



Office of the Governor of Guam

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

Chief of the People's Speaker
Vicente C. Pangelinan

DEC 31 2004

TIME: 4:35 JAN 1 1PM
RECEIVED BY: [Signature]

31 DEC 2004

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No 341 (L.S), "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTEWATER SERVICES, AND FOR OTHER PURPOSES, BY ADDING A NEW §14410 TO TITLE 12, GUAM CODE ANNOTATED," now designated as Public Law 27-155.

Sinseru yan Magåhet,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

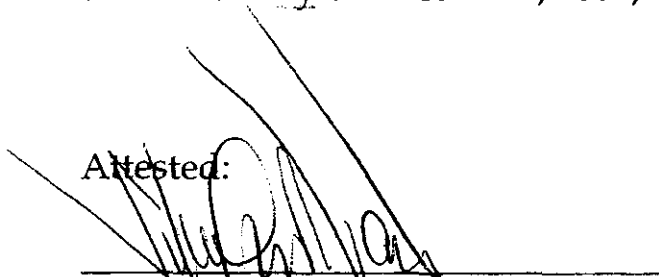
cc. The Honorable Tiina Rose Muna-Barnes
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

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

This is to certify that Bill No. 341 (LS), "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTEWATER SERVICES, AND FOR OTHER PURPOSES, BY ADDING A NEW §14410 TO TITLE 12, GUAM CODE ANNOTATED," was on the 20th day of December, 2004, duly and regularly passed.


Attested:



Tina Rose Muña Barnes
Senator and Legislative Secretary


vicente (ben) c. pangelinan
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 20 day of December, 2004,
at 5:50 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: December 30, 2004

Public Law No. 27-155

I MINA/BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

Bill No. 341 (LS)

As amended.

Introduced by:

v. c. pangelinan
R. J. Respicio
F. R. Cunliffe
F. B. Aguon, Jr.
J. M.S. Brown
Carmen Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
T. R. Muña Barnes
J. M. Quinata
Toni Sanford
Ray Tenorio

**AN ACT TO REQUIRE THE GUAM WATERWORKS
AUTHORITY TO CONNECT AUTHORIZED WATER OR
WASTEWATER SERVICES, AND FOR OTHER PURPOSES,
BY ADDING A NEW §14410 TO TITLE 12, GUAM CODE
ANNOTATED.**

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

2 **Section 1.** A new §14410 is hereby *added* to Title 12, Guam Code
3 Annotated, to read:

4 **“§14410.** Notwithstanding any other provision of law, the Guam
5 Waterworks Authority shall not deny any person a water meter or water
6 services whenever an applicant for a water meter or water services has

1 paid all necessary basic connection fees or offered to pay such basic fees,
2 when there is a functional water line within one hundred feet (100') of
3 the applicant's property boundary, or when an existing waterline is
4 within one hundred feet (100') of an applicant's boundary that can be
5 made operational by Guam Waterworks Authority connecting it to any
6 main water line."

7 **Section 2. Severability.** *If* any provision of this Act or its application to
8 any person or circumstances is found to be invalid or contrary to law, such
9 invalidity shall *not* affect other provisions or applications of this Act which
10 can be given effect without the invalid provisions or applications, and to this
11 end the provisions of this Act are severable.



Mina' Bente Siete Na Liheslaturan Guahan

vicente (ben) c. pangelinan
Speaker

Committee on Utilities and land
Chairman

DEC 16 2004

2004 DEC 16 AM 9:20

The 27th Guam Legislature
I MINA 'BENTE SIETE NA LIHESLATURAN GUAHAN
155 Hesler Street
Hagatna, GU 96910

The Committee on Utilities and Land, to which was referred **Bill 341**, "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTEWATER SERVICES, AND FOR OTHER PURPOSES," has had the same under consideration, and now wishes to report back the same with the **recommendation to** do pass.

The Committee votes are as follows:

<u>6</u>	To Do Pass
<u>0</u>	Not to Pass
<u>0</u>	Abstain
<u>0</u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Sincerely,


vicente (ben) c. pangelinan
Speaker & Chairman of the Committee on Utilities and Land

Enclosures

**Committee on Utilities and Land
I Mina'Bente Siete Na Liheslaturan Guahan**

VOTING SHEET ON

^{LS}
Bill 341 (COR): "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTERWATER SERVICES, AND FOR OTHER PURPOSES."

COMMITTEE MEMBER	INITIAL	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE
vicente (ben) c. pangelinan Chairman	<i>[Signature]</i>	<i>[Signature]</i>			
Carmen Fernandez Vice-Chairperson	<i>[Signature]</i>	<i>[Signature]</i>			
Frank Aguon, Jr. Member					
Randy Cunliffe Member	<i>[Signature]</i>	<i>[Signature]</i>			
Lou Leon Guerrero Member	<i>[Signature]</i>	<i>[Signature]</i>			
Rory Respicio Member	<i>[Signature]</i>	<i>[Signature]</i>			
Toni Sanford Member	<i>[Signature]</i>	<i>[Signature]</i>			
Joanne Brown Member					
Mark Forbes Member					
Ray Tenorio Member					



Office of the People's Speaker
Vicente C. Pangelinan

SEP 01 2004

TIME: 9:25 (✓) AM () PM
RECEIVED BY:

Senator Lou Leon Guerrero RN, MPH

SEP 01 2004

MEMORANDUM

To: Speaker Vicente C. Pangelinan, Chairman,
Committee on Utilities and Land

From: Senator Lou Leon Guerrero, Chairwoman *LLG*
Committee on Rules and Health

Subject: Referral – Bill Nos. 341(LS), 345(LS), 347(LS), & 348(LS)

In accordance with Section 6.04.04.01 of the Standing Rules of the Mina' Bente Siete na Liheslaturan Guahan,

Bill No. 341(LS) – AN ACT TO REQUIRE THE Guam WATERWORKS AUTHORITY TO CONECT AUTHORIZED WATER OF WASTEWATER SERVICES, AND FOR OTHER PURPOSES.

Bill No. 345(LS) - AN ACT TO AMEND SECTION 7(C) OF PUBLIC LAW 22-145, RELATIVE TO LAND USE POLICY AND PLAN FOR CERTAIN PARCEL OF LAND BELONGING TO THE GOVERNMENT OF Guam.

Bill No. 347(LS) - AN ACT TO ALLOW THE PROPERTY OWNERS OF LOTS LOCATED IN THE AREA NEAR NAVAL COMMUNICATION STATION IN THE MUNICIPALITY OF DEDEDO TO MAXIMIZE THE UTILIZATION OF THEIR PROPERTIES.

Bill No. 348(LS) - AN ACT TO ENCOURAGE THE EXPANSION AND DEVELOPMENT OF THE AGRICULTURAL INDUSTRY ON Guam BY ADDING A NEW SECTION 68715 TO ARTICLE 7 OF CHAPTER 68 OF SUBPART E OF TITLE 21 Guam CODE ANNOTATED.

are referred to your Committee on Utilities and Land as the principal committee.

