

I Mina Trentai Dos Na Liheslaturan Guahan

Date Received	M&C No.	Appointee	Position	Agency	Appt. Date	Term Length	Expiration Date of Action	Expiration Date of Term	Committee Referred	Date Referred	PH Date	CR Filed	Confirmed	Notes
1/23/2013	32GL-13-034	Mr. Joseph M. McDonald	Member	Public Utiliies Commission	1/18/2013	6 Years			Senator Thomas C. Ada, Chairperson of the Committee on Public Safety, Infrastructure & Maritime Transportation.	01/24/13	04/4/13 3:00 p.m.	05/20/13		Revision of Digest to Committee Report Received 05/21/13 & 05/23/13



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Mufia Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 22, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**

Subject: **Revision of Digest to Committee Report on the Appointment of Joseph M. McDonald**

Hafa Adai!

Transmitted herewith is a memo from Senator Thomas C. Ada, Chairperson, Committee on Public Safety, Infrastructure & Maritime Transportation, forwarding Attachments for Committee Report on the Appointment of Joseph M. McDonald.

Please include this memo and the attachment as a "Revision" to the Committee Report Digest of Appointment Joseph M. McDonald.

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Si Yu'os Ma'ase'!

2013 MAY 23 AM 11:06



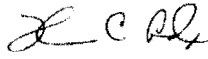
Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Libeslaturan Guåhan • 32nd Guam Legislature

May 22, 2013

MEMORANDUM

To: Senator Rory J. Respicio, Chairman
Committee on Rules

From: Senator Thomas C. Ada, Chairman 
Committee on Public Safety, Infrastructure & Maritime Transportation

Subject: **Committee Report on the Appointment of Joseph M. McDonald**

After recently obtaining archived copies of the Pacific Daily News, the Committee has determined that the first meeting of the Public Utilities Commission took place in April 2, 1985. As such, the projected expiration date for the term to which Mr. Joseph M. McDonald is being appointed must be amended (from December 2018 to April 2, 2018).

The attached "Committee Report Digest" reflects this change; all other portions of the report remain the same. I respectfully request that the recently submitted Committee Report on the appointment of Mr. McDonald to the PUC be amended to include the attached corrected digest.

Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'àse'!

Attached: Corrected Committee Report Digest for the appointment of Mr. McDonald

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Public Safety, Infrastructure and Maritime Transportation convened a public hearing on April 04, 2013 at 3:00 pm in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of the appointment of Joseph M. McDonald to serve as Member of the Public Utilities Commission, and whose appointment history is as follows:

- Appointed by Eddie Baza Calvo, Governor, on January 18, 2013 for a term of six (6) years from the date of confirmation;
- Appointment packet forwarded to *I Liheslatura* on January 23, 2013;
- Appointment packet forwarded to this committee for public consideration on January 24, 2013.

Public Notice Requirements

Notices were disseminated via email to all senators and all main media broadcasting outlets on Thursday, March 28, 2013 (5-Day Notice), and again on Tuesday, April 02, 2013 (48-Hour Notice).

Senators Present

Senator Thomas C. Ada	Committee Chairperson
Senator Rory J. Respicio	Committee Vice Chairperson
Vice Speaker BJ Cruz	Committee Member
Senator Frank B. Aguon, Jr.	Committee Member
Senator Brant McCreadie	Minority Member
Senator Thomas Morrison	
Senator Michael Limtiaco	

II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 3:00 pm.

Opening Testimony

Fred Horecky

Provided oral and written testimony

Mr. Horecky is the Legal Counsel for the Public Utilities Commission. He states that in this role, he is able to perhaps best know the quality of each Commissioners' work, and he can vouch that Mr. McDonald is an exemplary member of the PUC. He shares that Mr. McDonald, having served on the PUC since 1999, is the longest serving member on the Commission and has acquired an extensive and substantive knowledge of a broad range of topics (from the Port, to telecom, to power and water). He also has an excellent record of attendance at Commission meetings. Mr. McDonald has consistently demonstrated a concern toward balancing needs of the utilities with the needs of the public. One example is amortized system development charge; Mr. McDonald insisted that it should be made available to all homeowners, not just those with low

income. Mr. Horecky thought at the time that such a request would be a deal breaker for GWA, but the Authority agreed. On a different occasion, Mr. McDonald became concerned about the manner with which GPA demand charges were being implemented (he observed that in some cases, small businesses were having their power bills double). He brought it up to PUC, GPA further looked into it, and it was discovered that significant errors had been made in the implementation of recent changes to the rate structure. GPA, thanks to the concern initially voiced by Mr. McDonald, promptly fixed the problem. Mr. Horecky closed by sharing that Mr. McDonald is very balanced, experienced, and thoughtful.

Joseph M. McDonald

Provided oral testimony

Mr. McDonald stated that he was comfortable not providing an opening statement. He went on to answer questions posed by the Senators in the subsequent “Question & Answer” portion of the Public Hearing (summarized below).

Question & Answer

Senator Tom Ada: Notes that Guam law designates the specific backgrounds required of each of the seven members of the Commission. He asks which role Mr. McDonald is to fill.

Mr. Horecky: Answers that he is not absolutely certain, but believes it is either business or community at large. He will double-check this.

Senator Tom Ada: States that the appointment packet stipulates that the 6 years starts from confirmation, while the Committee, in light of the recent AG Opinion regarding staggered terms, understands it to be six years from the day the previous term expired. He notes that this issue is unresolved at the moment, and that the Committee is seeking clarification from the Legislature’s Legal Counsel and the AG’s Office.

Vice Speaker Cruz: States that he is dismayed by the way PUC meetings are conducted. Meetings are always delayed (usually 30 minutes, but one time as long as 1.5 hours) while PUC members meet privately in the back room. Once the meeting begins, there is very little discussion. All the public sees are the yea or nay votes. Consequently, it all feels choreographed. It would be very useful to observe those discussions happening.

Mr. Horecky: Responds by saying that the only things discussed in the back room is the order of agenda items. He can assure everyone that no substantive discussion takes place, and that such preparatory meetings have never taken more than 30 minutes. He also notes that the Commissioners receive the agenda items and supporting documents in advance, including his analysis.

Vice Speaker Cruz: Asks if any other discussions take place between Commissioners.

Mr. Horecky: Answers that while nothing in the Open Government Law prevents two Commissioners from discussing a matter (provided that no decisions are made), he does not believe even that has ever happened with the PUC. He assures that no decisions are made in advance, and a potential violation of the Open Government Law requires at least three Commissioners to be in one place at a time.

Mr. Horecky: States that he has been to many meetings with lots of spirited discussion, and the Commission does not always take his advice. And they don't always take my advice.

Vice Speaker Cruz: Reiterates that the public does not get to see a lot of discussion, and that the meetings consequently feel choreographed.

Mr. Horecky: Assures that the PUC does not rubber-stamp his recommendations. He notes that spirited discussion has taken place at a number of meetings, and that the Commission does not always take his advice. He further shares that at the last PUC meeting, after an extensive discussion, the Commissioners rejected his recommendation. He also recalls extensive discussion occurring during meetings in which alternative energy contracts were discussed. He states that if you have faith in your consultant, you certainly give some credence to their recommendations.

Vice Speaker Cruz: Closes by stating that he won't spend more time on this line of questioning, but does note that he checks the PUC website regularly and has noticed it has been down for the past year.

Mr. Horecky: Acknowledges that while it has been online, the website has not been fully populated due to technical difficulties. He is happy to share, however, that this has been a concern of the PUC and that they have undertaken a complete website redesign, with the fully-fledged site due to come back online in the very near future.

Senator Tom Ada: Invited Mr. McDonald to provide an opening statement.

Mr. McDonald: Stated that he is fine with not providing an opening statement.

Senator Tom Ada: Noted that Mr. McDonald did not complete many of the questions in the appointment packet, starting with page 9. He asked if Mr. McDonald would wish to use the time allocated for his opening statement to answer those questions orally. More specifically, what skills does he possess that are relevant to his role on the PUC?

Mr. McDonald: Answered that in addition to being a Commissioner on the PUC, he has strived to contribute to the community in a number of other ways. He is very active in leadership positions for a number of local sports organizations, often in the role of Commissioner or League Director. As for skill-sets related to his position on the PUC, he has attended a number of rate regulation trainings, gaining a better understanding of the needs of both the public and the utilities. He also shares that he is an event manager, hosting events from concerts to sporting events, and often oversees security for crowds in excess of 4,000 people. He views success as being able to complete a job effectively and serving his customers well. His primary weakness,

he notes, is that he recognizes he doesn't initially know everything, but he strives hard to understand new issues from different angles.

Senator Tom Ada: States that he appreciates the testimony now provided orally by Mr. McDonald, and notes that he would not have known any of that information from reading his incomplete appointment packet. Given the importance of the work being done by the PUC, he advises Mr. McDonald to complete the unanswered portions of his packet for inclusion in the final Committee Report, so that Senators unable to attend today's Public Hearing can better understand Mr. McDonald's background.

Senator Respicio: States that he appreciates Attorney Horecky's positive testimony. He wishes to know how Mr. McDonald knew that GPA's rate adjustment in 2012 was incorrectly implemented.

Mr. McDonald: Answers that he maintains continuous contact with the public, and, in this instance, a number of business owners approached him and showed that their power bills had doubled in one month. He brought this to the attention of the PUC and GPA, and the power utility quickly moved to correct the problem. In general, he never wants to see rates go up, but he recognizes the need to invest in the utilities; consequently, he seeks balance by softening the impact of rate increases on customers.

Senator Respicio: Asks what the impact would be if the SDC were repealed.

Mr. McDonald: Answers that a report on that issue was asked for by the PUC, and it should be presented to the PUC soon. He has been looking forward to reviewing it.

Senator Respicio: Asks if Mr. McDonald waits for the utilities to petition the PUC to take action on rates, or if he envisions his role as also challenging the utilities to lower rates.

Mr. McDonald: Answers that he absolutely agrees that a PUC Commissioner's job is to push a utility to lower their rates. It is with this responsibility in mind that the current members of the PUC, himself included, have pushed for the adoption of renewables and alternatives to oil-based power generation. Solar and wind are promising options, and LNG is also a strong possibility. GPA cannot stick exclusively with the current (oil-based) technology, as it won't become cheaper over time.

Senator McCreadie: Congratulates Mr. McDonald on his reappointment. He continues by sharing that he's sent a letter to the CCU and GPA requesting considering of an opt-in incentive for smart meters (as opposed to an opt-out penalty). He asks for Mr. McDonald's opinion.

Mr. McDonald: Answers that he has not seen the letter, but he believes that technology progresses over time, and that he believes in the potential of Smart Meters on Guam. He respectfully disagrees with Senator McCreadie on the "opt-in incentive" idea.

Senator McCreadie: Asks Mr. McDonald how the opt-out fee (\$250 initially, and \$20/month after that) was arrived at.

Senator Tom Ada: Interjected that the PUC has not researched the issue yet. The CCU has developed the opt-out fee proposal referenced by Senator McCreadie, but they have yet to file a request with the PUC to approve the fee structure. As such, Mr. McDonald is not likely to know the breakdown of how these fees were developed.

Senator McCreadie: Acknowledges that Mr. McDonald does not yet know the reasoning behind the amount of the proposed opt-out fee, but he asks if the appointee could share his initial thoughts on the amount.

Mr. McDonald: Answers that he will certainly review the proposal once the CCU petition is filed with the PUC, analyze the justification, and make any adjustments to the proposed fee as needed.

Senator McCreadie: Regarding the base rate hike, wouldn't it be smart for us to let the Smart Meter prove itself before we implement any base rate hikes?

Mr. McDonald: Replied that that is certainly a possibility worth considering once more data is provided about the Smart Meters' performance to the PUC.

Senator McCreadie: Asks whether GPA and the PUC are still planning to incorporate Liquid Nitrogen Gas by the end of the decade, and whether GPA will be ready for such a transition.

Mr. McDonald: Replied that yes, the PUC is still encouraging the transition, and he believes they will be ready.

Senator Aguon: States that he was initially concerned by the incomplete answers in Mr. McDonald's appointment packet. However, his concerns have been allayed by the verbal responses provided by the appointee during the Public Hearing. He agrees with the Chairman that Mr. McDonald should submit a supplementary application to the Committee that answers the incomplete questions for the benefit of Senators not present during the Public Hearing. Additionally, he advises Mr. McDonald and the PUC to be careful to balance the push to adopt renewables with the need to maintain a level of revenues to sustain the current system.

Vice Speaker Cruz: States that he has sent his shot across the bow to the PUC's Legal Counsel regarding the lack of open discussion during PUC meetings, and in particular the decision regarding Port cranes. So rather than get into a debate on the matter during this Public Hearing, he plans to schedule a meeting with the members of the PUC to discuss what he believes was a very poor decision.

