC is very confusing. Is there any burden on GPA to simplify or summarize the information?

**Joaquin Flores:** I express my hesitancy because it is a very tiny piece, although a big component of the pie, on how to calculate the cost for kwh factor. It is not a burden at all because the information is readily available and we can post it and we are already doing that.

**Senator Taitague:** I want GPA to summarize or simplify the information on the website.

**Joaquin Flores:** We can take a crack to simplify it. We can say that this is the LEAC summary.

**Senator Taitague:** We don't want to know how to make the bread; we just want to know the cost. Is there any burden to GPA in doing this?

**Joaquin Flores:** The easiest way to summarize is through the total fuel expenses, inclusive of under and over recovery, complete blended cost divided by the projected sales.

**Senator Taitague:** I just want the final cost on the purchase, the type of fuel for this month and the expected date of delivery. All I am looking for is how much you purchase the fuel, the amount of fuel purchased and the arrival date on island.

**Senator Ada:** I think that the raw data is already provided by your fuel section in an excel spreadsheet during the monthly meeting. It shows date of delivery, cost and volume. I want to emphasize that it is just the raw data.

**Senator pangelinan:** We don't need the blended cost.

**Joaquin Flores:** That is easily done.

**Senator Taitague:** How much does it cost to ship to Guam? We just need it in a simple form for a layperson to read.

**John Cruz:** If you go to the website and look at it and give us any suggestions as to modify it, then we will be happy to accommodate you. We took into account Bill 74 when we were posting the data and we went line item by line item. We were not able to address everything, especially the diesel fuel deliveries, because it could happen every day and that will be onerous.

**Senator Ada:** Mr. Flores already clarified that this is the raw data on the high sulfur fuel, not the diesel. It is the fuel that GPA burns down at the plant.

**Joaquin Flores:** If you have any suggestions on formatting and re-crafting of the presentation, then my office is amenable to making these changes and addressing these issues. We would like to meet with your staff in this regard.

**Senator Taitague:** Thank you, I appreciate it. I commend the great work you are doing and I thank you for coming down here for this hearing. This bill was introduced in the event when you retire. The law will mandate the posting of the fuel prices, shipping charge, volume ordered on the website in simple layman's view.

**Senator Ada:** Mr. Flores, I just have one question. On section two, it requires that the data be posted five days after the transaction. Is five days sufficient for you to post the data?

**John Cruz:** Yes we are able to accomplish this in five days.

**Senator Ada:** Okay. I would like to go to the next witness, Ms. Franquez.

**Senator pangelinan:** We have to be careful because we don't want to mislead people when they start to compare the monthly charges. It is not a 100% correlation between the fuel prices. So we have to be careful that they don't make the connection because they are not the same thing. My only concern is that consumers may not understand that it doesn't translate 100% to the LEAC charges.

**Senator Ada:** That is why I think it is important to put that qualifier in there to state that it is only the raw data of fuel that has been delivered.

**Joaquin Flores:** That can be done if we go back to the monthly surcharge. From a utility perspective, that would be the greatest thing to happen. Then the difficulty in projecting sales and fuels is no longer an issue. It is all recovered immediately. However, that is not the case. We have adopted a LEAC leveling. It can be front end loaded and be recovered in the back end. It could be back end loaded and we do it in the front end. It is more of an art than a science.

**Senator pangelinan:** Are you hedging?

**Joaquin Flores:** No we are not hedging; my comment relates to the margin calls with the current trader at this time.

**Senator Ada:** If there are no other questions or comments, then we shall adjourn this public hearing at 1:45pm.

### **III. Findings and Recommendation**

The Committee on Utilities, Transportation, Public Works and Veterans Affairs finds that it is important for government agencies to conduct operations in a transparent manner. While GPA has done much to provide consumers with information about

fuel prices, volumes, and charges on their website, the average customer may still have difficulty accessing and understanding this information. Additionally, the Committee finds that the information requested by the bill should be limited to the heavy fuel information, in order not to conflate and misrepresent more complicated fuel purchasing information, and be presented in a simple and summarized manner.

The Committee found that there is a general consensus to provide the line item information that is requested in the bill. During the Public Hearing, it was also agreed that the raw data of information would be listed in a simple format. Additionally, a concern brought up by the Committee panel in regards to the potential for information to be construed as a direct correlation of prices paid and prices charged was addressed with the addition of a qualifier stating that the information is only “raw data” and thus it is not a true reflection of the translated cost. Lastly, a concern brought up by Senator Ada regarding the number of days required to populate the data into the website was addressed when GPA assured the Committee that five days was sufficient time to accomplish the task.

The Committee finds that the testimony provided in the Public Hearing demonstrates sufficient support to recommend Bill 74 to pass as introduced. Therefore the Committee on Utilities, Transportation, Public Works and Veterans Affairs duly reports to *I Liheslaturan Guåhan* with the recommendation **TO PASS** Bill 74 (LS) as introduced.