Copies of these bills may be obtained from the office of the Clerk of the Legislature.

Also in accordance with Section 7.01 of the Standing Rules, it shall be the duty of the Chairperson of each standing committee, or the designated hearing officer, to notify the Speaker, the Chairwoman of the Committee on Rules and the Executive Director, the date, time, subject matter, number and title of the bill or resolution for which a public hearing will be held.

Thank you.

cc: Clerk of the Legislature

- Democrat Majority Leader
- Committee on Rules & Health
Chairwoman
- Committee on Utilities & Land
Member
- Committee on Appropriation
& Budgeting, General
Government Operations
Reorganization & Reform
Member
- Committee on Community,
Culture, Recreation &
Public Broadcasting
Member
- Committee on Economic
Development, Retirement,
Investments, Public Works,
& Regulatory Functions
Member
- Committee on Education
& Housing
Member
- Committee on Judiciary
& Transportation
Member
- Committee on Youth &
Senior Citizens,
Federal & Foreign Affairs
Member

27th Guam Legislature

155 Hesler Street Hagatna, Guam 96910

Office 671.472-3582 - 5 / 472-3576. Facsimile 671.472-3591 Email

Committee on Utilities and Land
I Mina 'Bente Siete Na Liheslaturan Guahan

Bill 341 (LS)

AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY
TO CONNECT AUTHORIZED WATER OR WASTEWATER
SERVICES, AND FOR OTHER PURPOSES.

Public Hearing was held by the Committee on Utilities and Land on
Tuesday, September 7, 2004, at the Guam Legislature Public hearing
Room, at 9 a.m.

Witness Summary

Name	Representing	Testimony (written or oral)	Testimony (against or for)
Mr. David Craddick	GWA	Written and Oral	Against
Mr. Sam Taylor	GWA	Oral	Against
Mr. Jesse Sablan	Self/ on behalf of his father, Mr. Pascual Sablan	Oral and Written	For
Ms. Sabina Perez	Self	Oral	-----
Mr. Tony Sablan	Self	Oral and Written	-----
Mr. Larry Ramirez	Self	Oral	-----

Committee on Utilities and Land
I Mina 'Bente Siete Na Liheslaturan Guahan

Bill 341 (LS)

AN ACT TO REQUIRE THE GUAM WATERWORKS
AUTHORITY TO CONNECT AUTHORIZED WATER OR
WASTEWATER SERVICES, AND FOR OTHER PURPOSES.

The Committee on Utilities and Land, to which was referred Bill 341 (LS), "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTEWATER SERVICES, AND FOR OTHER PURPOSES," conducted a public hearing on Tuesday, September 7, 2004, at the Guam Legislature Public Hearing Room. Speaker vicente (ben) c. pangelinan conducted the legislative hearing as Chairman on Utilities and Land. Also in attendance were Vice Chair Carmen Fernandez, Senators Lou Leon Guerrero, Rory Respicio, Toni Sanford and Tina Rose Muna Barnes.

Speaker/Chairman: We'll now go ahead to proceed to have a hearing on Bill No. 341, An Act To Require The Guam Waterworks Authority To Connect Authorized Water Or Wastewater Services, and For Other Purpose. Any members of the public who wish to testify on 341? We have signed up Mr. Craddick, Mr. Sam Taylor and Mr. Pascual Sablan. Mr. Craddick, you may proceed.

Mr. David Craddick: Good morning, Chairman and committee members. My name is David Craddick, General Manager for Guam Waterworks, and GWA does not support the bill. As it is clear on its face, that it tries to waive existing GWA rules and regulation, we have a policy to provide water to everyone, is noble. It's dependent on your definition of "functional." GWA's definition of "functional" is, provided GWA has sufficient water supply developed for domestic use and for fire protection and can provide new or additional service without detriment to those already served. In addition to this, a "minimum water delivery pressure" is defined as a water line maintained at 20 psi minimum. When water dribbles out of the line, or it takes from other persons already connected, this is not a functional water line. If your definition of "functional" coincides with GWA's, there'd be no problem with this bill and it will be in line with current rules and regulations. The another side of this issue is the developer who has not completed its project. These developments are not hooked up because of health and safety concerns. And one example of this would be the Tumon pipeline that was put in. That'll be connected, I think, this morning.

They're finally turning it on. But there is pressure testing, disinfection of that line at very high chlorine levels that would be toxic to persons if that line were to be connected to our line while that disinfection is going on. So it would not be appropriate to have those types of lines connected to our line while those types of testing are needed.

Speaker/Chairman: Thank you very much, Mr. Craddick. The intention here is not to waive any rules and regulation of the department. It's ... to ... require the agency to provide that service when it is available and so forth. So I don't think we're divergent in our views in this matter and so I just wanted to state for the record. Senator Sanford, Senator Leon Guerrero?

Sen. L. Leon Guerrero: Are there ... um ... are there other applicants that have been denied ... um ... uh ... water meters or water services after they've done all their necessary requirements and so forth?

Mr. David Craddick: Not to my knowledge. Not if the system is adequate and we have easements and things like, for the line that the ... they want to connect to.

Sen. L. Leon Guerrero: Okay, I just was wondering because ... um ... it seems like this legislation that would try and protect those individuals, that ... uh ... done all the necessary requirements and were still denied a water meter. So you run the Waterworks so I'm just curious to find out if there has been any complaints from our people, that they've done all the necessary connection fees and they offered to pay basic fees and they still did not get a water meter or water services.

Mr. David Craddick: If, if they have not put in the lateral and things like to connect out, there may be a problem there. But once everything is in to connect them up, a meter will be installed. I'm, I'm thinking mainly of the Tiyan area. There was, there was a problem with easements there and of course there's no lateral to hook people out right now. So until that's done, a meter wouldn't be put in.

Sen. L. Leon Guerrero: Thank you, Mr. Speaker.

Speaker/Chairman: Senator Muna Barnes did you have any questions?

Sen. T. Muna-Barnes: Yeah, I'm just ... uh ... thank you, Mr. Speaker. Dave, I just want to ask, wasn't there a meter put there before? Weren't there meters there before?

Mr. David Craddick: Where?

Sen. L. Leon Guerrero: Where?

Sen. T. Muna-Barnes: Uh, uh in, in...

Mr. David Craddick: Tiyan ... not to my knowledge. The military doesn't meter their, their facilities.

Sen. T. Muna-Barnes: The masters ...

Mr. David Craddick: Yeah, maybe ... Yeah, there is a master meter, yes, and the airport is paying that full amount of that \$21,000 month right now. Until they get the easement to us.

Sen. T. Muna-Barnes: So, so there was a master meter there before?

Mr. David Craddick: There is now.

Sen. T. Muna-Barnes: There is now, and what needs to be done is, is the residents just need to apply personally with the agency, right?