Senator Tom Ada: Asks if members of the PUC individually become subject matter experts on different areas, much like how the CCU does.

Mr. McDonald: Replies that while they have a lawyer currently on the Commission, and there is a vacant seat left open for a utilities experts, the remaining members are business owners who have a more general understanding of the matters at hand. They do not become experts on

specific matters like the CCU. However, he notes, they do arrive to meetings an hour early to discuss the agenda items in advance.

Senator Tom Ada: Notes that Mr. Horecky stated that no such discussions take place during those meetings prior to the official public portion of the PUC hearing.

Mr. McDonald: Clarifies that no decisions are actually made during those preparatory meetings.

Senator Tom Ada: Replies that while that may be true, his concern, as well as the concern voiced by the Vice Speaker, is that the public does not get to observe the discussion, and thus the reasoning and decision-making process, that lead to actions being taken on matters that widely impact the community. He adds that, on a separate matter, a recent AG's Opinion on the staggered terms of the Port Board of Directors has concluded that their terms needed to be adjusted to meet the intent of the law. His office is currently researching whether this decision may impact the PUC, and he has put in a request with the AG's Office for guidance on the matter. He then asks if Mr. McDonald has any final statement for the Committee.

Mr. McDonald: Individually thanked the Senators present.

Senator Tom Ada: States that with no further questions for the appointee, the confirmation hearing for Joseph M. McDonald has been duly heard. The Public Hearing was adjourned at 4:29 pm.

III. FINDINGS AND RECOMMENDATIONS

On April 9, 2013, as per a request made during the Public Hearing, Mr. McDonald submitted to the Committee a supplementary Appointment Packet that includes answers to all questions in the application. The original Appointment Packet, which was formally sent by the Governor and received by the Speaker of the Guam Legislature, shall continue to serve as the document upon which action is taken for purposes of confirming Mr. McDonald's reappointment to the PUC; this second packet, however, is included in this Committee Report as supplementary information for the benefit of any Senators or members of the public wishing to see the appointee's responses to the previously unanswered questions.

The Committee further finds that §12001(a) of Chapter 12, Title 12, Guam Code Annotated stipulates the following:

“(a) *I Maga'Lahen Guåhan* [Governor of Guam] shall appoint, with the advice and consent of *I Liheslaturan Guåhan* [Guam Legislature], two (2) members from the business community of Guam; one (1) member who is a certified public accountant; two (2) members, each of whom have training or experience in at least one (1) of the following four (4) areas (power generation, telephone, water/sewer utilities, or marine terminal operations/transportation via ocean common carrier), with the additional requirement that the two (2) members appointed each have training or experience in a different area; and two (2) members who are from the community at large.”

Of the five members other than Mr. McDonald currently serving on the Commission, Filomena Cantoria is a certified public accountant and Peter Montinola has experience in the telecom field. Following guidance from the PUC Legal Counsel, the two seats for “community at large” are currently filled by Rowena Perez and Michael Pangelinan, and one of the two seats for “members from the business community” is held by Dr. Jeffrey Johnson, with Mr. McDonald intended to be the second such representative of the business community. The remaining vacancy is for the second seat reserved for a technical professional.

The Committee also notes that the precedent set by recent AG Opinion LEG 13-0193, regarding the staggering of terms for the Board of Directors of the Port Authority of Guam, is herein used as a guideline in aligning the appointment of Mr. McDonald on the Public Utilities Commission.

In order to determine the expiration dates of PUC terms, the Committee notes that §12001(f) of Chapter 12, Title 12, Guam Code Annotated stipulates the following:

“(f) At the first meeting of the Public Utilities Commission, the members shall draw lots to determine which members shall serve the one (1) year term, the three (3) year terms, and the five (5) year terms.”

In reviewing archived copies of the Pacific Daily News, the Committee has determined that this first meeting took place in April 2, 1985; and in speaking with charter members of the PUC, the Committee has further learned that the two positions reserved for members of the business community received initial term lengths of three years. By applying the methodology utilized in AG Opinion LEG 13-0193, in which set expiration dates are extrapolated out from the initial terms, the Committee finds that the seat to be occupied by Mr. McDonald is set to expire on April 2, 2018.

The Committee has formally asked the Office of the Attorney General for guidance on the matter, and recognizes the possibility that forthcoming legal guidance may require revisiting and adjusting term dates for current Commissioners on the PUC.

The Committee on Public Safety, Infrastructure and Maritime Administration hereby reports on the appointment of **Joseph M. McDonald** to serve as a Member of the Public Utilities Commission, in a seat reserved for a “member from the business community” and to expire on April 2, 2018, with the recommendation **TO CONFIRM**.



COMMITTEE ON RULES

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2013 MAY 21 AM 10:44

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

May 20, 2013

MEMORANDUM

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

To: **Rennae Meno**
Clerk of the Legislature

Senator
Vicente (Ben) C. Pangelinan
Member

From: **Senator Rory J. Respicio**

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Subject: **Revision of Digest to Committee Report on the Appointment of Joseph M. McDonald**

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Hafa Adai!

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Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Libeslaturan Guåban • 32nd Guam Legislature

May 20, 2013

MEMORANDUM

To: Senator Rory J. Respicio, Chairman
Committee on Rules

From: Senator Thomas C. Ada, Chairman 
Committee on Public Safety, Infrastructure & Maritime Transportation

Subject: **Committee Report on the Appointment of Joseph M. McDonald**

Earlier this afternoon, the Legal Counsel for the Public Utilities Commission provided my office with updated information on the appointment of Joseph M. McDonald. Mr. McDonald is to serve as a representative of the “business community” on the PUC, as opposed to the “community at large” as previously believed.

The attached “Committee Report Digest” reflects this change; all other portions of the report remain the same. I respectfully request that the recently submitted Committee Report on the appointment of Mr. McDonald to the PUC be amended to include the attached corrected digest.

Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'àse'!

Attached: Corrected Committee Report Digest for the appointment of Mr. McDonald

COMMITTEE REPORT DIGEST

I. OVERVIEW

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Joseph M. McDonald

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Mr. McDonald: Answers that a report on that issue was asked for by the PUC, and it should be presented to the PUC soon. He has been looking forward to reviewing it.

Senator Respicio: Asks if Mr. McDonald waits for the utilities to petition the PUC to take action on rates, or if he envisions his role as also challenging the utilities to lower rates.

Mr. McDonald: Answers that he absolutely agrees that a PUC Commissioner's job is to push a utility to lower their rates. It is with this responsibility in mind that the current members of the PUC, himself included, have pushed for the adoption of renewables and alternatives to oil-based power generation. Solar and wind are promising options, and LNG is also a strong possibility. GPA cannot stick exclusively with the current (oil-based) technology, as it won't become cheaper over time.

Senator McCreadie: Congratulates Mr. McDonald on his reappointment. He continues by sharing that he's sent a letter to the CCU and GPA requesting considering of an opt-in incentive for smart meters (as opposed to an opt-out penalty). He asks for Mr. McDonald's opinion.

Mr. McDonald: Answers that he has not seen the letter, but he believes that technology progresses over time, and that he believes in the potential of Smart Meters on Guam. He respectfully disagrees with Senator McCreadie on the "opt-in incentive" idea.

Senator McCreadie: Asks Mr. McDonald how the opt-out fee (\$250 initially, and \$20/month after that) was arrived at.

Senator Tom Ada: Interjected that the PUC has not researched the issue yet. The CCU has developed the opt-out fee proposal referenced by Senator McCreddie, but they have yet to file a request with the PUC to approve the fee structure. As such, Mr. McDonald is not likely to know the breakdown of how these fees were developed.

Senator McCreddie: Acknowledges that Mr. McDonald does not yet know the reasoning behind the amount of the proposed opt-out fee, but he asks if the appointee could share his initial thoughts on the amount.

Mr. McDonald: Answers that he will certainly review the proposal once the CCU petition is filed with the PUC, analyze the justification, and make any adjustments to the proposed fee as needed.

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Mr. McDonald: Replied that that is certainly a possibility worth considering once more data is provided about the Smart Meters' performance to the PUC.

Senator McCreddie: Asks whether GPA and the PUC are still planning to incorporate Liquid Nitrogen Gas by the end of the decade, and whether GPA will be ready for such a transition.

Mr. McDonald: Replied that yes, the PUC is still encouraging the transition, and he believes they will be ready.

Senator Aguon: States that he was initially concerned by the incomplete answers in Mr. McDonald's appointment packet. However, his concerns have been allayed by the verbal responses provided by the appointee during the Public Hearing. He agrees with the Chairman that Mr. McDonald should submit a supplementary application to the Committee that answers the incomplete questions for the benefit of Senators not present during the Public Hearing. Additionally, he advises Mr. McDonald and the PUC to be careful to balance the push to adopt renewables with the need to maintain a level of revenues to sustain the current system.

Vice Speaker Cruz: States that he has sent his shot across the bow to the PUC's Legal Counsel regarding the lack of open discussion during PUC meetings, and in particular the decision regarding Port cranes. So rather than get into a debate on the matter during this Public Hearing, he plans to schedule a meeting with the members of the PUC to discuss what he believes was a very poor decision.

Senator Tom Ada: Asks if members of the PUC individually become subject matter experts on different areas, much like how the CCU does.

Mr. McDonald: Replies that while they have a lawyer currently on the Commission, and there is a vacant seat left open for a utilities experts, the remaining members are business owners who have a more general understanding of the matters at hand. They do not become experts on

specific matters like the CCU. However, he notes, they do arrive to meetings an hour early to discuss the agenda items in advance.

Senator Tom Ada: Notes that Mr. Horecky stated that no such discussions take place during those meetings prior to the official public portion of the PUC hearing.

Mr. McDonald: Clarifies that no decisions are actually made during those preparatory meetings.

Senator Tom Ada: Replies that while that may be true, his concern, as well as the concern voiced by the Vice Speaker, is that the public does not get to observe the discussion, and thus the reasoning and decision-making process, that lead to actions being taken on matters that widely impact the community. He adds that, on a separate matter, a recent AG's Opinion on the staggered terms of the Port Board of Directors has concluded that their terms needed to be adjusted to meet the intent of the law. His office is currently researching whether this decision may impact the PUC, and he has put in a request with the AG's Office for guidance on the matter. He then asks if Mr. McDonald has any final statement for the Committee.

Mr. McDonald: Individually thanked the Senators present.

Senator Tom Ada: States that with no further questions for the appointee, the confirmation hearing for Joseph M. McDonald has been duly heard. The Public Hearing was adjourned at 4:29 pm.

III. FINDINGS AND RECOMMENDATIONS

On April 9, 2013, as per a request made during the Public Hearing, Mr. McDonald submitted to the Committee a supplementary Appointment Packet that includes answers to all questions in the application. The original Appointment Packet, which was formally sent by the Governor and received by the Speaker of the Guam Legislature, shall continue to serve as the document upon which action is taken for purposes of confirming Mr. McDonald's reappointment to the PUC; this second packet, however, is included in this Committee Report as supplementary information for the benefit of any Senators or members of the public wishing to see the appointee's responses to the previously unanswered questions.

The Committee further finds that §12001(a) of Chapter 12, Title 12, Guam Code Annotated stipulates the following:

“(a) *I Maga`Lahen Guåhan* [Governor of Guam] shall appoint, with the advice and consent of *I Liheslaturan Guåhan* [Guam Legislature], two (2) members from the business community of Guam; one (1) member who is a certified public accountant; two (2) members, each of whom have training or experience in at least one (1) of the following four (4) areas (power generation, telephone, water/sewer utilities, or marine terminal operations/transportation via ocean common carrier), with the additional requirement that the two (2) members appointed each have training or experience in a different area; and two (2) members who are from the community at large.”

Of the five members other than Mr. McDonald currently serving on the Commission, Filomena Cantoria is a certified public accountant and Peter Montinola has experience in the telecom field. Following guidance from the PUC Legal Counsel, the two seats for “community at large” are currently filled by Rowena Perez and Michael Pangelinan, and one of the two seats for “members from the business community” is held by Dr. Jeffrey Johnson, with Mr. McDonald intended to be the second such representative of the business community. The remaining vacancy is for the second seat reserved for a technical professional.

The Committee also notes that the precedent set by recent AG Opinion LEG 13-0193, regarding the staggering of terms for the Board of Directors of the Port Authority of Guam, is herein used as a guideline in aligning the appointment of Mr. McDonald on the Public Utilities Commission.

In order to determine the expiration dates of PUC terms, the Committee notes that §12001(f) of Chapter 12, Title 12, Guam Code Annotated stipulates the following:

“(f) At the first meeting of the Public Utilities Commission, the members shall draw lots to determine which members shall serve the one (1) year term, the three (3) year terms, and the five (5) year terms.”