# GUAM POWER AUTHORITY

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

21 April 2009

Honorable Senator Thomas Ada,  
I Mina' Trenta na Liheslaturan Guahån  
Committee on Utilities, Transportation, Public Works &  
Veterans Affairs, Chairmen  
Suite 207 – Ada Plaza Center  
173 Aspinall Avenue  
Hagatna, Guam 96932  
Email: [toma@senatorada.org](mailto:toma@senatorada.org)

**SUBJECT: Testimony on Bill 74**

Dear Honorable Senator Ada:

My name is Joaquin C. Flores. I am currently serving as the General Manager for the Guam Power Authority and I am testifying in my capacity as General Manager.

We are somewhat perplexed as to the purpose behind Bill No. 74. The legislative intent states it is to “ensure integrity and transparency in the procurement of fuels of its generators....”

More than 95% of the fuel purchased by GPA is high sulfur fuel oil (HSFO). The remaining amount is diesel fuel. GPA purchases HSFO in large tankers which arrive on Guam approximately one time per month. The diesel fuel is provided on an as needed basis by pumper truck to each delivery location. We are assuming the i Liheslaturan Guåhan’s interest in is in the HSFO product. However, GPA is already posting its bi-annual Levelized Energy Adjustment Clause filings our website - [www.guampowerauthority.com](http://www.guampowerauthority.com). Included in these filings are the invoices GPA receives from BP Singapore for the purchase of the monthly fuel shipments. We are not sure what additional transparency is desired.

Additionally, GPA’s LEAC filings are reviewed thoroughly by the Public Utilities Commission to the point where they are reviewing the fuel invoices to make sure they tie to the spreadsheets where the LEAC factors are calculated. Further, the PUC replicates GPA’s spreadsheets as a double-check to ensure the formulas in the spreadsheets are working properly. We are also unsure what additional integrity could be added to the process.

Nevertheless, to ensure easier access to GPA’s HSFO fuel information, GPA has created a separate page for the purposes of posting fuel information on GPA’s website. The snapshots which are attached to this testimony provide instructions for how the page

Senator Thomas Ada  
21 April 2009

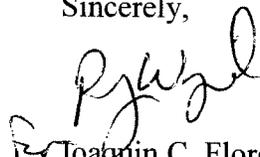
can be accessed. Some of the information is still being populated, but we expect to have it completed by the end of this week. The webpage includes links to invoices which reflect the type, quantity, and price of fuel purchased. We have also created a table to reflect our best estimates of the timing and cost of future shipments. We believe these actions should bring GPA into compliance with the intent of the legislation.

GPA is unable to commit to the posting of future fuel purchases. GPA's contract for the purchase of fuel establishes the purchase price of fuel based on an average of fuel prices for the Singapore Platt's index. Thus, in many cases GPA does not know the price of fuel until a few days before the fuel is received on the island.

If it continues to be the desire of I Mina'Trenta na Liheslaturan Guahån to move forward with Bill No. 74, we recommend the bill be changed to specify that only information on HSFO is being sought. GPA has a few diesel fuel contracts and receives invoices based on deliveries to each plant. Posting this information on the web would create a substantial burden on the Authority and GPA does not believe there would be an offsetting benefit.

This concludes my testimony. I wish to thank I Mina'Trenta na Liheslaturan Guahån for allowing me the opportunity to provide feedback on Bill No. 74 on behalf of the Guam Power Authority