Mr. David Craddick: They have, but we don't have the easement to, to ... The line is not ours. Right now the lines ... well, belong to the people within the officers' housing area. Some of those people have turned the easements over to us. Some of them have not, and then, of course, the line feeding that comes from the airport. So if the airport doesn't also give us the easement our, nearest line is either Route 8 or Route 16.

Sen. T. Muna-Barnes: So what is it ... I mean, for those who have already given the access to the easements, is there an existing MOU with the airport, because you just said the airport owns that. Has there, is there a regular MOU already in existence?

Mr. David Craddick: Um ... There's not an MOU, there's an agreement...

Sen. T. Muna-Barnes: Or an agreement?

Mr. David Craddick: There's an agreement between them and us where the airport will pay the bill until they give us the easement. And they've been paying \$21,000 a month now. And, and Sam is reminding that reason why they are paying that \$21,000 ... they've given us a right of way so we can go in and repair the lines and things like that. But again, it wouldn't be appropriate to give a service to somebody if we don't get the easement and then shortly after we give the service, we don't ever get the easement. And if they decide to cut their line off we have no way to serve those people.

Mr. Sam Taylor: Senator, perhaps I can clarify with respect to the agreement. We have ... Oh, my name is Sam Taylor. I represent Waterworks Authority.

With respect to that agreement with the airport, I mean, the reason we entered into that was twofold. First of all, we were having these individuals in Tiyan who, and it's not just individuals. It's also ... There are business and other buildings there currently that are individually owned and they're not owned by the airport and they are not owned necessarily by residents that we need to provide service to. But the Navy basically whenever they owned it, they, you know, they weren't metering their water because they really care about charging anybody. They were just paying for it right. So what we decided what we needed to do under our services regs is get easements from the airport. However, in order to ... that ... we needed the airport to go to the FAA and Department of Transportation in order to seek permission to get the easements. We had asked them to do so about a year ago. For some reason it just kind of languished and so what we did was we finally said, Hey look, we need to get these easements because these people are screaming for the water and we want to install meters. We want to go in and repair the lines ... But we need ownership of the lines in order to do so under our regs. So basically we went to the airport with this and they agreed, and in the interim there are going to pay for the water going through the 12-inch meter that enters to Tiyan, which serves all these properties pending the easements being granted to Guam Waterworks Authority. With respect to the easements, I mean, once we get these we'll soon install the meters. I mean, we just really just need to get that in order, in order legally to go in and install the meters because we need the meters to be ours. Also, under the order that we have with U.S. District Court and EPA, it requires us to receive compensation for the water. In other words, we can't give somebody free water ... That's something that's basically we're prohibited from doing.

Speaker/Chairman: Sam, can you just speed it up? I mean, we're not doing an oversight on Tiyan here.

Mr. Sam Taylor: I'm sorry. No, I understand, but I mean, I was just trying to answer the senator's question. I apologize for being too lengthy okay.

Sen. T. Muna-Barnes: Thank you, Mr. Speaker.

Speaker/Chairman: Senator Sanford, you had a question?

Sen. Toni Sanford: Just a real quick question on that master meter for the Guam airport Tiyan property. Now, there's a master meter. And so who pays that water right?

Mr. David Craddick: Airport is paying it.

Sen. Toni Sanford: And does airport collect from the landowners?

Mr. David Craddick: No, in the right-of-way agreement that we have with them, once we get these people hooked up ... Those people will have to pay for

that water, and we'll use the billing that they get from the meter that's put in, to go and back track to them. And that would be reimbursed to the airport, but right now they're paying the entire bill.

Sen. Toni Sanford: Airport is paying the entire bill?

Mr. David Craddick: Yup.

Sen. Toni Sanford: And there's no plan to charge a retro because ... there's been no easement. Is that the reason we cannot bill?

Mr. David Craddick: Well, right now, we can't, yeah. We don't even have the meter or anything in there. It's the, you know ... Like I said, the people down there have given us easements. Some of them have given easements for their properties, but there's no easement feeding into that property. So they have the choice of either putting another line out somewhere to tap in or getting that easement and the airport. The airport always intended to give the easement and I'm not ... Well, I don't know. There is some reason that they gave for not having done it in the past. There is some confusion.

Sen. Toni Sanford: So who is perusing this Dave, who's perusing actually the transfer on the easement for ownership to Guam Waterworks?

Mr. David Craddick: Our, our land group. We have a land section and they're ... Mr. Joe Punzalan ...

Sen. Toni Sanford: So, so what remains is just interaction with the Airport Authority to make the transfer?

Mr. David Craddick: The airport apparently cannot give easement without getting FAA approval and they're getting FAA approval right now.

Sen. Toni Sanford: Okay, thank you. Ah ... Just one thing. You know, when Lou asked, Senator Lou asked about, is that there's customers that's going to be impacted. I was just curious. How does this impact the ... Tony Sablan issue up at Urunao area down, going down to Mike Babas' property. I know that those folks have been looking to try and get these resolved. Isn't this something that kind of will basically ... their issue?

Mr. David Craddick: It won't ...

Sen. Toni Sanford: We hope ...

Speaker/Chairman: And it won't ...

Sen. Toni Sanford: It won't?

Mr. David Craddick: No. There's no line down there, so there's no way to hook them up. There's a four mile or five mile gap between our system and the system that was put in down in Urunao.

Speaker/Chairman: But if, but if they ... if your system is within a hundred feet of their system ...

Mr. David Craddick: Four miles.

Sen. Toni Sanford: You're saying it's four miles?

Mr. David Craddick: About that, yeah. Yeah, it's actually two systems. The airport has one where previously, I guess, previous management signed an agreement with the Air Force that we would give them free water in exchange for an easement across their property, that we go in and maintain and there is no easement from the ... wildlife preserve going from the ... Air Force property down to where the line was that ... was put in.

Speaker/Chairman: So who owns the lines that's put in, isn't that your line?

Mr. David Craddick: I won't claim any ownership. I know the material is ours, but I certainly won't claim ownership of a line that was put in with no spec that it was meeting, it leaks ... you know.

Speaker/Chairman: How do you know it leaks if you don't have any meters down there?

Mr. David Craddick: Because I've seen it.

Speaker/Chairman: Really?

Mr. David Craddick: Yes.

Speaker/Chairman: How did you see it?

Mr. David Craddick: I went down there last February and uh ...

Speaker/Chairman: Is it sprouting in the air or just uh ...

Mr. David Craddick: No, just leaks coming out in the ground.

Sen. Toni Sanford: It's probably not more leaky, though, Dave, right, than the other, the other pipes we have going all over the island?

Speaker/Chairman: Is it like forty percent leak that you have in your other system?

Mr. David Craddick: Oh, I don't know...

Speaker/Chairman: Well, maybe we should find out.

Sen. L. Leon Guerrero: It's connected to where, then?

Mr. David Craddick: What's that?

Sen. L. Leon Guerrero: If the airport has theirs four miles away? Where's that water that they're getting connected to?