In speaking with charter members of the PUC, the Committee has learned that this first meeting took place in December of 1985. By applying the methodology utilized in AG Opinion LEG 13-0193, in which set expiration dates are extrapolated out from the initial terms, the Committee finds that the seat to be occupied by Mr. McDonald is set to expire in December 2018.

The Committee has formally asked the Office of the Attorney General for guidance on the matter, and recognizes the possibility that forthcoming legal guidance may require revisiting and adjusting term dates for current Commissioners on the PUC.

The Committee on Public Safety, Infrastructure and Maritime Administration hereby reports on the appointment of **Joseph M. McDonald** to serve as a Member of the Public Utilities Commission, in a seat reserved for a “member from the business community” and to expire in December 2018, with the recommendation **TO CONFIRM**.



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Liheslaturan Guåhan • 32nd Guam Legislature

May 20, 2013

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

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

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

RE: Committee Report on the Appointment of Joseph M. McDonald

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on the appointment of Joseph M. McDonald to serve as a Member of the Public Utilities Commission, and which was referred to the Committee on Public Safety, Infrastructure and Maritime Transportation.

The voting record is as follows:

- 5 TO CONFIRM
- _____ TO NOT CONFIRM
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

2013 MAY 20 PM 3:10
du

Si Yu'os ma'åse',

Thomas C. Ada
Thomas C. Ada



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation

I Mina'trentai Dos Na Liheslaturan Guåban • 32nd Guam Legislature

**COMMITTEE
REPORT
ON**

THE APPOINTMENT OF

JOSEPH M. MCDONALD

**TO SERVE AS A MEMBER OF THE
PUBLIC UTILITIES COMMISSION**




Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Libeslaturan Guåhan • 32nd Guam Legislature

May 20, 2013

MEMORANDUM

To: **All Members**
Committee on Public Safety, Infrastructure and Maritime Transportation

From: **Senator Thomas C. Ada** 
Committee Chairperson

Subject: **Committee Report on the Appointment of Joseph M. McDonald**

Transmitted herewith for your consideration is the Committee Report on the appointment of Joseph M. McDonald to serve as a Member of the Public Utilities Commission.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet and Supporting Documents
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of the Appointment
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Libeslaturan Guahan • 32nd Guam Legislature

COMMITTEE VOTE SHEET

APPOINTEE: Joseph M. McDonald
 Position: Member
 Agency: Public Utilities Commission

COMMITTEE MEMBERS	SIGNATURE	TO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		✓ 5/20/13				
SENATOR RORY J. RESPICIO Vice Chairperson		✓ 5/20/13				
VICE SPEAKER BENJAMIN J.F. CRUZ Member				✓ 5/20/13		
SENATOR FRANK B. AGUON, JR. Member						
SENATOR MICHAEL F.Q. SAN NICOLAS Member				✓		
SENATOR ALINE A. YAMASHITA, PH.D. Minority Member		✓ 5/20/13				
SENATOR V. ANTHONY ADA Minority Member		✓ 5/20/13				
SENATOR BRANT McCREADIE Minority Member						

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Public Safety, Infrastructure and Maritime Transportation convened a public hearing on April 04, 2013 at 3:00 pm in *I Liheslatura*'s Public Hearing Room. Among the items on the agenda was the consideration of the appointment of Joseph M. McDonald to serve as Member of the Public Utilities Commission, and whose appointment history is as follows:

- Appointed by Eddie Baza Calvo, Governor, on January 18, 2013 for a term of six (6) years from the date of confirmation;
- Appointment packet forwarded to *I Liheslatura* on January 23, 2013;
- Appointment packet forwarded to this committee for public consideration on January 24, 2013.

Public Notice Requirements

Notices were disseminated via email to all senators and all main media broadcasting outlets on Thursday, March 28, 2013 (5-Day Notice), and again on Tuesday, April 02, 2013 (48-Hour Notice).

Senators Present

Senator Thomas C. Ada
Senator Rory J. Respicio
Vice Speaker BJ Cruz
Senator Frank B. Aguon, Jr.
Senator Brant McCreadie
Senator Thomas Morrison
Senator Michael Limtiaco

Committee Chairperson
Committee Vice Chairperson
Committee Member
Committee Member
Minority Member

II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 3:00 pm.

Opening Testimony

Fred Horecky

Provided oral and written testimony

Mr. Horecky is the Legal Counsel for the Public Utilities Commission. He states that in this role, he is able to perhaps best know the quality of each Commissioners' work, and he can vouch that Mr. McDonald is an exemplary member of the PUC. He shares that Mr. McDonald, having served on the PUC since 1999, is the longest serving member on the Council and has acquired an extensive and substantive knowledge of a broad range of topics (from the Port, to telecom, to power and water). He also has an excellent record of attendance at Commission meetings. Mr. McDonald has consistently demonstrated a concern toward balancing needs of the utilities with the needs of the public. One example is amortized system development charge; Mr. McDonald insisted that it should be made available to all homeowners, not just those with low income. Mr.

Horecky thought at the time that such a request would be a deal breaker for GWA, but the Authority agreed. On a different occasion, Mr. McDonald became concerned about the manner with which GPA demand charges were being implemented (he observed that in some cases, small businesses were having their power bills double). He brought it up to PUC, GPA further looked into it, and it was discovered that significant errors had been made in the implementation of recent changes to the rate structure. GPA, thanks to the concern initially voiced by Mr. McDonald, promptly fixed the problem. Mr. Horecky closed by sharing that Mr. McDonald is very balanced, experienced, and thoughtful.

Joseph M. McDonald

Provided oral testimony

Mr. McDonald stated that he was comfortable not providing an opening statement. He went on to answer questions posed by the Senators in the subsequent “Question & Answer” portion of the Public Hearing (summarized below).

Question & Answer

Senator Tom Ada: Notes that Guam law designates the specific backgrounds required of each of the seven members of the Commission. He asks which role Mr. McDonald is to fill.

Mr. Horecky: Answers that he is not absolutely certain, but believes it is either business or community at large. He will double-check this.

Senator Tom Ada: States that the appointment packet stipulates that the 6 years starts from confirmation, while the Committee, in light of the recent AG Opinion regarding staggered terms, understands it to be six years from the day the previous term expired. He notes that this issue is unresolved at the moment, and that the Committee is seeking clarification from the Legislature’s Legal Counsel and the AG’s Office.

Vice Speaker Cruz: States that he is dismayed by the way PUC meetings are conducted. Meetings are always delayed (usually 30 minutes, but one time as long as 1.5 hours) while PUC members meet privately in the back room. Once the meeting begins, there is very little discussion. All the public sees are the yea or nay votes. Consequently, it all feels choreographed. It would be very useful to observe those discussions happening.

Mr. Horecky: Responds by saying that the only things discussed in the back room is the order of agenda items. He can assure everyone that no substantive discussion takes place, and that such preparatory meetings have never taken more than 30 minutes. He also notes that the Commissioners receive the agenda items and supporting documents in advance, including his analysis.

Vice Speaker Cruz: Asks if any other discussions take place between Commissioners.

Mr. Horecky: Answers that while nothing in the Open Government Law prevents two Commissioners from discussing a matter (provided that no decisions are made), he does not believe even that has ever happened with the PUC. He assures that no decisions are made in advance, and a potential violation of the Open Government Law requires at least three Commissioners to be in one place at a time.

Mr. Horecky: States that he has been to many meetings with lots of spirited discussion, and the Commission does not always take his advice. And they don't always take my advice.

Vice Speaker Cruz: Reiterates that the public does not get to see a lot of discussion, and that the meetings consequently feel choreographed.

Mr. Horecky: Assures that the PUC does not rubber-stamp his recommendations. He notes that spirited discussion has taken place at a number of meetings, and that the Commission does not always take his advice. He further shares that at the last PUC meeting, after an extensive discussion, the Commissioners rejected his recommendation. He also recalls extensive discussion occurring during meetings in which alternative energy contracts were discussed. He states that if you have faith in your consultant, you certainly give some credence to their recommendations.

Vice Speaker Cruz: Closes by stating that he won't spend more time on this line of questioning, but does note that he checks the PUC website regularly and has noticed it has been down for the past year.

Mr. Horecky: Acknowledges that while it has been online, the website has not been fully populated due to technical difficulties. He is happy to share, however, that this has been a concern of the PUC and that they have undertaken a complete website redesign, with the fully-fledged site due to come back online in the very near future.

Senator Tom Ada: Invited Mr. McDonald to provide an opening statement.

Mr. McDonald: Stated that he is fine with not providing an opening statement.

Senator Tom Ada: Noted that Mr. McDonald did not complete many of the questions in the appointment packet, starting with page 9. He asked if Mr. McDonald would wish to use the time allocated for his opening statement to answer those questions orally. More specifically, what skills does he possess that are relevant to his role on the PUC?

Mr. McDonald: Answered that in addition to being a Commissioner on the PUC, he has strived to contribute to the community in a number of other ways. He is very active in leadership positions for a number of local sports organizations, often in the role of Commissioner or League Director. As for skill-sets related to his position on the PUC, he has attended a number of rate regulation trainings, gaining a better understanding of the needs of both the public and the utilities. He also shares that he is an event manager, hosting events from concerts to sporting events, and often oversees security for crowds in excess of 4,000 people. He views success as being able to complete a job effectively and serving his customers well. His primary weakness,

he notes, is that he recognizes he doesn't initially know everything, but he strives hard to understand new issues from different angles.

Senator Tom Ada: States that he appreciates the testimony now provided orally by Mr. McDonald, and notes that he would not have known any of that information from reading his incomplete appointment packet. Given the importance of the work being done by the PUC, he advises Mr. McDonald to complete the unanswered portions of his packet for inclusion in the final Committee Report, so that Senators unable to attend today's Public Hearing can better understand Mr. McDonald's background.

Senator Respicio: States that he appreciates Attorney Horecky's positive testimony. He wishes to know how Mr. McDonald knew that GPA's rate adjustment in 2012 was incorrectly implemented.

Mr. McDonald: Answers that he maintains continuous contact with the public, and, in this instance, a number of business owners approached him and showed that their power bills had doubled in one month. He brought this to the attention of the PUC and GPA, and the power utility quickly moved to correct the problem. In general, he never wants to see rates go up, but he recognizes the need to invest in the utilities; consequently, he seeks balance by softening the impact of rate increases on customers.

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specific matters like the CCU. However, he notes, they do arrive to meetings an hour early to discuss the agenda items in advance.

Senator Tom Ada: Notes that Mr. Horecky stated that no such discussions take place during those meetings prior to the official public portion of the PUC hearing.

Mr. McDonald: Clarifies that no decisions are actually made during those preparatory meetings.

Senator Tom Ada: Replies that while that may be true, his concern, as well as the concern voiced by the Vice Speaker, is that the public does not get to observe the discussion, and thus the reasoning and decision-making process, that lead to actions being taken on matters that widely impact the community. He adds that, on a separate matter, a recent AG's Opinion on the staggered terms of the Port Board of Directors has concluded that their terms needed to be adjusted to meet the intent of the law. His office is currently researching whether this decision may impact the PUC, and he has put in a request with the AG's Office for guidance on the matter. He then asks if Mr. McDonald has any final statement for the Committee.

Mr. McDonald: Individually thanked the Senators present.

Senator Tom Ada: States that with no further questions for the appointee, the confirmation hearing for Joseph M. McDonald has been duly heard. The Public Hearing was adjourned at 4:29 pm.

III. FINDINGS AND RECOMMENDATIONS

On April 9, 2013, as per a request made during the Public Hearing, Mr. McDonald submitted to the Committee a supplementary Appointment Packet that includes answers to all questions in the application. The original Appointment Packet, which was formally sent by the Governor and received by the Speaker of the Guam Legislature, shall continue to serve as the document upon which action is taken for purposes of confirming Mr. McDonald's reappointment to the PUC; this second packet, however, is included in this Committee Report as supplementary information for the benefit of any Senators or members of the public wishing to see the appointee's responses to the previously unanswered questions.

The Committee further finds that §12001(a) of Chapter 12, Title 12, Guam Code Annotated stipulates the following:

“(a) *I Maga' Lahen Guåhan* [Governor of Guam] shall appoint, with the advice and consent of *I Liheslaturan Guåhan* [Guam Legislature], two (2) members from the business community of Guam; one (1) member who is a certified public accountant; two (2) members, each of whom have training or experience in at least one (1) of the following four (4) areas (power generation, telephone, water/sewer utilities, or marine terminal operations/transportation via ocean common carrier), with the additional requirement that the two (2) members appointed each have training or experience in a different area; and two (2) members who are from the community at large.”