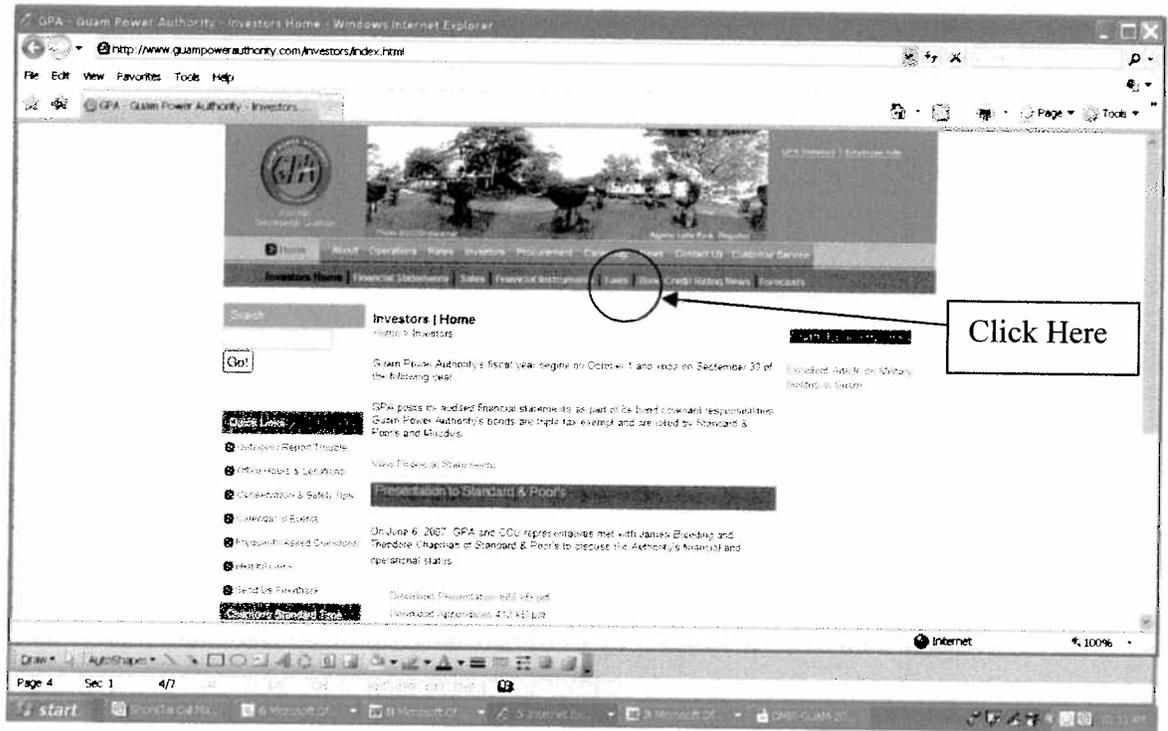
Sincerely,



Joaquin C. Flores, P.E.  
General Manager

Attachments





CPA - GreenPoint Energy - Fuels - Microsoft Internet Explorer

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Address: http://www.gpenergy.com/investor/fuels.htm



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Distillation of Major Fuel Types

**Levelized Energy Adjustment Clause Filings and Approvals**

Category: Regulated Investor  
 FY: 2008

Distillation of Major Fuel Types  
 LEAC Clauses  
 LEAC Updates FY08-1001

**Residual Fuel Oil Shipments**

FY: 2008

**Fuel Related Contracts in Force**

Fuel Lookbooks

**Fuel Invoices**

FY: 2008

**Useful Information**

Fuel Invoices: Downloads  
 Historical Price Comparison: Chart  
 Fuel's Role: Videos, Chart  
 Bloomberg Energy: Profiles

Checklist: Standard Time  
 FY08 Start: 10/1/08

Use State  
 FY: 2008

Utilities  
 10/10/2008 10:00

start | Internet | Fuels | Page 1/1 | 10/20/08

I MINA' TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

Bill No. 74(45)

Introduced by:

Telo Taitague  
R.J. Respicio

2009 FEB 28 PM 4: 29 - W.V.

**AN ACT TO ADD A NEW §8124 TO CHAPTER 8 OF ARTICLE 1 OF 12GCA RELATIVE TO REQUIRING THE GUAM POWER AUTHORITY TO DISCLOSE THE DETAILS OF ITS FUEL PURCHASES ON ITS WEBSITE.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative intent.** *I Liheslaturan Guåhan* finds that at \$112,708,608, \$157,121,699 and \$174,747,639 for Fiscal Years ending 2005, 2006 and 2007 respectively; fuel purchases have been the largest expense category on the audited Income Statements of the Guam Power Authority (GPA). As such, *I Liheslatura* is acutely aware of the importance of transparency for all fuel purchases made by GPA.

To ensure integrity and transparency in the procurement of fuels of its generators, it is the intent of *I Liheslatura* to require the Guam Power Authority to disclose the details of every fuel purchase on its website.

**Section .** Section 8124 is hereby *added* to Chapter 8 of Article 1 of 12GCA to read as follows:

**“§8124. Disclosure of Fuel Purchase on Agency’s Website.** Within five (5) days of the date of the transaction, Saturdays, Sundays and government of Guam

1 Holidays excepted; the Guam Power Authority shall disclose the following  
2 information on its website for each fuel purchase:

- 3 (a) the type of fuel purchased,
- 4 (b) the quantity of fuel purchased,
- 5 (c) the total price of the fuel purchased
- 6 (d) the cost to ship the fuel purchased to Guam and
- 7 (e) the expected date of delivery of the fuel purchased”

8  
9 The Guam Power Authority, for fuel purchase contracts for multiple  
10 shipments for different future delivery dates *or* for different types of fuels shipped  
11 for the same delivery date, shall disclose the information required in items (a), (b),  
12 (c), (d) and (e), *supra*, for each shipment of fuel or each type of fuel.

13 Nothing herein shall be construed as to limit the Guam Power Authority  
14 from disclosing any additional information regarding its fuels purchases.



# COMMITTEE ON RULES

*I Mina'Trenta na Liheslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR  
RORY J.  
RESPICIO  
CHAIRPERSON**

**SENATOR  
Judith P. Guthertz  
VICE  
CHAIRPERSON**

**MAJORITY  
MEMBERS:**

Judith T. Won Pat  
SPEAKER

Benjamin J. F. Cruz  
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Frank B. Aguon, Jr.  
SENATOR

Adolpho B. Palacios, Sr.  
SENATOR

Vicente C. Pangelinan  
SENATOR

Matthew Rector  
SENATOR

**MINORITY  
MEMBERS:**

Frank F. Blas, Jr.  
SENATOR

James V. Espaldon  
SENATOR

February 24, 2009

Memorandum

To: Clerk of the Legislature  
*I Mina'Trenta Na Liheslaturan Guåhan*  
Attorney Therese M. Terlaje, Legislative Legal Counsel  
*I Mina'Trenta Na Liheslaturan Guåhan*

From: Senator Rory J. Respicio   
Chairperson, Committee on Rules  
*I Mina'Trenta Na Liheslaturan Guåhan*

Subject: Referral of Bills No. 73(LS) and 74(LS)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 73(LS) and 74(LS).

Please ensure that the subject Bills are referred, in my name, to the respective Chairpersons, as shown on the attachment. I am also requesting that the same be forwarded to all Senators of *I Mina'Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Elaine Tajalle or Stephanie Mendiola from my office.