Mr. David Craddick: They aren't getting any water.

Sen. L. Leon Guerrero: They're not now?

Mr. David Craddick: No, they haven't been getting water since ...

Sen. L. Leon Guerrero: But they were before. They were connected to some water line ...

Speaker/Chairman: Fish and life ... Fish and Wildlife does not have any water right now?

Mr. David Craddick: Not to my knowledge, no. They, they ... a rain catchment for flushing the toilets and things like that.

Sen. Toni Sanford: But there was water there before, Dave, right?

Sen. L. Leon Guerrero: Yeah ...

Sen. Toni Sanford: Before your coming to the agency there was water provided to the property?

Mr. David Craddick: My understanding ... Yeah, yeah there was.

Sen. Toni Sanford: And so we cannot ...

Sen. L. Leon Guerrero: Where did they hook up to?

Mr. David Craddick: It was hooked up illegally.

Sen. L. Leon Guerrero: To where, though?

Mr. David Craddick: To ... the wildlife line and then the Air Force line ... They have no water now, but might have had water back then ...

Speaker/Chairman: Right. The only time they did not have water is after you came in and shut it off?

Mr. David Craddick: That's right.

Speaker/Chairman: Okay.

Sen. Toni Sanford: Thank you.

Mr. Sam Taylor: There is another issue with respect to ... the Air Force and that is that our easements have expired.

Speaker/Chairman: I understand.

Mr. Sam Taylor: In other words, we no longer have the authority to go out and ...

Speaker/Chairman: I understand the Governor has written you a letter asking you to renew that.

Mr. Sam Taylor: That is correct, but I mean under the terms of the agreement, that easement has expired already ...

Speaker/Chairman: I understand ...

Mr. Sam Taylor: Also, there are issues with respect to our service regulations and having a line that we don't have access to, which is, there are certain ... of the Air Force property which is restricted access. In other words, we couldn't go onto the property even if we wanted to, so ...

Sen. Toni Sanford: Well, the point here is that the people there had water there before and then it was just turned off.

Mr. David Craddick: Not legally. They did not have water service, so stealing water does not equate to giving water service.

Sen. L. Leon Guerrero: Oh, so they were stealing from the Air Force?

Mr. David Craddick: Stealing from us if it was coming from ... line.

Sen. T. Muna-Barnes: But you just said there was no water coming from you guys.

Mr. David Craddick: No, you were asking about now. You're asking about now. I'm not talking about what was going on before I got here.

Sen. Toni Sanford: Well, I guess the intent here is to figure out how best to serve the people you know and ... Is it an easement then, Dave, or what?

Mr. David Craddick: It's a combination easement issue. There's no pipeline going from our system to that system down there. And there's ...

Sen. Toni Sanford: But, but, but what pipe brought the water there before you came?

Mr. David Craddick: It went into Air Force, restricted Air Force property, came out of restricted Air Force property and went into a line that belongs to the wildlife preserve. That there was never any easement for to go down to ...

Speaker/Chairman: And then it's in then ...

START OF TAPE 1 SIDE B

Speaker/Chairman: The area that gave GWA materials such as couplings and elbows and they used those to install that also.

Mr. David Craddick: I, I don't know. There's no record of that.

Speaker/Chairman: There's no record of that?

Mr. David Craddick: No.

Speaker/Chairman: Okay. I think we saw some receipts, so ...

Sen. Sanford: Thank you. Thank you, Mr. Speaker.

Speaker/Chairman: Thank you. Okay, any other questions? If not, we also have Sabina Perez and Mr. Tony Sablan to testify on this bill, 341.

Jesse Sablan: And also me on, behalf of my dad, Pascual Sablan.

Speaker/Chairman: Oh, okay, I'm sorry. You just had a written testimony. You're welcome. Please, please step forward.

Jesse Sablan: Háfa adai and good morning, Speaker pangelinan, Senator Fernandez, Senator Sanford, Senator Leon Guerrero, Senator Muña-Barnes. Thank you for allowing us to take a few minutes of your time to rediscover some of the ambiguities that have prevailed over the years with our property down at Urunao. And as well, hopefully that we can shed some light on the gray areas

that Mr. Craddick has recognized. This is a testimony. It was written in support of Bill 341, an act to require the Guam Waterworks Authority to connect the authorized water or waste water services and for the purposes. The provisioning of services and establishment of adequate infrastructure for the ultimate benefit of the general public such as the ... power, public works, low income housing and water supply system to name a few is a recognized function of the government.

It's without any degree of reservation that I state my unequivocal support for this bill. It is written without ambiguity as to the stated intent, range of application and scope. I am certain that adopting 341 into law will then state a matter of public record the necessity for fair and equitable and broad application of its stated provisions by the appropriate administering authorities. For decades, our family has paid the government of Guam taxes due on to it, more so our family invested what was affordable and ordered that an easement granting greater access on through the land was laid for other relatives in hope that may be established a suitable dwelling for stay, ranch, crop or livestock.

Notwithstanding our complied duty to the government and family, it was only in the past few years that we have been granted less restricted access to our land by the U.S. military and U.S. Fish and Wildlife agencies of the federal government and about a year since we've had access to running water to our property as provisioned by the local government. We could only hope and pray that basic water service be restored without prejudice in exchange for the fees paid in and years of taxes remitted to the government of Guam, which by the way the property has been zoned hotel, we've been paying artificially high taxes for lack of infrastructure. I'm third general Artero and it really pains me to see that I cannot do anything that I please down there, because they're of lack of the resources that's made available to everybody else and also these resources I believe that Guam Waterworks has a responsibility to us, to better our livelihood down there. And for this, I only ask what is fair, the establishment and just promulgation of a policy for all persons who live on Guam who meet all the necessary requirements for the entitlement services in closing. I would like to thank you, Mr. Speaker, senators and your colleagues, the honorable Rory Respicio, and Randy Cunliffe for sponsoring legislation and do respectfully request that other members of the Guam Legislature join you in the support of this passage. Thank you for the time.

Speaker/Chairman: Thank you very much and that is for testimony ... for Mr. Pascual V. A. Sablan?

Jesse Sablan: Yes, my dad.

Speaker/Chairman: All right. Thank you. Sabina?

Ms. Sabina Perez: Thank you, Mr. Speaker and senators. I don't have a prepared statement, but ... I just want to point out what you saw here today is

that there is definitely inequality in how water is distributed. You have the Tiyan pop ... community or people that live on that land who have been water free or have free access to water. And then you have people in Urunao who do not have access to water and GWA is supposed to work in the interest of everybody has equal access. So I'm basically in support of, of this, this law because it provides access to those people who have been denied access to water. And the other thing I want to point out to is that ... you know what are the motivations behind, behind denial of access. Is it really an integrity issue or a political issue? And I think that it's very important that we reform GWA to de-politicize the process. General Managers have been chosen by our political leaders and may not be working at the best interest of the people and I would like also to add that we need to re-assess the role of the CCU. Are they really acting in our best interest when they promote privatization and to look at reforming the oversight to include people in the community and not necessarily people who have been elected. Or who most likely would have ties to corporation and would like to leave my comments there.