Of the five members other than Mr. McDonald currently serving on the Commission, Filomena Cantoria is a certified public accountant and Peter Montinola has experience in the telecom field. Following guidance from the PUC Legal Counsel, the two seats for “members from the business community” are currently filled by Rowena Perez and Michael Pangelinan, and one of the two seats for “the community at large” is held by Dr. Jeffrey Johnson, with Mr. McDonald intended to be the second such representative of the community. The remaining vacancy is for the second seat reserved for a technical professional.

The Committee also notes that the precedent set by recent AG Opinion LEG 13-0193, regarding the staggering of terms for the Board of Directors of the Port Authority of Guam, is herein used as a guideline in aligning the appointment of Mr. McDonald on the Public Utilities Commission.

In order to determine the expiration dates of PUC terms, the Committee notes that §12001(f) of Chapter 12, Title 12, Guam Code Annotated stipulates the following:

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In speaking with charter members of the PUC, the Committee has learned that this first meeting took place in December of 1985. By applying the methodology utilized in AG Opinion LEG 13-0193, in which set expiration dates are extrapolated out from the initial terms, the Committee finds that the seat to be occupied by Mr. McDonald is set to expire in December 2018.

The Committee has formally asked the Office of the Attorney General for guidance on the matter, and recognizes the possibility that forthcoming legal guidance may require revisiting and adjusting term dates for current Commissioners on the PUC.

The Committee on Public Safety, Infrastructure and Maritime Administration hereby reports on the appointment of **Joseph M. McDonald** to serve as a Member of the Public Utilities Commission, in a seat reserved for “the community at large” and to expire in December 2018, with the recommendation TO CONFIRM

EDDIE BAZA CALVO
Governor



[Signature]
RAY TENORIO
Lieutenant Governor
2013 JUN 23 AM 9: 22

Office of the Governor of Guam

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

JUN 17 2013

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: **Mr. Joseph M. McDonald**
POSITION: **Member, Public Utilities Commission**
TERM LENGTH: **Six (6) years**

The appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

Handwritten signature of Eddie Baza Calvo.

EDDIE BAZA CALVO

Enclosure

0034

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 1/23/13
Time 9:10 AM
Received by *[Signature]*

32-13-34

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

Mr. Joseph M. McDonald
P.O. Box 22169
GMF, Guam 96921

JAN 18 2013

Dear Mr. McDonald:

On August 22, 2006, you were previously appointed to serve on the Public Utilities Commission. This term has since expired. Now, therefore, by virtue of the authority vested in me pursuant to the Organic Act of Guam and the laws of Guam applicable to this position, I hereby reappoint you to serve as a Member of the **Public Utilities Commission** for a new term of six (6) years from the date of your confirmation by *I Liheslaturan Guåhan*.

This appointment is effective today and is subject to the advice and consent of *I Liheslaturan Guåhan*. Please contact the Office of the Governor at 472-8931~6 should you have any further questions regarding this appointment.

Senseramente,



EDDIE BAZA CALVO



**OFFICE OF THE GOVERNOR
GUAM**

The following is information required for submission to the Speaker of *I Liheslaturan Guåhan* in accordance with 4 G.C.A. § 2103.5 of the Guam Code Annotated.

1. Citizenship: US
2. DOB: [REDACTED] Age: [REDACTED]
3. Residential Address (NOT mailing address):
963 [REDACTED]
4. Email Address: jmcDonald@tpiguam.com
5. Have you ever been convicted of a crime? Yes No
If yes, please explain:

6. Have you ever been declared mentally incompetent by any court? Yes No

7. Have you ever been found **not** guilty or **not** punishable in any criminal proceedings by reason of insanity?
Yes No
If yes, please explain:

8. Have you ever been confined to a mental institution? Yes No
If yes, please explain:


SIGNATURE

12/28/12
DATE



Appointment application

TODAY'S DATE: _____

POSITION APPLYING FOR:

Director
 Deputy Director
 Boards/Commission
 Other _____

AGENCY/DEPARTMENT/BOARDS/COMMISSION DESIRED: List top 3 choices.

1. Public Utilities Commission of Guam
2. _____
3. _____

Would you consider any other positions than listed above? YES NO

GENERAL INFORMATION

NAME: Joseph M. McDonald

MAILING ADDRESS: _____

CITY _____ **STATE** _____ **ZIP** _____

HOME PHONE: _____ **WORK PHONE:** _____ **CELL/PAGER:** _____

SOCIAL SECURITY NUMBER: _____

LICENSES:	TYPE	EXPIRATION DATE
_____	_____	_____
_____	_____	_____
_____	_____	_____

BACKGROUND INFORMATION

List your prior Government of Guam Appointments and dates of service:

Government of Guam Appointment	Dates of Service
Public Utilities Commission of Guam	04-14-99 to Present
_____	_____
_____	_____
_____	_____

Cont'd

List all prior other government service excluding Government of Guam:

Other Government Appointment

Dates of Service

_____	_____
_____	_____
_____	_____
_____	_____

REFERENCES

List three (3) character and family references (name, address, & telephone number):

NAME	ADDRESS	PHONE
1. Rick Rodriguez	_____	_____
2. Peter Montinola	_____	_____
3. Guz Sablan	_____	_____

EDUCATION

Education (Circle highest grade completed & degree)

High School: 9 10 11 12 College: 1 2 3 4 AA BA BS Post-Grad: MBA JA MA MS PhD

Location: <u>Father Duenas</u>	School Attended: <u>St. Mary's</u>	School Attended: _____
	Location: <u>Moraga, CA</u>	Location: _____
	Concentration: <u>Econimics</u>	Concentration: _____
	Degree: <u>BS</u>	Degree: _____
	Attended From: <u>Sep-89</u> to <u>Dec-91</u>	Attended From: _____ to _____

Other Degrees or Certificates:

TRAINING

Cont'd.

Include professional institutes, seminars, and on-the-job training attended with date:

INSTITUTE/SEMINARS/ON-THE-JOB

DATE

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

AWARDS

List all educational, professional, civic awards, & recognition for public service:

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level, list organizations, activities participated in, offices held:

COMMUNITY/CIVIC INVOLVEMENT

List organizations, activities participated in, offices held:

PUBLICATIONS & PRESENTATIONS

Cont'd.

List published articles, papers delivered at professional meetings:

MILITARY SERVICE

List type of discharge, branch, rank at discharge, current status, record of any court marshals or non-judicial punishment under the Uniform Code of Military Justice, & special distinctions & honors. Please attach copy of DD214.

EMPLOYMENT HISTORY

EMPLOYMENT EXPERIENCE: Please begin with your present or last positions you have held for the past ten years. Account for all periods of employment including military service, volunteer work, self employment and periods of unemployment in separate blocks. Use separate blocks if your duties and responsibilities changed while working for the same employer. For volunteer work, write the word "Volunteer" in the salary section for that block. To receive full credit for your experience, describe in detail the tasks you were assigned. If you supervised others, explain your duties as a supervisor and indicate the number and kinds of employees you supervised. If more space is needed, please use supplemental form attached. Your answers may be verified with former employers.

1	Employer: MID Pacific Disributors	From: Feb-92	To: Dec-12
Address: 370 Mendioka Street		<input checked="" type="radio"/> Full-Time <input type="radio"/> Part-Time	
City: Dededo	State Guam	Zip 96929	Average hours worked per week:
Name of Supervisor: John T. Calvo	Starting Salary: _____ per		
Your Title: Marketing Director	Ending Salary: _____ per		
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other		
Responsibilities include marketing and promotions, supplier correspondence, and inventory managment.			
Product line includes Gatorade, Snapple, RC, Sunkist, Calistoga and Sapporo.			
<hr/> <hr/> <hr/>			
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO		Reason(s) for Leaving:	
What did you NOT like about your job?			
2	Employer:	From: _____	To: _____
Address:		<input type="radio"/> Full-Time <input type="radio"/> Part-Time	

Cont'd.

City:	State	Zip	Average hours worked per week:
Name of Supervisor:			Starting Salary: _____ per
Your Title:			Ending Salary: _____ per
Duties & Responsibilities:			<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>			
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO			Reason(s) for Leaving:
What did you NOT like about your job?			
3	Employer:		From: _____ To: _____
Address:			<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City:	State	Zip	Average hours worked per week:
Name of Supervisor:			Starting Salary: _____ per
Your Title:			Ending Salary: _____ per
Duties & Responsibilities:			<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>			
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO			Reason(s) for Leaving:
What did you NOT like about your job?			
4	Employer:		From: _____ To: _____
Address:			<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City:	State	Zip	Average hours worked per week:

Cont'd.

Name of Supervisor:	Starting Salary: _____ per
Your Title:	Ending Salary: _____ per
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO	Reason(s) for Leaving:
What did you NOT like about your job?	

5 Employer:	From: _____ To: _____
Address:	<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City: _____ State _____ Zip _____	Average hours worked per week: _____
Name of Supervisor:	Starting Salary: _____ per
Your Title:	Ending Salary: _____ per
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO	Reason(s) for Leaving:
What did you NOT like about your job?	

Cont'd.

A	Total number of employees in the organization/department you have managed: <input checked="" type="radio"/> 50 and under <input type="radio"/> 101 – 250 <input type="radio"/> 501 and up <input type="radio"/> 51 – 100 <input type="radio"/> 251 – 500
	Average number of staff who reported directly to you: <input type="radio"/> Under 25 <input type="radio"/> 201 – 300 <input type="radio"/> 501 and up <input type="radio"/> 26 – 50 <input type="radio"/> 301 – 400 <input type="radio"/> 51 – 200 <input type="radio"/> 401 – 500
	Are you knowledgeable of the local and federal labor laws? <input checked="" type="radio"/> YES <input type="radio"/> NO

PERFORMANCE RATING

A	Was the organization/department you managed "profitable" or did your organization perform as formally planned? <input checked="" type="radio"/> YES <input type="radio"/> NO
	Variance from projected income: <input type="radio"/> Below plan <input checked="" type="radio"/> Met plan <input type="radio"/> Above plan
	Variance from projected expenses: <input type="radio"/> Below plan <input checked="" type="radio"/> Met plan <input type="radio"/> Above plan

OTHER ABILITIES

A	Have you ever participated in a strategic planning process? <input checked="" type="radio"/> YES <input type="radio"/> NO
	If YES, please select one of the following to describe your participation. <input type="radio"/> Facilitated <input checked="" type="radio"/> Directed <input type="radio"/> Implemented
	Do you have any experience with: Restructuring an organization <input checked="" type="radio"/> YES <input type="radio"/> NO Process Improvement <input checked="" type="radio"/> YES <input type="radio"/> NO Re-engineering <input checked="" type="radio"/> YES <input type="radio"/> NO Total Quality Management <input checked="" type="radio"/> YES <input type="radio"/> NO
	Have you ever participated in formal negotiations with another organization? <input checked="" type="radio"/> YES <input type="radio"/> NO
	If YES, check the boxes describing your role: <input type="checkbox"/> Observer <input type="checkbox"/> Assistant <input checked="" type="checkbox"/> Chief Negotiator <input type="checkbox"/> Advisor/Consultant
	Have you been involved in policy making process? <input checked="" type="radio"/> YES <input type="radio"/> NO If YES, please check the boxes which best describes your role: <input type="checkbox"/> Management <input type="checkbox"/> Board and/or Commission <input type="checkbox"/> Legislation (includes lobbying process)

TECHNOLOGY

A	Have you been involved in promoting the use of Technology in your organization? <input checked="" type="radio"/> YES <input type="radio"/> NO
	Please select all items which describes your involvement: <input type="checkbox"/> Sponsor <input type="checkbox"/> Development <input type="checkbox"/> Planning <input type="checkbox"/> Design <input type="checkbox"/> Coordination <input type="checkbox"/> Implementation

GRANTS

	Have you been involved in applying, administering, awarding Grants? <input type="radio"/> YES <input checked="" type="radio"/> NO
--	---

Cont'd.