*Si Yu'os Ma'åse.*

*Attachment*

2009 FEB 24 PM 2:42 m

### Bill/Resolution Introduction/Referral

Bill	Sponsor	Description	Date Introduced	Date Referred	Committee Referred
73(LS)	M. J. Rector	AN ACT TO CREATE A NEW § 14104.3 OF TITLE 12, CHAPTER 14, GCA AND TO AMEND § 14117 TITLE 12, CHAPTER 14, REQUIRING THE GUAM WATER AUTHORITY TO PROVIDE FULL SERVICE TO ALL LEASED PROPERTIES HELD BY THE CHAMORRO LAND TRUST COMMISSION WITHOUT CHARGE TO LAND TRUST COMMISSION LESSEES. THIS ACT SHALL BE HEREIN REFERRED TO AS: THE WATER FOR THE PEOPLE ACT.	2/20/09	2/24/09	Committee on Utilities, Transportation, Public Works, and Veterans Affairs
74(LS)	Telo Taitague, R.J. Respicio	AN ACT TO ADD A NEW §8124 TO CHAPTER 8 OF ARTICLE 1 OF 12GCA RELATIVE TO REQUIRING THE GUAM POWER AUTHORITY TO DISCLOSE THE DETAILS OF ITS FUEL PURCHASES ON ITS WEBSITE.	2/20/09	2/24/09	Committee on Utilities, Transportation, Public Works, and Veterans Affairs

## **Notices of Public Hearing**



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guahan*

### AGENDA

#### COMMITTEE ON UTILITIES, TRANSPORTATION, PUBLIC WORKS, AND VETERANS AFFAIRS

**Public Hearing**  
**April 21, 2009, 1:00 p.m.**  
**Public Hearing Room**

**The following Bill will be heard by the Committee on Utilities, Transportation, Public Works, and Veterans Affairs;**

**1:00 pm**

**Bill No. 74 (LS) – T. Taitague/ R.J. Respecio**

An act to add a new §8124 to chapter 8 of article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.

The Committee on Utilities, Transportation, Public Works, and Veterans Affairs will continue to receive testimonies until May 1, 2009. Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and may be submitted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to 671-473-3303. We thank you for your participation in this Public Hearing.

For further information, please contact our office at 473-3301.



# Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>TH</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guahan*

April 14, 2009  
MEMORANDUM

To: All Senators

From: Senator Thomas C. Ada,  
Chairperson, Committee on Utilities, Transportation, Public Works and Veterans Affairs

Subject: **First Notice - Public Hearing**  
**Tuesday, April 21, 2009 – 1:00 pm**  
**Agenda: Bills 74.**

Please be advised that the Committee on Utilities, Transportation, Public Works and Veterans Affairs will be conducting a Public Hearing on **Tuesday, April 21, 2009 at 1:00 pm** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following item:

**1:00 pm**

**Bill No. 74 (LS) – T. Taitague/R.J. Respicio**

An act to add a new §8124 to chapter 8 of article 1 of 12GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.

Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and may be submitted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to the Office of Senator Thomas Ada. Copies of these agenda items may be found on the official Guam Legislature website ([www.guamlegislature.com](http://www.guamlegislature.com)).

For further information, please contact our office at 473-3301.  
I look forward to your attendance and participation.

Si Yu'os Ma'ase,

Thomas C. Ada

cc: Clerk of the Legislature  
Sergeant-At-Arms/Protocol/AV

<b>GUAM LEGISLATURE</b>
<b>REPRODUCTION/MAIL ROOM</b>
DATE: <u>4/15/09</u>
TIME: <u>10:15</u> [ ]AM [ ]PM
RECEIVED BY: <u>[Signature]</u>



Senator Tom Ada

Jay Sunga <ajsunga@senatorada.org>

## First Notice for Public Hearing April 21, 2009

Jay Sunga <ajsunga@senatorada.org>

Tue, Apr 14, 2009 at 5:17 PM

To: Tom Ada <tom@senatorada.org>, judiguthertz@pticom.com, senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Ben Pangelinan <senbenp@guam.net>, BJ Cruz <senadotbjcruz@aol.com>, "Edward J.B. Calvo" <senalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Matt Rector <matt@mattrector.com>, Ray Tenorio <ray@raytenorio.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, ciquinata@gmail.com, cyrus@senatorada.org, delta9marlo@gmail.com, doc.wyittenbachsantos@gmail.com, dominic@senatorada.org, edpocaigue@judiwonpat.com, edpocaigue@yahoo.com, elg@guamlegislature.org, fba\_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jessica@raytenorio.com, jonbdiaz@gmail.com, justin@mattrector.com, laurielista@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rlikeke05@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sahara@judiwonpat.com, sayama01@yahoo.com, teddytaz\_222@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, bill phillips <phillipsguam@gmail.com>, Carlos Pangelinan <carlospguam@yahoo.com>, Chris Odoca <codoca@gmail.com>, Derick Hills <derickhills@live.com>, Elaine Gogue <epgogue@hotmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <fred@mattrector.com>, Gina Tabonares <ginatabonares@gmail.com>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, lisa cipollone <cipo@guam.net>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Mike Lidia <mike.lidia9@gmail.com>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, archives2@guamlegislature.com, clerkoffice1@guamlegislature.com, clerkoffice2@guamlegislature.com, clerkoffice3@guamlegislature.com, clerkoffice4@guamlegislature.com, dot@guamlegislature.org, fterlaje@guamlegislature.org, ClerkOfLegis <clerkoflegis@guamlegislature.com>, Elvy Mew <emew@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtarms@guamlegislature.com  
Cc: Jay Sunga <ajsunga@senatorada.org>, Stephanie Mendiola <sem@guamlegislature.org>

Hafa Adai, All: ~~SENATORS~~

Please see the attached First Notice of Public Hearing on Thursday, April 21, 2009.