Speaker/Chairman: Thank you very much, Ms. Perez. Mr. Sablan?

Mr. Tony Sablan: Buenas, Mr. Speaker, thank you very much for introducing this bill. Mr. Speaker and your fellow senators, Senator Sanford, Senator Lou Leon Guerrero, Senator Tina Muna-Barnes, and Senator Carmen Fernandez, si Yu'os ma'ase for being here today. I have a prepared speech but I would try not to belabor with reading my speech. I just really go up to a little history of Urunao. And yes, we desperately need water. My fear on this particular bill is exactly what Craddick said, that there is no existing water line and this bill says existing water line. It was existing. The governor at the time, with high-level command, with the Air Force, has finally got an approval in which they use the water ... the easement, through license agreement with Air Force and finally, you know, it's possible instead of spending millions of dollars to try and get water into Urunao. Now through license agreement that we ... then would be able to get water ... I question the motive in this whole scenario. Is that Mr. Speaker I presented this documents and I hope you have it in front of you?

Speaker/Chairman: Ah ... We're making copies at this time. We didn't have enough copies so we're making copies.

Mr. Tony Sablan: I gave you guys complete copies. Okay, my apologies for that, but what it is that here I have in front of me is a May 28, 2003, letter from Baba, writing a letter to Mr. Simon Sanchez, Chairman of the CCU and in their letter they pretty much stated that in good faith they did all things Guam Waterworks have promised them, that the delivery of water would be. And so much so that they even signed off on the deal that Guam Waterworks have signed off on the building permit that is also attached. There also is an application here for Guam Waterworks for meter and the Guam Waterworks Engineering Division has worked with the engineers of Baba in which they got

Baba to trench a six-foot depth level of water I mean into a limestone rocks in order for them to lay a six-inch water line in order to accommodate the required fire hydrant that was supposed to be installed next to the \$1.2 million facility that Baba has installed down there.

We did everything possible to assist Waterworks. Help us, it's a win-win type approach. A matter of fact, in the very beginning of this installation of waterline, we were called in. My, my family were called in to have a meeting with government authorities including, inclusive with the Governor and the authorities of GWA. And they pretty much said that there is a plan to, to grant us the permits that we have applied for ages. And in all honesty, Senators, you know if we're paying \$44,000 dollars in real property tax a year at least for the year 1995 and you folks have decreased that across the island, but at least at one time we were that real property tax and we have absolutely no, no kind of municipal services, no water, no power, no school bus, no garbage collections, nothing whatsoever. All we do have is have the privilege of being, having to fight the military to open up the access to our property. And the government of Guam just kind of sat back on its, on its, you know, fanny, excuse my terminology, and not assist us. And this won finally recognition of this government of Guam utility agency that is going to provide something that is really, really needed down there. Not only that for ourselves as individuals and family members but it is for the tourism economy that Baba is now out putting a business down there but, the unfortunate thing is that they have to bring in water on a tank-by-tank basis and the road the government of Guam is not even though it's a public it is not helping us any. We have improved the road. We opened the road at our own pocket expense, you know, by over a hundred thousand dollars' worth of expense. We ... When GWA brought in the Waterworks pipes down there and they just left there and they were not installing it, we inquired as to why they're holding back and they said they don't have the needed couplings. And yes, Mr. Speaker, I have attached a copy of those receipts also in what we turned over, those couplings to the government of Guam ... GWA. And they used that to facilitate the installation of the waterline. Now the water line has already passed the area where our property is ... it's a just a matter of installing a meter that we have applied for, we have cooperated with the previous administration of Guam Waterworks. Only to have ... Mr. Craddick, an imported talent from Guam and who else is behind him, that have the hoopla and the media and they say it's leaking all over. And at point blank I asked Mr. Craddick, how do you determine it to be leaking, and he said, well you put one meter here, and one meter there and you count the differences as you transmit water and therefore if this, if this meter were the original source is counting more, that means you're getting less over here so there is leakage in between. And I said, have you done that? And he said no. So I said, how do you determine this leakage? Oh, I could tell. Other engineers, I mean this waterline was designed by GWA engineers and installed by Guam Waterworks people ... You know, Mr. Speaker, the bottom line.

Thank you for your help. We desperately need water and I think we also need to, to try realize as to what's happened with the CCU and what's happening with Guam Waterworks. It's really, it seems to me like there are a group of people that are above the law and they, they have to sensitivity to what it needs. Because in my projection once business is up and rolling with Baba, Baba just in GRT per annual basis would be contributing approximately half a million dollars a year to the coffer of Guam. And if they say that they are billing me for five hundred and seven thousand dollars for the ... for the installation of the waterline, which I totally disagree, because this just a run-away billing ...

Speaker/Chairman: It's probably a billing from like Halliburton to the U.S. ...

Mr. Tony Sablan: And, and who else get pampered in the process, Mr. Speaker, but I think they're really just trying to say, and, and I was point blank told that and I apologize, you know I was point blank told that, as long as Carl Gutierrez is my neighbor, I'll never get my water and this is coming from a high Republican officials that have told me that. And I apologize for that. This is just ... you know, but I, I again continue to support on this matter. And please help us get our water. I think we have paid our dues and GWA or the government of Guam as a whole would ... benefit from this process, you know. Again, I like to say that the Governor has recently wrote to the Air Force about extending that.

Speaker/Chairman: Yes, I am aware of that.

Mr. Tony Sablan: Mr. Speaker, that Mr. Craddick asked the ... Air Force to terminate that agreement ...

Speaker/Chairman: We are looking into that also, thank you.

Mr. Tony Sablan: Okay, si Yu'os ma'ase, Mr. Speaker. I would not be laboring you any further. I thank you and I know where your heart is and si Yu'os ma'ase.

Speaker/Chairman: Thank you very much, Mr. Sablan. I also like to just welcome Senator Respicio and Senator Fernandez.

Mr. Tony Sablan: And my thank you to Mr. Senator Respicio.

Speaker/Chairman: And, and we'll, we may then have, I mean, this a general policy issue with regards to GWA and the installation that of its power. And what we will do is, is we may come together on this specific issue of your case after review of the documents you've submitted. We'll formulate some questions and then maybe it, we've been trying, we've done all the letters and the writing back and forth and everything else. But we may request, of course, that, that all the parties involved just sit down at the table and see what we can

resolve on this issue specific to your case. This bill, I want it to make a more general policy.

Mr. Tony Sablan: Thank you, Mr. Speaker.

Speaker/Chairman: For the record, I think as long as, as GWA ... that it does not waive the rules and regulations of GWA and so forth, that the policy ... that the bill is being supported by GWA, if I'm not mistaken, Mr. Craddick, according to your statements. Okay.