	Please check the boxes which best describes your involvement:	<input type="checkbox"/> Aide	<input type="checkbox"/> Administrator	
		<input type="checkbox"/> Researchers	<input type="checkbox"/> Reviewer	
		<input type="checkbox"/> Writer	<input type="checkbox"/> Funder	
SKILLS				
Indicate appropriate letter for your skill level: C=Course only F-Fair G-Good E= Excellent				
Windows Software:	Skill Level (C-F-G-E)	Version	Skill Level Version (C-F-G-E)	
MS Word	None	<u> E </u>	WordPerfect	None
Excel	None	<u> E </u>	Presentation	None
PowerPoint	None	<u> E </u>	Quattro Pro	None
			Lotus	<u> None </u>
GENERAL				
Summarize and explain any experience and/or skills which you feel would be beneficial to employers: Explain:				
<hr/> <hr/> <hr/>				
Of the jobs you have held, which did you like best? Why?				
<hr/> <hr/> <hr/>				
What do you feel are your outstanding strengths?				
<hr/> <hr/> <hr/>				
What do you feel are your primary weaknesses?				
<hr/> <hr/> <hr/>				
What gives you the most satisfaction in your work?				
<hr/> <hr/> <hr/>				
What is your concept of success?				
<hr/> <hr/> <hr/>				

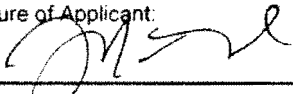
Cont'd.

Please write any additional information that you would like us to know about you (e.g. hobbies)

PLEASE READ CAREFULLY BEFORE SIGNING:

I certify that all statements made on this application are true and complete to the best of my knowledge. I understand that any misrepresentation or omission is sufficient to disqualify me for employment or may result in a discharge if employed. I authorize my former employers, schools, government agencies and other entities to give any information (including fact or opinion) they may have regarding me, whether or not it is on their record. I hereby release them and the company from all liabilities as a result of furnishing and receiving this information. I understand that any offer of employment is subject to satisfactory references. I understand and agree that I may be required to submit to pre-employment drug test and post-offer medical examination as part of my application for employment with the offer of employment conditioned on the result of such test and examination. I also understand and agree that at any time during my employment, I may be required to submit to a drug test and/or a medical examination. I authorize the physician conducting the examination and any laboratory testing any specimen obtained by the physician or collection site to disclose the results of the examination and the laboratory test to the organization I am applying to. If employed, I agree to abide by my employer's policies and recognize that this application is not intended in any way to create an employment contract.

Signature of Applicant:



Date:

10-30-12

Your application will be placed in our active application files for twelve months. If you are not employed within six months but still wish to be considered for a specific opening, please contact the Governor's Office to inform us of the specific opening for which you wish to be considered.

Cont'd.

Submit



OFFICE OF THE GOVERNOR
GUAM

AFFIDAVIT

I, **JOSEPH M. MCDONALD**, being first duly sworn, deposes and sayeths:

1. That I have read and reviewed the information contained in the attached Nomination Letter from the Governor of Guam.

2. That the matters contained in the Nomination Letter and all attachments thereto are true and correct.


3. That this affidavit is made for the purpose of complying with the requirements of 4 GCA §2103.5.

I declare under penalty of perjury that the foregoing is, to the best of my knowledge, true and correct.



JOSEPH M. MCDONALD

SUBSCRIBED AND SWORN TO before me this 28 day of December, 2012.



Notary Public



CYNTHIA INDALECIO BROWN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Sept. 06, 2016
LAW OFFICE OF ANTHONY R. CAMACHO, ESQ.
Suite 808, 8th Floor GCIC Building
414 W. Soledad Avenue, Hagatna, Guam 96910



**Government of Guam
 GUAM POLICE DEPARTMENT
 RECORDS & IDENTIFICATION SECTION
 P.O. Box 23909
 Guam Main Facility, Guam 96921**



December 27, 2012

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Joseph M. MCDONALD		
DATE OF BIRTH:	██████████	FINGERPRINT #:	NONE
██████	The individual has no record of criminal conviction(s) in GPD files that are subject to Guam law and rules and regulations of the Department.		

*****NOTHING FOLLOWS*****

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY. THIS CLEARANCE DOES NOT REFLECT ARREST(S) PENDING ADJUDICATION.

[Handwritten signature]

By Direction: mair

[Handwritten signature]

The absence of an original GUAM POLICE seal invalidates this police clearance.
 REVISED 07/12/11

FRED E. BORDALLO, JR.
 Chief of Police



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagåtña, Guam 96910

Telephone (671) 475-3370
Fax (671) 477-1500

RICHARD B. MARTINEZ
Clerk of Courts

Name: JOSEPH M MCDONALD

SS#: ID# GUAM DL#: [REDACTED] Date of Birth: [REDACTED]

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

- A. No Case Found.
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Civil Cases:

- A. No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

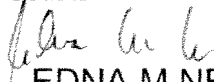
Criminal Record: Page of

Civil Record: Page of

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatna, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 12/28/2012

RICHARD B. MARTINEZ
Clerk of Courts

BY: 
EDNA M NEGRO
Deputy Clerk

Prepared By: DMN



The absence of an original Court Seal invalidates this document



GUAM ELECTION COMMISSION

Kumision Eleksion Guåhan

P.O. Box BG • Hagåtña, Guam 96932

Tel: (671) 477-9791/2 • Fax: (671) 477-1895

E-Mail: vote@gec.guam.gov Website: www.gec.guam.gov



FINANCIAL DISCLOSURE ACT CHAPTER 13, TITLE 4, GUAM CODE ANNOTATED (GCA)

Name:

Joseph M McDonald

Mailing Address:

[REDACTED]
[REDACTED]

Name of Board or Commission:

Public Utilities Commission

Term of Office:

STATEMENT OF DISCLOSURE OF CONFLICTS OF INTEREST FOR GOVERNMENT BOARD OR COMMISSION MEMBER

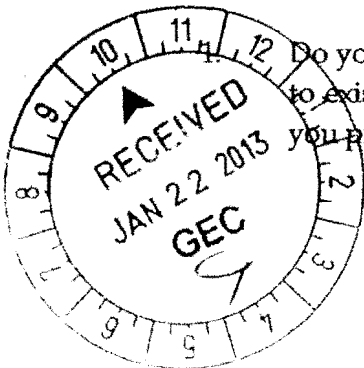
Public Law 24-91, Section 13104.1 of Title 4, Guam Code Annotated, requires that notwithstanding any other provision of Public Law, all appointees to Boards and Commissions of the Government of Guam shall be required to disclose and submit a report containing only information where conflicts of interest or possible conflicts of interest exists at the time of appointment. Or as may be expected to exist during their tenure of service on the Board or Commission to which they have been appointed. For purposes of this Section, conflicts of interest shall be defined under the provisions of Section 15205 of Title 4, Guam Code Annotated. Please refer to said statute for further particulars.

Please answer the following:

Do you have any present conflicts of interest or expect any conflicts of interest to exist during your tenure of service on the Board or Commission in which you presently serve?

Yes

No



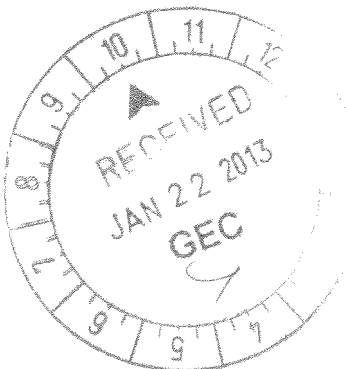
2. If so, please provide full disclosure below.

I declare under penalty of perjury pursuant to the laws of Guam, that the above Statement of Disclosure of Conflicts of Interest is true and accurate pursuant to Section 13104.1, Title 4, Guam Code Annotated.



Signature of Board/Commission Member

12/28/12
Date



Law Offices Of Horecky & Associates

643 Chalan San Antonio, Suite 102B
Tamuning, Guam 96913

FREDERICK J. HORECKY

Telephone: (671) 646-8274-75
Facsimile: (671) 646-8403
E-mail: horeckylaw@teleguam.net

April 4, 2013

VIA: HAND DELIVERY

Senator Thomas C. Ada
Chairman
Committee on Utilities, Transportation,
Public Works and Veteran Affairs
32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

**Re: Testimony in Support of Reappointment of Joseph M. McDonald as
Commissioner of the Guam Public Utilities Commission**

Dear Chairman Ada:

I am submitting this testimony in support of the reappointment of Joseph M. McDonald as a Commissioner to the Guam Public Utilities Commission.

Mr. McDonald's service as a Commissioner on the Guam Public Utilities Commission from April 14, 1999 to the present has been exemplary. He has carried out his duties on the Commission with dedication and attentiveness. He has an excellent record of attendance at meetings. He is a hardworking, experienced Commissioner.

Commissioner McDonald has demonstrated a keen ability in balancing the interests of the utilities and ratepayers. With regard to the implementation of the System Development Charge for the Guam Waterworks Authority, he was instrumental in the development of the Guidelines approved by the PUC. He insisted that all persons who build or purchase a single family home or dwelling, occupied as their primary residence, must be able to amortize payment of the System Development Charge. Previously, only low and moderate income residents were able to amortize

the SDC. Commissioner McDonald firmly believed that all residents, regardless of income, could avail themselves of the amortization option.

During Guam Power Authority rate proceedings last year, Commissioner McDonald recognized that there had been various problems with implementation of the Guam Power Authority's cost of service study; certain demand charges implemented by the Guam Power Authority had been erroneously calculated and harmed small businesses. Some demand customers saw their power bills double. As a result of Commissioner McDonald's inquiry into the matter, GPA realized that errors had been made in the implementation of demand charges. GPA thereafter corrected the erroneous demand charges. Commissioner McDonald was the first person to publicly bring this matter to the attention of the Commission; even the Commission's consultants had not raised this issue

At the same time, when circumstances have justified, Commissioner McDonald has indicated a willingness to increase rates when necessary to meet the legitimate obligations of the utilities. Commissioner McDonald has been fair-minded and balanced in his approach to his duties and responsibilities as a Commissioner. As a result of his long experience and years on the Commission, he has developed a strong grasp and understanding of technical issues concerning energy generation and alternative energy resources.

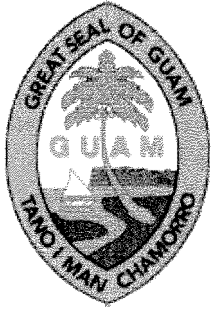
Mr. McDonald's reappointment to the PUC is essential to ensure that the Commission continues to effectively set rates and carry out its utility regulatory functions. I urge the members of the Committee to support the reappointment of Mr. McDonald as a Commissioner to the Public Utilities Commission. Thank you for your consideration of this testimony.

Sincerely,



Frederick J. Horecky
PUC Legal Counsel

Resubmitted
Supplementary packet



Appointment application

TODAY'S DATE: Apr 4, 2013

POSITION APPLYING FOR:

Director

Deputy Director

Boards/Commission

Other _____

AGENCY/DEPARTMENT/BOARDS/COMMISSION DESIRED: List top 3 choices.

1. Public Utilities Commission of Guam

2. _____

3. _____

Would you consider any other positions than listed above? YES NO

GENERAL INFORMATION

NAME: Joseph M McDonald

MAILING ADDRESS: [REDACTED]

CITY: [REDACTED] **STATE:** [REDACTED] **ZIP:** [REDACTED]

HOME PHONE: _____ **WORK PHONE:** [REDACTED] **CELL/PAGER:** [REDACTED]

SOCIAL SECURITY NUMBER: _____

LICENSES:	TYPE	EXPIRATION DATE
_____	_____	_____
_____	_____	_____
_____	_____	_____

BACKGROUND INFORMATION

List your prior Government of Guam Appointments and dates of service:

Government of Guam Appointment	Dates of Service
Public Utilities Commission of Guam	_____
_____	_____
_____	_____
_____	_____

CASTORIS

RECEIVED by the
Office of Senator
Thomas C. Ada
4/09/13 11:55am

List all prior other government service excluding Government of Guam:

Other Government Appointment

Dates of Service

Public Utilities Commission of Guam

4-14-99 -to Present

REFERENCES

List three (3) character and family references (name, address, & telephone number):

NAME	ADDRESS	PHONE
1. Rick Rodriguez		
2. Jun Espaldon		
3. Gus Sablan		

EDUCATION

Education (Circle highest grade completed & degree)

High School: 9 10 11 12 College: 1 2 3 4 AA BA BS

Post-Grad: MBA JA MA MS PhD

Location: _____

School Attended: St Mary's College

School Attended: _____

Location: Moraga, CA

Location: _____

Concentration: Economics

Concentration: _____

Degree: BS

Degree: _____

Attended From: Sep-89 to Dec-91

Attended From: _____ to _____

Other Degrees or Certificates:

TRAINING

Cont'd.

Include professional institutes, seminars, and on-the-job training attended with date:

INSTITUTE/SEMINARS/ON-THE-JOB

DATE

NARUC Utility Rate School - Introduction to Public Rate Making

May 12, 05

Pacific Telecommunications Council - Telecom Conference

Jan 18, 13

AWARDS

List all educational, professional, civic awards, & recognition for public service:

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level, list organizations, activities participated in, offices held:

COMMUNITY/CIVIC INVOLVEMENT

List organizations, activities participated in, offices held:

GVB - Sport Committee Member

Gatorade Varsity Basketball League - League Director ; San Miguel Basketball League - League Director

Miller Football League - League Director

Heineken Rugby 15's - Comissioner

PUBLICATIONS & PRESENTATIONS

Cont'd.