Thank you,

Jay Sunga

--

Anthony Jay Sunga  
Staff Analyst  
Office of Senator Tom Ada  
I Mina' Trenta na Liheslaturan Guåhan - 30th Guam Legislature  
671-473-3301



Public Hearing April 21.pdf

322K



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guahan*

April 14, 2009  
MEMORANDUM

To: All Media

From: Senator Thomas C. Ada,  
Chairperson, Committee on Utilities, Transportation, Public Works and Veterans Affairs

Subject: **First Notice - Public Hearing: April 21, 2009 at 1:00 pm**  
**Agenda: Bill 74**

Please be advised that the Committee on Utilities, Transportation, Public Works and Veterans Affairs will be conducting a Public Hearing on **Tuesday, April 21, 2009 at 1:00 pm** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following item:

**1:00 pm**

**Bill No. 74 (LS)** – T. Taitague/R.J. Respicio

An act to add a new §8124 to chapter 8 of article 1 of 12GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.

Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and may be submitted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to the Office of Senator Thomas Ada. Copies of these agenda items may be found on the official Guam Legislature website ([www.guamlegislature.com](http://www.guamlegislature.com)).

For further information, please contact our office at 473-3301.

Si Yu'os Ma'ase,

Handwritten signature of Thomas C. Ada in black ink.

Thomas C. Ada

# WorkCentre 7232 Broadcast Report

G3 ID

6714733303

Date/Time: 04/14/2009 05:04PM

Page: 1 (Last Page)

Local Name

SENATOR THOMAS ADA

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Document Size: 8.5X11"SEF



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guåhan*

April 14, 2009  
MEMORANDUM

To: All Media

From: Senator Thomas C. Ada,  
Chairperson, Committee on Utilities, Transportation, Public Works and Veterans Affairs

Subject: **First Notice - Public Hearing: April 21, 2009 at 1:00 pm**  
**Agenda: Bill 74**

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For further information, please contact our office at 473-3301.

Si Yu'os Ma'ase,

Thomas C. Ada

Ada Plaza Center, Ste. 207 • 173 Asphinal Avenue • Haggåtña, Guam 96910  
Phone: (671) 473-3301 • Fax: (671) 473-3303 • Email: [Tom@SenatorAda.org](mailto:Tom@SenatorAda.org)

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	2374	KUAM	4-14; 4:58PM	16s	1	1	SG3 BC	CP
2	2374	Pacific Daily News	4:59PM	29s	1	1	ECM BC	CP
3	2374	Pacific News Centr	5:00PM	15s	1	1	SG3 BC	CP
4	2374	Marianas Variety	5:01PM	16s	1	1	SG3 BC	CP
5	2374	K-Stereo	5:02PM	29s	1	1	ECM BC	CP
6	2374	Hit Radio	5:03PM	15s	1	1	SG3 BC	CP
7	2374	K-57	5:03PM	14s	1	1	SG3 BC	CP

Note:  
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PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed  
SA: Send Again EH: Engaged AS: Auto Send TM: Terminated



Senator Tom Ada

Jay Sunga <[ajsunga@senatorada.org](mailto:ajsunga@senatorada.org)>

---

## Public Hearing Notice for April 21, 2009

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Jay Sunga <[ajsunga@senatorada.org](mailto:ajsunga@senatorada.org)>

Wed, Apr 15, 2009 at 8:42 AM

To: [gdumat-ol@guampdn.com](mailto:gdumat-ol@guampdn.com), [news@guampdn.com](mailto:news@guampdn.com)

Dear Editors of PDN,

We would like to reserve space in the government meeting notice section of the Pacific Daily News for Thursday, April 16; Friday, April 17; Saturday, April 18; Sunday, April 19; and/or Monday April 20 to read:

"Committee on Utilities, Transportation, Public Works and Veterans Affairs: Public Hearing, 1:00 pm, Tuesday, April 21, 2009, Public Hearing Room, 155 Hesler Place Hagatna, Guam 96910. The following Bill will be heard;

**Bill 74 (LS)** – T. Taitague/ R.J. Respicio

An act to add a new §8124 to Chapter 8 of Article 1 of 12 GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchase on its website.

For ADA assistance please call our office at 473-3301".

Thank you very much.

Sincerely,

--

Anthony Jay Sunga  
Staff Analyst  
Office of Senator Tom Ada  
I Mina' Trenta na Liheslaturan Guåhan - 30th Guam Legislature  
671-473-3301

---

**Committee on Utilities, Transportation, Public Works and Veterans Affairs:** Public hearing 1 p.m., Legislature's public hearing room, Hagåtña. Bill 74, requiring Guam Power Authority to disclose details of its fuel purchase on its Web site. Send testimonies to Sen. Thomas Ada via e-mail: [office@senatorada.org](mailto:office@senatorada.org). For special accommodations, call 473-3301.