Mr. Tony Sablan: Si Yu'os ma'ase.

Speaker/Chairman: Thank you, si Yu'os ma'ase. At this time I'd like to go ahead indulge ... Okay. It, it won't be about Urunao, Larry, it'll be about the idea of providing a meter to property within a hundred feet of GWA. Yeah, yes, you may proceed, Mr. Ramirez.

Mr. Larry Ramirez: I guess you might have known me, you know, but I also forgot to tell you people ...

Speaker/Chairman: Tell me what, Larry?

Mr. Larry Ramirez: That my name is Tano. I was baptized up in Urunao, so see, I have so many personalities. You know I have gone up there and I've seen. You know, Anthony Sablan, is my uncle. See the need of how our local people sometimes are being denied the rights of what they really are entitled and that is water. I remember when I was baptized up there and they ... now, Larry, you are truly, no they did not call me Larry they ... Tano, from now you could live with just on you know on earth without any help because you're truly now an earthman. When I look at Urunao I could also remember walking all over there after I baptized and then just feeling the breeze, you know, seeing everything. And the unfortunate thing is when we were going to up there and check when you know Craddick were making noise about the water and the meter, I had the opportunity to basically walk there with Senator Angel Santos. But the problem is had to enter mental health. And Angel Santos was too unlucky, but like I said, man ... I know we are not going to get our political status changed but as a Chamorro and as having the name of Tano, we got to do something to help our local people and let me just say a big thank you and you know I hope that they will help the local people. Because me, I am a survivor. Okay, thank you.

Speaker/Chairman: Thank you very much, Larry. If I once again beg the indulgence of the public, we wanted to receive testimony on Bill 348 also. I know it's at the end but if I could just beg the indulgence and proceed with that bill, we'd like to go ahead to that.

Findings and Recommendation

The Committee on Utilities and Land, to which was referred Bill 341 (LS), "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTEWATER SERVICES, AND FOR OTHER PURPOSES," recommends that the legislation be

passed.



GUAM WATERWORKS AUTHORITY

Aturidat Kinalamten Hanon Guahan

Government of Guam

P.O. Box 3010, Hagatna, Guam 96932

Phone: (671) ~~647-2603~~ Fax: (671) ~~646-2335~~

September 2, 2004

The Honorable Vicente C. Pangelinan
Speaker, 27th Guam Legislature
155 Hessler Street
Hagatna, GU 96910

Dear Speaker Pangelinan,

Thank you for the opportunity to present the Consolidated Commission on Utilities (CCU) position on Bill 309:

“AN ACT TO AMEND SECTION 79103 OF TITE 12 GUAM CODE ANNOTATED TO ALLOW FOR THE RECALL AND REPLACEMENT BY VOTERS OF UNSATISFACTORY MEMBERS OF THE CONSOLIDATED COMMISSION ON UTILITIES.”

The members of the Commission are wholeheartedly in support of creating a process to allow for the removal of a Commissioner from office if enough voters believe the Commissioner is not acting in the best interest of the People of Guam. However, we respectfully request that the removal process be similar to the process that allows for the removal of other elected officials on Guam.

Bill 309 should be amended to mirror the recall provisions relative to other elected officials such as the Governor, Senators, Public Auditor, and the elected Members of the Board of Education.

Under current law, in order to remove the Governor, Senators, the Public Auditor and the Elected School Board it requires a petition being brought by registered voters equal in number to at least **fifty percent (50%)** of the whole number of votes cast at the last general election for the elected official in question. *See* 48 U.S.C.A. § 1422(a). A petition for removal of Governor, Lt. Governor, and members of the Guam Legislature requires at least 50% of the whole number of votes cast in the last preceding general election); *see also* 1 G.C.A. § 1910 (removal of Public Auditor may be had in same manner as the removal of the Governor); *and* 17 G.C.A. § 3124 (petition for removal requires 50% of votes cast for the Board at the last general election for that board member's district). Current law also allows for legislative initiative of a recall process.

Bill 309, as written, allows only "5% of the total number of all the voters who voted to elect said particular Commissioner" to "place the question of removal of the commissioner on the ballot in the next General Election."

As you know, Commissioners are elected island-wide like you. Commissioners received from 15,000 to 24,000 votes in the last election. Bill 309 would allow as few as 750 to 1200 voters to force a recall, a far cry from the 7,500 to 12,000 signatures required to remove other elected officials receiving similar amounts of votes. Allowing such a small percentage of voters to recall an elected official would hold an elected official hostage to special interest groups who could easily get 5% but who would be challenged to get 50% in signatures. Imagine if a Governor or Senator could be forced to face a recall vote by just 5% in petition signatures. As we all know, being an elected official means that while you have earned significant support, you also have opposition that easily exceeds 5% of your vote.

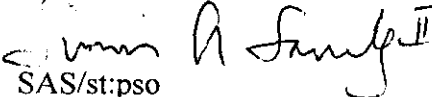
Like you, Commissioners have had to earn their support island-wide and received their support from a duly conducted election of the entire community. Their mandate should not be overturned so easily and the logic of higher petition signature thresholds for other recalls of elected officials is clear, consistent and comparable for all elected offices. The Commission should be treated no different.

We also suggest that a prohibition against a recalled Commissioner from running again is rather excessive and punitive. No other elected official is prohibited from running again if they lose their seat. The public is wise enough to vote for whom they want and prohibiting anyone to run for office should be handled very carefully and should be consistent for all elected officials.

We thank you for the opportunity to offer our input on Bill 309.

Sincerely,

Simon A. Sanchez II, Board Chairman
Consolidated Commission on Utilities


SAS/st:ps0

**Testimony on Bill
Bill No. 341**

Introduced by:
V.C. Pangelinan
R. Respicio
F.R. Cunliffe

**AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO
CONNECT AUTHORIZED WATER OR WASTEWATER SERVICES, AND FOR
OTHER PURPOSES.**

Good Morning Mr. Chairman and Committee Members, my name is David R. Craddick, General Manager of the Guam Waterworks Authority.

GWA does not support the proposed bill, as it is clear on its face that it tries to waive existing GWA rules and regulations. While the policy to provide water to everyone is noble it is dependant on your definition of "FUNCTIONAL".

GWA's definition of functional is "provided that GWA has sufficient water supply developed for domestic use and for fire protection and can provide new or additional service without detriment to those already served." Minimum water delivery pressure is defined as a water line maintained at 20-psi minimum.

When water dribbles out of a line or takes it from other persons, already connected, this is not a functional water line.

If your definition of functional coincides with GWAs' definition there will be no problem with the bill and it will be in line with current rules and regulations.

Another side to this issue is a developer that has not completed its project. These developments are not hooked up because of health and safety concerns.