List published articles, papers delivered at professional meetings:

MILITARY SERVICE

List type of discharge, branch, rank at discharge, current status, record of any court marshals or non-judicial punishment under the Uniform Code of Military Justice, & special distinctions & honors. Please attach copy of DD214.

EMPLOYMENT HISTORY

EMPLOYMENT EXPERIENCE: Please begin with your present or last positions you have held for the past ten years. Account for all periods of employment including military service, volunteer work, self employment and periods of unemployment in separate blocks. Use separate blocks if your duties and responsibilities changed while working for the same employer. For volunteer work, write the word "Volunteer" in the salary section for that block. To receive full credit for your experience, describe in detail the tasks you were assigned. If you supervised others, explain your duties as a supervisor and indicate the number and kinds of employees you supervised. If more space is needed, please use supplemental form attached. Your answers may be verified with former employers.

1	Employer: Mid Pacific Distributors	From: Feb-92 To: Apr-13
Address: 600 Bello St, Suite 110		<input checked="" type="radio"/> Full-Time <input type="radio"/> Part-Time
City: Barrigada State Guam Zip 96929		Average hours worked per week: 40
Name of Supervisor: John T Calvo		Starting Salary: _____ per
Your Title: Brand Manager		Ending Salary: _____ per
Duties & Responsibilities:		<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
Responsible for sales, distribution, marketing, promotion and inventory management in Guam & Micronesia for beverages that include Monster, Peace Tea & Heineken		
_____ _____ _____		
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO		Reason(s) for Leaving:
What did you NOT like about your job?		
2	Employer: Tropical Productions	From: May-05 To: Apr-13
Address: 600 Bello St		<input type="radio"/> Full-Time <input type="radio"/> Part-Time

Cont'd.

City: Barrigada	State Guam	Zip 96913	Average hours worked per week: 20
Name of Supervisor: John T Calvo			Starting Salary: _____ per
Your Title: Event Manager			Ending Salary: _____ per
Duties & Responsibilities:			<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
On Site Management of admission, ushers & security staff for events.			
Small Crowd Events - 300 - 700 Pax (Comedy Shows)			
Medium Crowd Events 700- 2000 Pax (Moscow Circus, Great American Circus)			
Large Crowd Events - 2000 - 6000 Pax (Concerts, Smokin Wheels)			
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO			Reason(s) for Leaving:
What did you NOT like about your job?			
3	Employer:		From: _____ To: _____
Address:			<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City:	State	Zip	Average hours worked per week:
Name of Supervisor:			Starting Salary: _____ per
Your Title:			Ending Salary: _____ per
Duties & Responsibilities:			<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO			Reason(s) for Leaving:
What did you NOT like about your job?			
4	Employer:		From: _____ To: _____
Address:			<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City:	State	Zip	Average hours worked per week:

Cont'd.

Name of Supervisor:	Starting Salary: _____ per
Your Title:	Ending Salary: _____ per
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
_____ _____ _____ _____ _____	
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO	Reason(s) for Leaving:
What did you NOT like about your job?	

5 Employer:	From: _____ To: _____
Address:	<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City: _____ State _____ Zip _____	Average hours worked per week:
Name of Supervisor:	Starting Salary: _____ per
Your Title:	Ending Salary: _____ per
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
_____ _____ _____ _____ _____ _____ _____	
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO	Reason(s) for Leaving:
What did you NOT like about your job?	

A	Total number of employees in the organization/department you have managed:		
	<input type="radio"/> 50 and under	<input type="radio"/> 101 – 250	<input type="radio"/> 501 and up
	<input type="radio"/> 51 – 100	<input type="radio"/> 251 – 500	
Average number of staff who reported directly to you:			<input type="radio"/> Under 25 <input type="radio"/> 201 – 300 <input type="radio"/> 501 and up <input type="radio"/> 26 – 50 <input type="radio"/> 301 – 400 <input type="radio"/> 51 – 200 <input type="radio"/> 401 – 500
Are you knowledgeable of the local and federal labor laws?			<input type="radio"/> YES <input type="radio"/> NO

PERFORMANCE RATING

A	Was the organization/department you managed "profitable" or did your organization perform as formally planned?		
	<input type="radio"/> YES <input type="radio"/> NO		
	Variance from projected income:	<input type="radio"/> Below plan	<input checked="" type="radio"/> Met plan <input type="radio"/> Above plan
Variance from projected expenses:	<input type="radio"/> Below plan	<input checked="" type="radio"/> Met plan <input type="radio"/> Above plan	

OTHER ABILITIES

A	Have you ever participated in a strategic planning process? <input checked="" type="radio"/> YES <input type="radio"/> NO		
	If YES, please select one of the following to describe your participation. <input type="radio"/> Facilitated <input type="radio"/> Directed <input checked="" type="radio"/> Implemented		
	Do you have any experience with:	Restructuring an organization	<input checked="" type="radio"/> YES <input type="radio"/> NO
		Process Improvement	<input checked="" type="radio"/> YES <input type="radio"/> NO
		Re-engineering	<input type="radio"/> YES <input type="radio"/> NO
		Total Quality Management	<input checked="" type="radio"/> YES <input type="radio"/> NO
	Have you ever participated in formal negotiations with another organization? <input checked="" type="radio"/> YES <input type="radio"/> NO		
	If YES, check the boxes describing your role:	<input type="checkbox"/> Observer <input checked="" type="checkbox"/> Assistant <input checked="" type="checkbox"/> Chief Negotiator <input type="checkbox"/> Advisor/Consultant	
	Have you been involved in policy making process? <input checked="" type="radio"/> YES <input type="radio"/> NO		
	If YES, please check the boxes which best describes your role:	<input checked="" type="checkbox"/> Management <input checked="" type="checkbox"/> Board and/or Commission <input type="checkbox"/> Legislation (includes lobbying process)	

TECHNOLOGY

A	Have you been involved in promoting the use of Technology in your organization? <input checked="" type="radio"/> YES <input type="radio"/> NO		
	Please select all items which describes your involvement:	<input type="checkbox"/> Sponsor <input type="checkbox"/> Development <input type="checkbox"/> Planning <input type="checkbox"/> Design <input type="checkbox"/> Coordination <input checked="" type="checkbox"/> Implementation	

GRANTS

	Have you been involved in applying, administering, awarding Grants? <input checked="" type="radio"/> YES <input type="radio"/> NO		
--	---	--	--

Please check the boxes which best describes your involvement:

- Aide Administrator
 Researchers Reviewer
 Writer Funder

SKILLS

Indicate appropriate letter for your skill level:

C=Course only F-Fair G-Good E= Excellent

Windows Software:	Skill Level (C-F-G-E)	Version	Skill Level (C-F-G-E)	Version
MS Word	E	_____	WordPerfect	G
Excel	E	_____	Presentation	G
PowerPoint	E	_____	Quattro Pro	None
			Lotus	None

GENERAL

Summarize and explain any experience and/or skills which you feel would be beneficial to employers: Explain:

I have Strong Event Management Skills, at all angles, from the begining idea of an event, feasability discussion running a budget, Marketing, Cost Control, & on site management. With PUC, I have continuously served for 13 years

Of the jobs you have held, which did you like best? Why?

Tropical Production - Event Manager; I enjoy delivering events to people of Guam from a Circus to a comedy show to a concert. Seeing satisfied customers walk out of the event is always my goal

What do you feel are your outstanding strengths?

In my industry there is no routine, each event is different, from the budget goals to the end consumers. On the PUC I have attempted to balance the interests of the utilities and rate payers

What do you feel are your primary weaknesses?

With PUC I do not always have full knowledge in advance of all issues involving a specific utility matter, but in addition to the reviewing applicable documents I try to obtain as much information as possible before making a decision

What gives you the most satisfaction in your work?

Running a sucessful event, and seeing satisfied customers
With PUC, I am satisfied when I believe that the PUC has reached a fair decision on a matter

What is your concept of success?

Sucecess for the PUC is fully taking into account the interests of all parties. Fairness is most important

Cont'd.

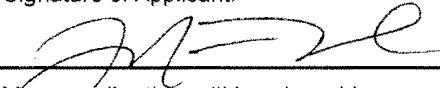
Please write any additional information that you would like us to know about you (e.g. hobbies)
Contributing to the community is a part of me, in the past 15 years I have ran or assisted in many sports leagues and tournaments. With the PUC I have been a commissioner for 13 years with an exceptional attendance record.

PLEASE READ CAREFULLY BEFORE SIGNING:

I certify that all statements made on this application are true and complete to the best of my knowledge. I understand that any misrepresentation or omission is sufficient to disqualify me for employment or may result in a discharge if employed. I authorize my former employers, schools, government agencies and other entities to give any information (including fact or opinion) they may have regarding me, whether or not it is on their record. I hereby release them and the company from all liabilities as a result of furnishing and receiving this information. I understand that any offer of employment is subject to satisfactory references. I understand and agree that I may be required to submit to pre-employment drug test and post-offer medical examination as part of my application for employment with the offer of employment conditioned on the result of such test and examination. I also understand and agree that at any time during my employment, I may be required to submit to a drug test and/or a medical examination. I authorize the physician conducting the examination and any laboratory testing any specimen obtained by the physician or collection site to disclose the results of the examination and the laboratory test to the organization I am applying to. If employed, I agree to abide by my employer's policies and recognize that this application is not intended in any way to create an employment contract.

Signature of Applicant:

Date:



4/5/13

Your application will be placed in our active application files for twelve months. If you are not employed within six months but still wish to be considered for a specific opening, please contact the Governor's Office to inform us of the specific opening for which you wish to be considered.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryfingguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

January 24, 2013

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

MEMORANDUM

Senator
Vicente (Ben) C. Pangelinan
Member

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Subject: **Referral of Appointment**

Senator
Dennis G. Rodriguez, Jr.
Member

As Chairperson of the Committee on Rules, I am forwarding my referral of the following appointment:

Vice-Speaker
Benjamin J.F. Cruz
Member

Appointee: **Mr. Joseph M. McDonald**
Position: **Member, Public Utilities Commission**

Legislative Secretary
Tina Rose Muña Barnes
Member

For a copy of Mr. McDonald's appointment packet, please visit the Guam Legislature's website at www.guamlegislature.com. Under the "Reports" menu select the "Messages & Communications" option and refer to:

Senator
Frank Blas Aguon, Jr.
Member

"Doc. 32GL-13-034: Governor's message transmitting the appointment of Mr. Joseph M. McDonald, to serve as a Member, Public Utilities Commission."

Senator
Michael F.Q. San Nicolas
Member

Please ensure that the subject appointment is referred, in my name, to **Senator Thomas C. Ada, Chairperson of the Committee on Public Safety, Infrastructure & Maritime Transportation**. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Senator
V. Anthony Ada
Member
MINORITY LEADER

Should you have any questions, please feel free to contact our office at 472-7679.

Senator
Aline Yamashita
Member

Si Yu'os ma'åse'!

I Minna Trentat Dos Na Liheslaturun Guahan

Date Received	M&C No.	Appointee	Position	Agency	Appt. Date	Term Length	Expiration Date of Action	Expiration Date of Term	Committee Referred	Date Referred	PH Date	CR Filed	Confirmed	Notes
1/23/2013	32GL-13-034	Mr. Joseph M. McDonald	Member	Public Utilities Commission	1/18/2013	6 Years								



Cyrus Luhr <cyrus@senatorada.org>

1st Notice: Public Hearing April 4, 2013

William Brennan <will@senatorada.org>
To: phnotice@guamlegislature.org

Thu, Mar 28, 2013 at 3:09 PM


Hafa Adai,

Please find the attached notice of public hearing for April 4, 2013.

Respectfully,

--

William Bucky Brennan
Policy Analyst
Office of Senator Thomas C. Ada
I Mina' Trentai Dos Na Liheslaturan Guåhan - 32nd Guam Legislature
Office (671) 473 - 3301 / Cell (671) 797-9221

 **PH-1st Notice-April 4, 2013.pdf**
514K



Cyrus Luhr <cyrus@senatorada.org>

1st Notice: Public Hearing April 4, 2013

William Brennan <will@senatorada.org>

Thu, Mar 28, 2013 at 8:54 AM

To: Media <media@senatorada.org>, "Public Hearing notice (to Legislature)" <ph.notice.leg@senatorada.org>

Bcc: cyrus@senatorada.org

Hafa Adai,

Please find the attached notice of public hearing for April 4, 2013.