---



Senator Tom Ada

Jay Sunga <ajsunga@senatorada.org>

---

## Public Hearing for Bill 74

---

Jay Sunga <ajsunga@senatorada.org>

Wed, Apr 15, 2009 at 9:51 AM

To: gdcmgr@ite.net

Dear Mr. Sanchez,

As the Chairman of the CCU, we are providing notice of a Public Hearing on Bill 74, **An Act to add a new §8124 to Chapter 8 of Article 1 of 12GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website**, for April 21, 2009.

Please see attachment,

Sincerely,

--

Anthony Jay Sunga  
Staff Analyst  
Office of Senator Tom Ada  
I Mina' Trenta na Liheslaturan Guåhan - 30th Guam Legislature  
671-473-3301



April 21 2009, PH Bill 74.pdf  
21K

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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • I Mina' Trenta Na Liheslaturan Guåhan

Sec'd  
4/15/09 ef  
Sen Taitague

April 15, 2009

### MEMORANDUM

To: Senator Telo Taitague

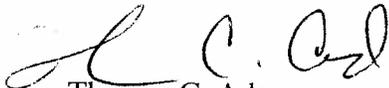
From: Senator Thomas Ada  
Chairman

Re: Public Hearing  
*Tuesday, April 21, 2009 – 1:00 pm*

As author of **Bill No. 74 (LS), An Act to add a new §8124 to Chapter 8 of Article 1 of 12GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website**, please be advised that the Committee on Utilities, Transportation, Public Works and Veterans Affairs will receive public testimony on Bill No. 74 on Tuesday, April 21, 2009 beginning at 1:00 pm.

I ask that you notify the appropriate government agencies, organizations and person(s), who may wish to provide written and /or oral testimony on Bill No. 74. I further ask that you provide the list to our office to eliminate any duplication of efforts.

*Si Yu'os Ma'ase.*

  
Thomas C. Ada

# WorkCentre 7232 Transmission Report

G3 ID

6714733303

Date/Time: 04/15/2009:09:30AM

Page: 1 (Last Page)

Local Name  
Logo

SENATOR THOMAS ADA

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Document Size: 8.5x11"SEF



**I Mina' trenta Na Liheslaturan Guahan**  
The 30<sup>th</sup> Guam Legislature

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 473-3301 • Fax (671) 473-3303

**Senator Thomas C. Ada**

### Facsimile

**Date:** April 15, 2009      **Time:**  
**Fax No.:** 648-3164      **No. of Pages:** 2  
**To:** Guam Power Authority  
**CC:** **Joaquin C. Flores, General Manager**  
**From:** The Office of Senator Thomas C. Ada  
**Re:** **First Notice - Public Hearing**  
**Tuesday, April 21, 2009**

**Note:**

Should there be a problem with the transmittal of this fax please contact our office at 473-3301.

Total Pages Scanned: 2      Total Pages Sent : 2

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**Note:**  
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PG: Polling      RB: Relay Broadcast      RS: Relay Send      BF: Box Fax Forward      CP: Completed  
SA: Send Again      EN: Engaged      AS: Auto Send      TM: Terminated

# WorkCentre 7232 Transmission Report

G3 ID

6714733303

Date/Time: 04/15/2009; 10:57AM  
Page: 1 (Last Page)

Local Name: SENATOR THOMAS ADA  
Logo:

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**I Mina' trenta Na Liheslaturan Guahan**  
The 30<sup>th</sup> Guam Legislature

155 Hasler Place  
Hagatna, Guam 96910  
Office (671) 473-3301 • Fax (671) 473-3303

**Senator Thomas C. Ada**

### Facsimile

**Date:** April 15, 2009      **Time:**  
**Fax No.:** 734-1988      **No. of Pages:** 2  
**To:** Jessie Palican, Barrigada Mayor  
**CC:**  
**From:** The Office of Senator Thomas C. Ada  
**Re:** **First Notice - Public Hearing**  
Tuesday, April 21, 2009

**Note:**

Should there be a problem with the transmittal of this fax please contact our office at 473-3301.

Total Pages Scanned: 2      Total Pages Sent: 2

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**Note:**  
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SA: Send Again      EN: Engaged      AS: Auto Send      TM: Terminated

# Transmission Report - Undelivered

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Document Size: 8.5x11"SEF



**I Mina' trenta Na Liheslaturan Guahan**  
The 30<sup>th</sup> Guam Legislature

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 473-3301 • Fax (671) 473-3303

**Senator Thomas C. Ada**

Facsimile

**Date:** April 15, 2009 **Time:**  
**Fax No.:** 648-3290 **No. of Pages:** 2  
**To:** Commission on Consolidated Utilities  
**CC:** Simon Sanchez, Chairman  
**From:** The Office of Senator Thomas C. Ada  
**Re:** **First Notice - Public Hearing**  
Tuesday April 21, 2009

**Note:**

Should there be a problem with the transmittal of this fax please contact our office at 473-3301.