DAVID R. CRADDICK

September 07, 2004

The Honorable Ben C. Pangelinan
Speaker & Chairman
Committee on Utilities & Land
I Mina Bente Siete Na I Liheslaturan Guahan

Re: Testimony in Support of Bill No. 341

Buenas yan saludo para hamyo ginen I Mina' Bente Siete Na Liheslaturan Guahan. This testimony is provided in support of Bill No. 341 "AN ACT TO REQUIRE THE GUAM WATERWORKS AUTHORITY TO CONNECT AUTHORIZED WATER OR WASTERWATER SERVICES, AND FOR OTHER PURPOSES."

The provisioning of services and establishment of adequate infrastructure for the ultimate benefit of the general public such as power, public works, low income housing and water-supply systems, to name a few, is a recognized function of government.

It is without any degree of reservation that I state my unequivocal support of Bill No. 341. Bill No. 341 is written without ambiguity as to its stated intent, range of application, and scope. I am certain that by adopting Bill No. 341 in to law it will then state as a matter of public record the necessity for the fair, equitable and broad application of its stated provisions by the appropriate administering authorities.

For decades our family has paid the Government of Guam taxes due unto it. More so, our family invested what was affordable in order that an easement granting greater access on through the land was laid for other relatives in hopes that may establish a suitable dwelling for stay or ranch for crop and/or livestock. Notwithstanding our complied duty to government and family, it was only in past years that we've been granted less restricted access to our land by the U.S. military & U.S. Fish & Wildlife agencies of the Federal government and about a year since we've had

access to running water on to our property as provisioned by the local government. We could only hope and pray that basic water service be restored, without prejudice, in exchange for the fees paid in and years of taxes remitted to the Government of Guam. For this we ask only what is fair--- the establishment and just promulgation of a policy for all persons who live on Guam who meet all the necessary requirements for entitlement to such services.

In closing I would like to thank you, The Honorable Ben C. Pangelinan, Speaker of the 27th Guam Legislature and your colleagues, The Honorable Rory Respicio and The Honorable F. Randall Cunliffe for sponsoring this legislation and do respectfully request that other members of the Guam Legislature join you in support of this measure for passage.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pascual V.A. Sablan', written in a cursive style.

Pascual V.A. Sablan

P.O. Box 828

Hagatna, Guam 96930

Antonio Artero Sablan
152 Chalan Canton Tutujan
Sinajana, Guam 96910-3662
Tel # 477-7700; Cell # 483-4836

September 07, 2004

**Honorable Vicente (Ben) C. Pangelinan, Speaker
and fellow Senators-Members of this Committee
Mina' Bente Siete Na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910**

Hafa Adai Mr. Speaker and Senators:

In my capacity as a private citizen I present the following testimony in support of your Bill No. 341 (LS): An act to Require the Guam Waterworks Authority to connect Authorized Water or Wastewater Services , etc. I am Antonio A. Sablan, retired from the Government of Guam since 1999 and a landowner at Urunao Beach.

Bill No. 341 (LS) addresses a most remarkable situation: Guam's Legislative Speaker believes legislation is required to compel GWA to provide service to customers it has itself approved then denied water meter connections. Instead of developing desperately needed new business GWA holds its service hostage, makes illegal ransom demands then when the ransom payments are not made the prospective customer are accused of stealing water GWA does not even own ! This legislation symbolizes the sick business philosophy of GWA management and CCU oversight and is itself testimony t the sad and shameful state of affairs at the head of GWA.

Mr. Speaker, in support f Bill No. 341 (LS), I offer the committee the following evidence of a perfect, still unsolved, case in point.

Page 01

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Exhibit

- a. May 28, 2003
- b. DPW
- c. B.P.#
- d. GWA S.O.
- e. June 20, 2003 GWA
- f. Mary Mesa

[Summarize the discrepancy E/F]

On the matter of breached government agreements and illegal SDC assessments one would assume, as a consumer, you could lodge a consumer complaint with the Attorney General and expect rescue. I formally requested this in June of 2003 but was ignored when the AG and the GWA GM instead teamed to make criminal theft of service charges against individuals who were neither GWA water service area. The court dismissed the entire case yet still no water is provided to the suffering customer backlog from Urunao.

One might also believe you could take your GWA water meter problems to the PUC of Guam and get relief. This too was done before it was learned that the PUC legal counsel was a shareholder and officer in the company GWA awarded its 13 million dollars + (-) water meter replacement program too. One could scarcely expect PUC management/staff would actually regulate against GWA on a small customer water meter complaint when positioned to be a part of and profit from GWA's multimillion-dollar water meter replacement. Accordingly, the PUC management ruled against the meter less customer complaint and the multimillion-dollar sweetheart meter deal was approved by CCU.

And so, with the hostile actions of GWA-CCU, Guam's AG and PUC behind us we have come to this: Our Speaker and senator sponsors of Bill #341 (LS) will try to enact law to enforce the consumer rights trampled on GWA-CCU and PUC and criminalized by Guam's AG. With all respect, I suggest you take matters much further :

page 02

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Having become widely recognized, common practice of the Guam Waterworks Authority (GWA) to conduct its business and operations as if it exists outside or above the law, indifferent to regulatory authority of every kind, insensitive to their customers and the adverse consequences of their actions upon the public health, quality of life and productivity of the people of Guam, allowing said rogue conduct to persist even though reorganized to become accountable to the people of Guam through an elected Consolidated Commission on Utilities (CCU):

- to ignore or selectively enforce applicable federal and Guam law(s), most conspicuously including the Clean Water/ Safe Drinking Water Acts of the United States and the Guam Ratepayers Bill of Rights enacted to protect Guam water/waste water consumers from monopolized price predation; and
- to violate direct enforcement orders of both federal and local government environmental protection agencies; and
- to violate formal intergovernmental agreements (i.e., Consent Decree between GWA-USEPA 2001) promising to improve GWA's wastewater treatment systems and operations; and
- to ignore lawful mandates imposed upon GWA which require it form public-private alliances to out source operations and privately finance system upgrade, rehabilitation, operations and maintenance, so as to achieve compliance with the recent regulatory requirements of District Court Stipulated Orders for environmental controls; and
- to violate direct enforcement orders of the Guam Public Utilities Commission (PUC) issued to facilitate environmental law enforcement and improvements of GWA system and operation; and
- to flagrantly violate intergovernmental water transmission and delivery system agreement depriving federal government agencies and water customers in Northwest Guam of water service since February 2003; and

- to even ignore its own building permit approvals and water meter installation agreements to qualified new connected customers, denying some authorized water service while in consequence endangering commercial customers deprived of water required to sustain on site fire suppression protection and threatening innocent developers with loss of their entire project investment at the inauspicious point in time when Guam's economy requires recovery, revitalization and investor confidence; and
- to likewise illegally attempt to extort tenant water payments from landlord without legal obligations to pay same, while attempting to hold service to vacant apartments hostage to the GWA general manager's extortion scheme; and
- to otherwise and repeatedly without notice arbitrarily disconnect service to authorized, paid-up GWA water customers on bogus grounds, interrupting service without respect for due process established to address bona-fide disputes, will to great inconvenience financial damage and general detriment to the customers of GWA; and
- to attempt illegally to impose system development fee charges, through retroactive fee assessments prohibited by Guam law which otherwise requires a moratorium on imposition of development fees until a uniform development fee schedule is established for Guam as a whole; and
- to repeatedly abrogate duly procured and certified vendor contracts by non-payment for products and services received; and
- to repeatedly abrogate purchase orders duly procured and certified by non-payment for goods and services received; and

- to consistently ignore the professional advice of financial consultants, the GWA controller, the PUC, and the GWA oversight committees of the 24th, 25th, 26th, and 27th Guam Legislatures, GWA's external auditors, the US inspector General, the Public Auditors of Guam, while steadily progression toward insolvency, persistently strangling its operation of needed capital while rebuffing repeated private sector relief initiatives.