Respectfully,

--

William Bucky Brennan

Policy Analyst

Office of Senator Thomas C. Ada

I Mina' Trentai Dos Na Liheslaturan Guåhan - 32nd Guam Legislature

Office (671) 473 - 3301 / Cell (671) 797-9221



PH-Notice-April 4, 2013.pdf

514K



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Libeslaturan Guåban • 32nd Guam Legislature

March 28, 2013

MEMORANDUM

To: All Senators, Media, and Stakeholders
Fr: Senator Thomas C. Ada
Subject: **Public Hearing Notice: April 4, 2013**

Please be advised that the Committee on Public Safety, Infrastructure, and Maritime Transportation is holding a public hearing on **April 4, 2013**. This meeting will take place in the Public Hearing Room of *I Liheslatura*. The agenda is as follows:

9:00 am

Bill 35-32 (COR): V. C. Pangelinan

An act to add §§ 61314, 61319, 61317, 61318, 61319 and 61320 to Chapter 61 Article 3 of 21 Guam Code Annotated relative to the enforcement of zoning laws.

Bill 57-31 (COR): J.T. Won Pat, Ed. D / T.C. Ada / R.J. Respicio

An act to amend §53101 and §53108 of 5GCA, relative to encroachment violations.

3:00 pm

Appointment of Ms. Elyze McDonald Iriarte to serve as a member to the Guam Solid Waste Authority Board of Directors

Appointment of Mr. Joseph McDonald to serve as a member to the Public Utilities Commission

Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **April 11, 2013 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to William Brennan at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

Si Yu'os Ma'ase.

Thomas C. Ada



Senator Tom Ada

William Brennan <will@senatorada.org>

2nd Notice: Public Hearing, April 4, 2013

William Brennan <will@senatorada.org>

Tue, Apr 2, 2013 at 8:20 AM

To: William Brennan <will@senatorada.org>

Bcc: Media <media@senatorada.org>, carl.dominguez@dpw.guam.gov, jon.rojas@dpw.guam.gov, gca@teleguam.net, eo@guamrealtors.com, dledy@guamchamber.com.gu, ccastro@guamchamber.com.gu, dlmdir@dlim.guam.gov, ccharfauros@guamag.org, zpalomo@guamag.org, anita.arile@doa.guam.gov, john@pdsiguam.com, acorn@docomopacific.com, seanm@mcviguam.com, Carlos Camacho <carlos.camacho@itehq.net>, nmendiola@gta.net, jflores@gpagwa.com, sbias@gpagwa.com, gbotha@gpagwa.com, roushm@guamwaterworks.net, dcrisostomo@guamwaterworks.net, staylor@guamwaterworks.net, gdcmgr@ite.net, jbenavente@gpagwa.com, annborja@guamwaterworks.org, Alicia Fejeran <avfejeran@gmail.com>, jeffcharjohnson@hotmail.com, lpalomo@guampuc.com, horecky@ite.net, jmcDonald@tpiguam.com, elyzej@yahoo.com, phnotice@guamlegislature.org

Hafa Adai,

Attached, please find the 2nd Notice of Public Hearing for Thursday, April 4, 2013. Supporting documents for the agenda items can be found at the Guam Legislature's website:

www.guamlegislature.org

For any questions, comments or concerns please contact the Office of Senator Tom Ada.

v/r

--

William Bucky Brennan
Policy Analyst
Office of Senator Thomas C. Ada
I Mina' Trentai Dos Na Liheslaturan Guahan - 32nd Guam Legislature
Office (671) 473 - 3301 / Cell (671) 797-9221

**PH-2nd Notice-April 4, 2013.pdf**

514K



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Liheslaturan Guåhan • 32nd Guam Legislature

April 2, 2013

MEMORANDUM

To: All Senators, Media, and Stakeholders
Fr: Senator Thomas C. Ada
Subject: **Public Hearing Notice: April 4, 2013**

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Si Yu'os Ma'ase.

Thomas C. Ada

Listserv: phnotice@guamlegislature.org
As of April 23, 2013

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As of April 23, 2013**

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wil@judiwonpat.com
will@senatorada.org
xiosormd@gmail.com
xiosormd@yahoo.com
ylee2@guam.gannett.com
zita@mvguam.com

Media media@senatorada.org

Email addresses of all media contacts (for press releases)

[Change group info](#) | [Delete group](#)

Members | [Roles and permissions](#) | [Nicknames](#)

Add new members You can add both users and other groups.

Type names, usernames, email addresses

[Add](#) / as [Member](#)

[Remove members](#) | [More actions](#)

1 - 30 [Next >](#)

Name	Email address	Role
All users within Office of Senator Tom Ada		Owner
amier@mvguam.com	amier@mvguam.com	Member
bmkelman@guampdn.com	bmkelman@guampdn.com	Member
breakfastshowk57@gmail.com	breakfastshowk57@gmail.com	Member
clynt@spbguam.com	clynt@spbguam.com	Member
contact@guambcc.org	contact@guambcc.org	Owner
dcrisost@guampdn.com	dcrisost@guampdn.com	Member
dmgeorge@guampdn.com	dmgeorge@guampdn.com	Member
dtamondong@guampdn.com	dtamondong@guampdn.com	Member
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gdumat-ol@guampdn.com	gdumat-ol@guampdn.com	Member
gerrypartido.mvguam8@gmail.com	gerrypartido.mvguam8@gmail.com	Member
jac.cherry@gmail.com	jac.cherry@gmail.com	Member
jason@kuam.com	jason@kuam.com	Member
joy@mvguam.com	joy@mvguam.com	Member
jtyquiengco@spbguam.com	jtyquiengco@spbguam.com	Member
kenq@kuam.com	kenq@kuam.com	Member
kevin@spbguam.com	kevin@spbguam.com	Member
krystal@kuam.com	krystal@kuam.com	Member
kstokish@gmail.com	kstokish@gmail.com	Member
life@guampdn.com	life@guampdn.com	Member
llmatthews@guampdn.com	llmatthews@guampdn.com	Member
mabuhaynews@yahoo.com	mabuhaynews@yahoo.com	Member
mindy@kuam.com	mindy@kuam.com	Member
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nick.delgado@kuam.com	nick.delgado@kuam.com	Member
odngirairiki@guampdn.com	odngirairiki@guampdn.com	Member
officemanager@hitradio100.com	officemanager@hitradio100.com	Member
rgibson@k57.com	rgibson@k57.com	Member
ricknauta@hitradio100.com	ricknauta@hitradio100.com	Member
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slimtiaco@guampdn.com	slimtiaco@guampdn.com	Member
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thebigshow@spbguam.com	thebigshow@spbguam.com	Member
zita@mvguam.com	zita@mvguam.com	Member



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Liheslaturan Guåhan • 32nd Guam Legislature

AGENDA

PUBLIC HEARING

Thursday, April 4, 2013

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

9:00 am

Bill 35-32 (COR): V. C. Pangelinan

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Appointment of Ms. Elyze Iriarte McDonald as a member to the Guam Solid Waste Authority Board of Directors

Appointment of Mr. Joseph M. McDonald as a member to the Public Utilities Commission

Testimonies for the Public Hearing should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until April 11, 2013, 5:00 pm. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to William Brennan at 473-3301. Please feel free to contact our office should you have any questions or concerns.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 24, 2013

MEMORANDUM

-
To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Appointment**

As Chairperson of the Committee on Rules, I am forwarding my referral of the following appointment:

Appointee: **Mr. Joseph M. McDonald**
Position: **Member, Public Utilities Commission**

For a copy of Mr. McDonald's appointment packet, please visit the Guam Legislature's website at www.guamlegislature.com. Under the "Reports" menu select the "Messages & Communications" option and refer to:

"Doc. 32GL-13-034: Governor's message transmitting the appointment of Mr. Joseph M. McDonald, to serve as a Member, Public Utilities Commission."

Please ensure that the subject appointment is referred, in my name, to **Senator Thomas C. Ada, Chairperson of the Committee on Public Safety, Infrastructure & Maritime Transportation**. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse'!

EDDIE BAZA CALVO
Governor



[Handwritten Signature]
RAY TENORIO
Lieutenant Governor
2013 JAN 23 AM 9: 22

Office of the Governor of Guam

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

JAN 1 9 2013

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: **Mr. Joseph M. McDonald**
POSITION: **Member, Public Utilities Commission**
TERM LENGTH: **Six (6) years**

The appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

EDDIE BAZA CALVO

Enclosure

0034

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 1/23/13
Time 9:10 AM
Received by *[Signature]*
32-13-34



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

Mr. Joseph M. McDonald
P.O. Box 22169
GMF, Guam 96921

JAN 18 2013

Dear Mr. McDonald:

On August 22, 2006, you were previously appointed to serve on the Public Utilities Commission. This term has since expired. Now, therefore, by virtue of the authority vested in me pursuant to the Organic Act of Guam and the laws of Guam applicable to this position, I hereby reappoint you to serve as a Member of the **Public Utilities Commission** for a new term of six (6) years from the date of your confirmation by *I Liheslaturan Guåhan*.

This appointment is effective today and is subject to the advice and consent of *I Liheslaturan Guåhan*. Please contact the Office of the Governor at 472-8931~6 should you have any further questions regarding this appointment.

Senseramente,

EDDIE BAZA CALVO



**OFFICE OF THE GOVERNOR
GUAM**

The following is information required for submission to the Speaker of *I Liheslaturan Guåhan* in accordance with 4 G.C.A. § 2103.5 of the Guam Code Annotated.

1. Citizenship: US
2. DOB: 8/7/69 Age: 43
3. Residential Address (NOT mailing address):
963 113 FAMILIAD McDonald St
YONA, GUAM
4. Email Address: jmcDonald@tpiguam.com
5. Have you ever been convicted of a crime? Yes No

If yes, please explain:

6. Have you ever been declared mentally incompetent by any court? Yes No


7. Have you ever been found **not** guilty or **not** punishable in any criminal proceedings by reason of insanity? Yes No

If yes, please explain:

8. Have you ever been confined to a mental institution? Yes No

If yes, please explain:

SIGNATURE



DATE

12/28/12

List all prior other government service excluding Government of Guam:

Other Government Appointment

Dates of Service

_____	_____
_____	_____
_____	_____
_____	_____

REFERENCES

List three (3) character and family references (name, address, & telephone number):

NAME	ADDRESS	PHONE
1. <u>Rick Rodriquez</u>	_____	<u>635-2364</u>
2. <u>Peter Montinola</u>	_____	<u>646-2064</u>
3. <u>Guz Sablan</u>	_____	<u>646-6958</u>

EDUCATION

Education (Circle highest grade completed & degree)

High School: 9 10 11 12 College: 1 2 3 4 AA BA BS Post-Grad: MBA JA MA MS PhD

Location: <u>Father Duenas</u>	School Attended: <u>St. Mary's</u>	School Attended: _____
	Location: <u>Moraga, CA</u>	Location: _____
	Concentration: <u>Econimics</u>	Concentration: _____
	Degree: <u>BS</u>	Degree: _____
	Attended From: <u>Sep-89</u> to <u>Dec-91</u>	Attended From: _____ to _____

Other Degrees or Certificates:

TRAINING

Cont'd.

Include professional institutes, seminars, and on-the-job training attended with date:

INSTITUTE/SEMINARS/ON-THE-JOB

DATE

INSTITUTE/SEMINARS/ON-THE-JOB	DATE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

AWARDS

List all educational, professional, civic awards, & recognition for public service:

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level, list organizations, activities participated in, offices held:

COMMUNITY/CIVIC INVOLVEMENT

List organizations, activities participated in, offices held:

PUBLICATIONS & PRESENTATIONS

List published articles, papers delivered at professional meetings:

MILITARY SERVICE

List type of discharge, branch, rank at discharge, current status, record of any court marshals or non-judicial punishment under the Uniform Code of Military Justice, & special distinctions & honors. Please attach copy of DD214.

EMPLOYMENT HISTORY

EMPLOYMENT EXPERIENCE: Please begin with your present or last positions you have held for the past ten years. Account for all periods of employment including military service, volunteer work, self employment and periods of unemployment in separate blocks. Use separate blocks if your duties and responsibilities changed while working for the same employer. For volunteer work, write the word "Volunteer" in the salary section for that block. To receive full credit for your experience, describe in detail the tasks you were assigned. If you supervised others, explain your duties as a supervisor and indicate the number and kinds of employees you supervised. If more space is needed, please use supplemental form attached. Your answers may be verified with former employers.