Total Pages Scanned: 2 Total Pages Sent : -

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**Note:**  
 RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service  
 PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed  
 SA: Send Again EN: Engaged AS: Auto Send TM: Terminated



# Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>TH</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guahan*

April 17, 2009  
MEMORANDUM

To: All Senators

From: Senator Thomas C. Ada,  
Chairperson, Committee on Utilities, Transportation, Public Works and Veterans Affairs

Subject: **Second Notice - Public Hearing**  
**Tuesday, April 21, 2009 – 1:00 pm**  
**Agenda: Bills 74.**

Please be advised that the Committee on Utilities, Transportation, Public Works and Veterans Affairs will be conducting a Public Hearing on **Tuesday, April 21, 2009 at 1:00 pm** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following item:

**1:00 pm**

**Bill No. 74 (LS)** – T. Taitague/R.J. Respicio  
An act to add a new §8124 to chapter 8 of article 1 of 12GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.

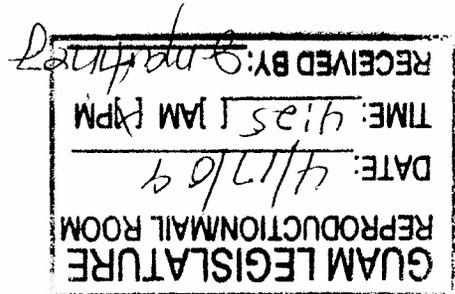
Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and may be submitted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to the Office of Senator Thomas Ada. Copies of these agenda items may be found on the official Guam Legislature website ([www.guamlegislature.com](http://www.guamlegislature.com)).

For further information, please contact our office at 473-3301.  
I look forward to your attendance and participation.

Si Yu'os Ma'ase,

Thomas C. Ada

cc: Clerk of the Legislature  
Sergeant-At-Arms/Protocol/AV





## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>TH</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guahan*

April 17, 2009  
MEMORANDUM

To: All Media

From: Senator Thomas C. Ada,  
Chairperson, Committee on Utilities, Transportation, Public Works and Veterans  
Affairs

Subject: **Second Notice - Public Hearing: April 21, 2009 at 1:00 pm**  
**Agenda: Bill 74**

Please be advised that the Committee on Utilities, Transportation, Public Works and Veterans Affairs will be conducting a Public Hearing on **Tuesday, April 21, 2009 at 1:00 pm** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following item:

### **1:00 pm**

**Bill No. 74 (LS)** – T. Taitague/R.J. Respicio

An act to add a new §8124 to chapter 8 of article 1 of 12GCA relative to requiring the Guam Power Authority to disclose the details of its fuel purchases on its website.

Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and may be submitted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to the Office of Senator Thomas Ada. Copies of these agenda items may be found on the official Guam Legislature website ([www.guamlegislature.com](http://www.guamlegislature.com)).

For further information, please contact our office at 473-3301.

Si Yu'os Ma'ase,

A handwritten signature in black ink, appearing to read "T. C. Ada".

Thomas C. Ada

# WorkCentre 7232 Broadcast Report

G3 ID: 6714733303 Date/Time: 04/17/2009 04:34PM  
Page: 1 (Last Page)

Local Name: SENATOR THOMAS ADA  
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Document Size: 8.5 x 11" SEF



**Senator Thomas C. Ada**  
CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guåhan*

April 17, 2009  
MEMORANDUM

To: All Media  
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Chairperson, Committee on Utilities, Transportation, Public Works and Veterans Affairs  
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For further information, please contact our office at 473-3301.

Si Yu'os Ma'ase,

Thomas C. Ada

Ada Plaza Center, Ste. 207 • 173 Aspinall Avenue • Hagåtña, Guam 96910  
Phone: (671) 473-3301 • Fax: (671) 473-3303 • Email: [Tom@SenatorAda.org](mailto:Tom@SenatorAda.org)

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	2530	KUAM	4-17 4:28PM	18s	1	1	SG3 BC	CP
2	2530	Pacific Daily News	4:28PM	29s	1	1	ECM BC	CP
3	2530	Pacific News Centr	4:29PM	15s	1	1	SG3 BC	CP
4	2530	Marianas Variety	4:30PM	16s	1	1	SG3 BC	CP
5	2530	K-Stereo	4:31PM	29s	1	1	ECM BC	CP
6	2530	Hit Radio	4:32PM	15s	1	1	SG3 BC	CP
7	2530	K-57	4:33PM	14s	1	1	SG3 BC	CP

Note:  
RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service  
PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed  
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# WorkCentre 7232 Transmission Report

G3 ID: 6714733303 Date/Time: 04/17/2009:04:42PM  
Page: 1 (Last Page)

Local Name: SENATOR THOMAS ADA  
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**I Mina' trenta Na Liheslaturan Guahan**  
The 30<sup>th</sup> Guam Legislature

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 473-3301 • Fax (671) 473-3303