1	Employer: MID Pacific Disributors	From: Feb-92	To: Dec-12
Address: 370 Mendioka Street		<input checked="" type="radio"/> Full-Time <input type="radio"/> Part-Time	
City: Dededo State Guam Zip 96929		Average hours worked per week:	
Name of Supervisor: John T. Calvo		Starting Salary: _____ per	
Your Title: Marketing Director		Ending Salary: _____ per	
Duties & Responsibilities:		<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other	
Responsibilities include marketing and promotions, supplier correspondence, and inventory mananagement.			
Product line includes Gatorade, Snapple, RC, Sunkist, Calistoga and Sapporo.			
<hr/>			
<hr/>			
<hr/>			
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO		Reason(s) for Leaving:	
What did you NOT like about your job?			
2	Employer:	From: _____	To: _____
Address:		<input type="radio"/> Full-Time <input type="radio"/> Part-Time	

Cont'd.

City:	State	Zip	Average hours worked per week:
Name of Supervisor:			Starting Salary: _____ per
Your Title:			Ending Salary: _____ per
Duties & Responsibilities:			<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO			Reason(s) for Leaving:
What did you NOT like about your job?			
3 Employer:			From: _____ To: _____
Address:			<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City:	State	Zip	Average hours worked per week:
Name of Supervisor:			Starting Salary: _____ per
Your Title:			Ending Salary: _____ per
Duties & Responsibilities:			<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO			Reason(s) for Leaving:
What did you NOT like about your job?			
4 Employer:			From: _____ To: _____
Address:			<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City:	State	Zip	Average hours worked per week:

Cont'd.

Name of Supervisor:	Starting Salary: _____ per
Your Title:	Ending Salary: _____ per
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO	Reason(s) for Leaving:
What did you NOT like about your job?	

5 Employer:	From: _____ To: _____
Address:	<input type="radio"/> Full-Time <input type="radio"/> Part-Time
City: _____ State _____ Zip _____	Average hours worked per week: _____
Name of Supervisor:	Starting Salary: _____ per
Your Title:	Ending Salary: _____ per
Duties & Responsibilities:	<input type="radio"/> Resigned <input type="radio"/> Discharged <input type="radio"/> Other
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
May we contact your previous employer: <input type="radio"/> YES <input type="radio"/> NO	Reason(s) for Leaving:
What did you NOT like about your job?	

Cont'd.

A	Total number of employees in the organization/department you have managed:		
	<input checked="" type="radio"/> 50 and under	<input type="radio"/> 101 – 250	<input type="radio"/> 501 and up
	<input type="radio"/> 51 – 100	<input type="radio"/> 251 – 500	
Average number of staff who reported directly to you:			
	<input checked="" type="radio"/> Under 25	<input type="radio"/> 201 – 300	<input type="radio"/> 501 and up
	<input type="radio"/> 26 – 50	<input type="radio"/> 301 – 400	
	<input type="radio"/> 51 – 200	<input type="radio"/> 401 – 500	
Are you knowledgeable of the local and federal labor laws? <input checked="" type="radio"/> YES <input type="radio"/> NO			

PERFORMANCE RATING

A	Was the organization/department you managed "profitable" or did your organization perform as formally planned?		
	<input checked="" type="radio"/> YES <input type="radio"/> NO		
	Variance from projected income:	<input type="radio"/> Below plan	<input checked="" type="radio"/> Met plan <input type="radio"/> Above plan
Variance from projected expenses:	<input type="radio"/> Below plan	<input checked="" type="radio"/> Met plan <input type="radio"/> Above plan	

OTHER ABILITIES

A	Have you ever participated in a strategic planning process? <input checked="" type="radio"/> YES <input type="radio"/> NO		
	If YES, please select one of the following to describe your participation. <input type="radio"/> Facilitated <input checked="" type="radio"/> Directed <input type="radio"/> Implemented		
	Do you have any experience with:	Restructuring an organization	<input checked="" type="radio"/> YES <input type="radio"/> NO
		Process Improvement	<input checked="" type="radio"/> YES <input type="radio"/> NO
		Re-engineering	<input checked="" type="radio"/> YES <input type="radio"/> NO
		Total Quality Management	<input checked="" type="radio"/> YES <input type="radio"/> NO
Have you ever participated in formal negotiations with another organization? <input checked="" type="radio"/> YES <input type="radio"/> NO			
If YES, check the boxes describing your role: <input type="checkbox"/> Observer <input type="checkbox"/> Assistant <input checked="" type="checkbox"/> Chief Negotiator <input type="checkbox"/> Advisor/Consultant			
Have you been involved in policy making process? <input checked="" type="radio"/> YES <input type="radio"/> NO			
If YES, please check the boxes which best describes your role: <input type="checkbox"/> Management <input type="checkbox"/> Board and/or Commission <input type="checkbox"/> Legislation (includes lobbying process)			

TECHNOLOGY

A	Have you been involved in promoting the use of Technology in your organization? <input checked="" type="radio"/> YES <input type="radio"/> NO		
	Please select all items which describes your involvement:		
	<input type="checkbox"/> Sponsor	<input type="checkbox"/> Development	
	<input type="checkbox"/> Planning	<input type="checkbox"/> Design	
	<input type="checkbox"/> Coordination	<input type="checkbox"/> Implementation	

GRANTS

A	Have you been involved in applying, administering, awarding Grants? <input type="radio"/> YES <input checked="" type="radio"/> NO
---	---

Cont'd.

Please check the boxes which best describes your involvement:

- | | |
|--------------------------------------|--|
| <input type="checkbox"/> Aide | <input type="checkbox"/> Administrator |
| <input type="checkbox"/> Researchers | <input type="checkbox"/> Reviewer |
| <input type="checkbox"/> Writer | <input type="checkbox"/> Funder |

SKILLS

Indicate appropriate letter for your skill level:

C=Course only **F**-Fair **G**-Good **E**= Excellent

Windows Software:	Skill Level (C-F-G-E)	Version	Skill Level (C-F-G-E)	Version
MS Word	None	<u> E </u>	WordPerfect	None
Excel	None	<u> E </u>	Presentation	None
PowerPoint	<u> None </u>	<u> E </u>	Quattro Pro	None
			Lotus	<u> None </u>

GENERAL

Summarize and explain any experience and/or skills which you feel would be beneficial to employers: Explain:

Of the jobs you have held, which did you like best? Why?

What do you feel are your outstanding strengths?

What do you feel are your primary weaknesses?

What gives you the most satisfaction in your work?

What is your concept of success?

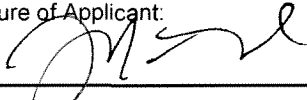
Cont'd.

Please write any additional information that you would like us to know about you (e.g. hobbies)

PLEASE READ CAREFULLY BEFORE SIGNING:

I certify that all statements made on this application are true and complete to the best of my knowledge. I understand that any misrepresentation or omission is sufficient to disqualify me for employment or may result in a discharge if employed. I authorize my former employers, schools, government agencies and other entities to give any information (including fact or opinion) they may have regarding me, whether or not it is on their record. I hereby release them and the company from all liabilities as a result of furnishing and receiving this information. I understand that any offer of employment is subject to satisfactory references. I understand and agree that I may be required to submit to pre-employment drug test and post-offer medical examination as part of my application for employment with the offer of employment conditioned on the result of such test and examination. I also understand and agree that at any time during my employment, I may be required to submit to a drug test and/or a medical examination. I authorize the physician conducting the examination and any laboratory testing any specimen obtained by the physician or collection site to disclose the results of the examination and the laboratory test to the organization I am applying to. If employed, I agree to abide by my employer's policies and recognize that this application is not intended in any way to create an employment contract.

Signature of Applicant:

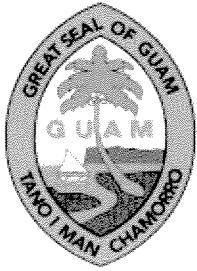


Date:

10-30-12

Your application will be placed in our active application files for twelve months. If you are not employed within six months but still wish to be considered for a specific opening, please contact the Governor's Office to inform us of the specific opening for which you wish to be considered.

Cont'd.



STATEMENT OF FINANCIAL INTERESTS

TO: Camacho/Cruz Transition Office
P.O. Box 2950
Hagåtña, Guam 96932

FROM: Joseph McDonald


Social Security #: _____

- I have no financial interest in any business.
- I do have interest(s) in the following business(es).

Name/Address of Business Interest

Type/Amount of Interest

Name/Address of Business Interest	Type/Amount of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____


Signature (sign in ink)

10 / 30 / 12

Cont'd.

Submit



OFFICE OF THE GOVERNOR
GUAM

AFFIDAVIT

I, **JOSEPH M. MCDONALD**, being first duly sworn, deposes and sayeths:

1. That I have read and reviewed the information contained in the attached Nomination Letter from the Governor of Guam.

2. That the matters contained in the Nomination Letter and all attachments thereto are true and correct.

3. That this affidavit is made for the purpose of complying with the requirements of 4 GCA §2103.5.

I declare under penalty of perjury that the foregoing is, to the best of my knowledge, true and correct.

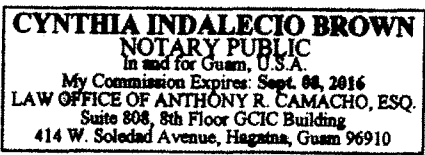


JOSEPH M. MCDONALD

SUBSCRIBED AND SWORN TO before me this 28 day of December,
2012.



Notary Public





**Government of Guam
 GUAM POLICE DEPARTMENT
 RECORDS & IDENTIFICATION SECTION
 P.O. Box 23909
 Guam Main Facility, Guam 96921**



December 27, 2012

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Joseph M. MCDONALD		
DATE OF BIRTH:	08/07/69	FINGERPRINT #:	NONE
<input type="checkbox"/>	The individual has no record of criminal conviction(s) in GPD files that are subject to Guam law and rules and regulations of the Department.		

*****NOTHING FOLLOWS*****

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY. THIS CLEARANCE DOES NOT REFLECT ARREST(S) PENDING ADJUDICATION.

By Direction: mair

**FRED E. BORDALLO, JR.
 Chief of Police**

The absence of an original GUAM POLICE seal invalidates this police clearance.
 REVISED: 07/12/11



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagåtña, Guam 96910

Telephone (671) 475-3370
Fax (671) 477-1500

RICHARD B. MARTINEZ
Clerk of Courts

Name: **JOSEPH M MCDONALD**

SS#: ID# GUAM DL#: 1228070164 Date of Birth: 08/07/69

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

- A. No Case Found.
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Civil Cases:

- A. No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Criminal Record: Page of

Civil Record: Page of

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatna, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 12/28/2012

RICHARD B. MARTINEZ
Clerk of Courts

BY: 
EDNA M NEGO
Deputy Clerk

Prepared By: DMN



The absence of an original Court Seal invalidates this document



GUAM ELECTION COMMISSION

Kumision Eleksion Guåhan

P.O. Box BG • Hagåtña, Guam 96932

Tel: (671) 477-9791/2 • Fax: (671) 477-1895

E-Mail: vote@gec.guam.gov Website: www.gec.guam.gov



FINANCIAL DISCLOSURE ACT CHAPTER 13, TITLE 4, GUAM CODE ANNOTATED (GCA)

Name:

Joseph M McDonald

Mailing Address:

P.O. Box 22169

GMF, GU 96921

Name of Board or Commission:

Public Utilities Commission

Term of Office:

STATEMENT OF DISCLOSURE OF CONFLICTS OF INTEREST FOR GOVERNMENT BOARD OR COMMISSION MEMBER

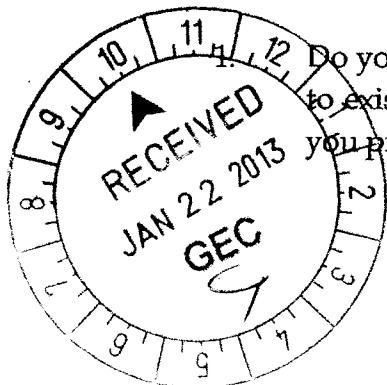
Public Law 24-91, Section 13104.1 of Title 4, Guam Code Annotated, requires that notwithstanding any other provision of Public Law, all appointees to Boards and Commissions of the Government of Guam shall be required to disclose and submit a report containing only information where conflicts of interest or possible conflicts of interest exists at the time of appointment. Or as may be expected to exist during their tenure of service on the Board or Commission to which they have been appointed. For purposes of this Section, conflicts of interest shall be defined under the provisions of Section 15205 of Title 4, Guam Code Annotated. Please refer to said statute for further particulars.

Please answer the following:

Do you have any present conflicts of interest or expect any conflicts of interest to exist during your tenure of service on the Board or Commission in which you presently serve?

Yes

No



2. If so, please provide full disclosure below.

I declare under penalty of perjury pursuant to the laws of Guam, that the above Statement of Disclosure of Conflicts of Interest is true and accurate pursuant to Section 13104.1, Title 4, Guam Code Annotated.



Signature of Board/Commission Member

12/28/12
Date