**Senator Thomas C. Ada**

Facsimile

**Date:** April 17, 2009      **Time:**  
**Fax No.:** 477-8777      **No. of Pages:** 2  
**To:** Guam Mayors  
**CC:** Paul McDonald, Carol Tayama, Vincente San Nicolas, Jesse Palican, Jesse Gogue, Melissa Savares, John Cruz, Franklin Taitague, Nonito Blas, Ernest Chargualaf, Andrew Villagomez, Vicente Gumataotao, Dale Alvarez, Roke Blas, Vicente Taitague, Francisco Blas, Dean Sanchez, Robert Lizama, Jose Terlare  
**From:** The Office of Senator Thomas C. Ada  
**Re:** **Second Notice – Public Hearing**  
**Tuesday, April 21, 2009**  
**Note:**  
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No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	2538	4778777	4-17: 4:40PM	1m18s	2 / 2	G3		CP

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PG: Polling      RB: Relay Broadcast      RS: Relay Send      BF: Box Fax Forward      CP: Completed  
SA: Send Again      EN: Engaged      AS: Auto Send      TM: Terminated

# WorkCentre 7232 Transmission Report

G3 ID: 6714733303 Date/Time: 04/17/2009; 04:45PM  
Page: 1 (Last Page)

Local Name: SENATOR THOMAS ADA  
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The 30<sup>th</sup> Guam Legislature

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 473-3301 • Fax (671) 473-3303

**Senator Thomas C. Ada**

### Facsimile

**Date:** April 17, 2009 **Time:**  
**Fax No.:** 648-3290 **No. of Pages:** 2  
**To:** Commission on Consolidated Utilities  
**CC:** Simon Sanchez, Chairman  
**From:** The Office of Senator Thomas C. Ada  
**Re:** **Second Notice - Public Hearing**  
**Tuesday April 21, 2009**

**Note:**

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No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	2537	648-3290	4-17; 4:45PM	25s	2/ 2	SG3		CP

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PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed  
SA: Send Again EN: Engaged AS: Auto Send TM: Terminated

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# Transmission Report - Undelivered

G3 ID: 6714733303 Date/Time: 04/17/2009: 04:47PM Page: 1 (Last Page)

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**I Mina' trenta Na Liheslaturan Guahan**  
The 30<sup>th</sup> Guam Legislature

155 Heeler Place  
Hagatna, Guam 96910  
Office (671) 473-3301 • Fax (671) 473-3303

**Senator Thomas C. Ada**

Facsimile

**Date:** April 17, 2009      **Time:**  
**Fax No.:** 648-3164      **No. of Pages:** 2  
**To:** Guam Power Authority  
**CC:** Joaquin C. Flores, General Manager  
**From:** The Office of Senator Thomas C. Ada  
**Re:** Second Notice - Public Hearing  
Tuesday, April 21, 2009

**Note:**

Should there be a problem with the transmittal of this fax please contact our office at 473-3301.

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No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
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PG: Polling      RB: Relay Broadcast      RS: Relay Send      BF: Box Fax Forward      CP: Completed  
SA: Send Again      EN: Engaged      AS: Auto Send      TM: Terminated



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
30<sup>th</sup> Guam Legislature • *I Mina' Trenta Na Liheslaturan Guahan*

### **PUBLIC HEARING NOTICE**

**April 21, 2009 at 1:00 pm**

**Public Hearing Room, *I Liheslaturan Guahan***

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For further information, please contact our office at 473-3301.

I look forward to your attendance and participation.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

Bill No. 74(45)

Introduced by:

Telo Taitague  
R.J. Respicio

2009 FEB 28 PM 4:29 - hww

**AN ACT TO ADD A NEW §8124 TO CHAPTER 8 OF ARTICLE 1 OF 12GCA RELATIVE TO REQUIRING THE GUAM POWER AUTHORITY TO DISCLOSE THE DETAILS OF ITS FUEL PURCHASES ON ITS WEBSITE.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative intent.** *I Liheslaturan Guåhan* finds that at \$112,708,608, \$157,121,699 and \$174,747,639 for Fiscal Years ending 2005, 2006 and 2007 respectively; fuel purchases have been the largest expense category on the audited Income Statements of the Guam Power Authority (GPA). As such, *I Liheslatura* is acutely aware of the importance of transparency for all fuel purchases made by GPA.

To ensure integrity and transparency in the procurement of fuels of its generators, it is the intent of *I Liheslatura* to require the Guam Power Authority to disclose the details of every fuel purchase on its website.

**Section .** Section 8124 is hereby *added* to Chapter 8 of Article 1 of 12GCA to read as follows:

**“§8124. Disclosure of Fuel Purchase on Agency’s Website.** Within five (5) days of the date of the transaction, Saturdays, Sundays and government of Guam

1 Holidays excepted; the Guam Power Authority shall disclose the following  
2 information on its website for each fuel purchase:

- 3 (a) the type of fuel purchased,
- 4 (b) the quantity of fuel purchased,
- 5 (c) the total price of the fuel purchased
- 6 (d) the cost to ship the fuel purchased to Guam and
- 7 (e) the expected date of delivery of the fuel purchased”

8  
9 The Guam Power Authority, for fuel purchase contracts for multiple  
10 shipments for different future delivery dates *or* for different types of fuels shipped  
11 for the same delivery date, shall disclose the information required in items (a), (b),  
12 (c), (d) and (e), *supra*, for each shipment of fuel or each type of fuel.

13 Nothing herein shall be construed as to limit the Guam Power Authority  
14 from disclosing any additional information regarding its fuels purchases.