It shall be unlawful to deny any person a water meter or water services or a building permit on the grounds of a violation of any Guam Waterworks Authority rules, regulations, or requirements, whenever an applicant for a water meter or water services has paid all necessary basic connection fees or offered to pay such basic fees, when there is a functional waterline within one hundred feet (100') of an applicants boundary that can be made operational Guam Waterworks Authority connecting it to any main water line.

Additionally, Guam Waterworks Authority shall honor and perform all its obligations required by any currently existing agreements executed by an General Manager or agent of the General Manager of Guam Waterworks Authority and any private developer or landowner to construct sewer and water system improvements in a public private partnership, provided that all improvements constructed pursuant to said agreements shall belong solely to Guam Waterworks Authority on completion of fully payment for their construction , and that all revenues thereafter generated from said sewer lines or water lines shall belong solely to Guam Waterworks Authority.

Effective sixty (60) days from this enactment it shall be unlawful for GWA to ignore, selectively enforce or fail to administer all provision of law which are determined by legal counsel of the Guam Legislature to be applicable thereto and expressed by duly adopted Legislative Resolution; and

It shall be unlawful to refuse to connect authorized water/waste water service and it shall be unlawful to disconnect water service without notice or legally enforceable cause.

The General Manager of the Guam Waterworks Authority and members of the Consolidated Commission of Utilities or any other public official who violates this provision, after seven (7) days written notice delivered to them by any applicant or other injured party to comply herewith, shall be personally liable to said applicant or other injured party providing the request at the rate of one hundred dollars (\$100.00) per day for the duration of the said denial. Such official violating the terms hereof shall also be held personally liable for all costs and attorney's fee incurred in prosecuting an action brought hereunder and shall personally pay their attorneys fees to defend any action brought hereunder and which action may be brought in a civil action in the Superior Court of Guam separate from any criminal prosecution.

I believe current circumstances compel drastic legislative actions. The CCU's jurisdiction over GWA should be terminated. The PUC's jurisdiction over GWA should be terminated. The autonomy of GWA, as with GWA's budget authority in the last Legislature, should be suspended until GWA, EPA and this Legislature agree to a capital project financing plan and the operational reorganization required to implement it. It is combined for presentation to the US District Court of Guam (DCG), supervising existing Stipulated Orders. The Orders must be funded. Reorganization is required. Privatization by the chosen means of Concessions should not occur before Court Ordered capital funding is defined. The terms of any private/public partnership arrangement must be made conditional upon DCG approval in the form of substantive amendments to the Stipulation. GWA: CCU has had their chance and now it's time for them to go.

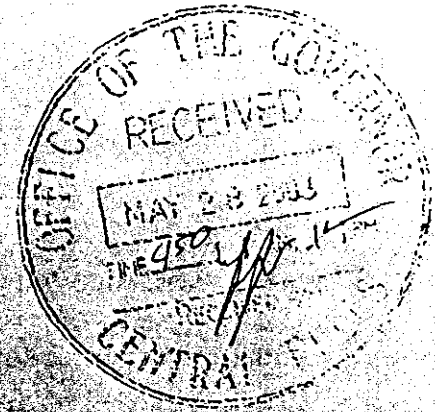
page 06

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END

BABA CORPORATION

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 Tamuning, Guam 96913
 Tel: (671) 649-5050 • Fax: (671) 649-0121
 E-mail: baba@guamcell.net



May 28, 2003

SAS

Mr. Simon A. Sanchez
 Commission Chairman
 The Consolidated Commission on Utilities
 Government of Guam

Re: Water Service - Urunao Resort Development, Inc.

Dear Mr. Chairman:

Thank you for taking the time to discuss some of the issues surrounding our application for water service to our new beach tour project at Lot no. 8, Tract 34-000, Urunao, Dededo.

As mentioned, we are investing over \$1 million into facilities that will provide our residents and tourists the opportunity to enjoy the pristine beauty of this area of the island. We have designed these facilities to blend comfortably with the project's surroundings, and we have taken great care to ensure full compliance with all permitting requirements. We have been especially sensitive to preserving and protecting cultural remains on the site, and substantial time, effort, and funding has been expended for this purpose.

In working through the permitting process, we received clearances from all relevant Government of Guam departments and agencies--including an approval by the Guam Waterworks Authority. Documentation, attached herewith, provides evidence of such:

<u>Exhibit</u>	<u>Document</u>
A	Department of Public Works - Agency Clearance Review indicating that permitting approval was given by the Guam Waterworks Authority on 7/17/2002
B	Territory of Guam Building Permit No. B02000375, dated August 7, 2002
C	Guam Waterworks Authority - Service Order No. WS0062515, indicating that a commercial 4" meter is schedule for installation on October 10, 2002

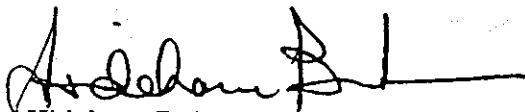
Good-faith reliance was placed on these government approvals, and we started construction with the expectation that public water service would be forthcoming. The decision to abandon the waterline(s) that is in place to service this area is a severe blow to the project. The operation of this venture is totally dependent on a source of fresh water.

Our partners in the visitor industry see the opening of the attraction as a fresh sales and marketing opportunity for the island. In fact, two of the largest Japan travel agents have shown their support by committing funds towards completion of this project. As with us, this is an expression of their optimism in the future of Guam tourism and their confidence in the island as a sound place for business investment.

Given our island's present economic downturn, and prospect of closing down a new venture by denying a basic public service is not in Guam's best interests. To the contrary, the economic and cultural opportunities that this attraction affords should be encouraged and supported. This attraction will generate new taxes and employment...and at the same time...serve as a venue for a more authentic visitor experience.

We thank you for giving due consideration to the preceding points. We remain hopeful that we can find a way to move forward in a positive direction. I look forward to hearing from you very soon.

Sincerely,
URUNAO RESORT DEVELOPMENT, INC.
(A subsidiary of Baba Corporation)



Hideharu Baba
Vice President

Cc: Governor Felix P. Camacho

REFERENCE NO. : 802000375
 APPLICANT NAME : PHILLIPS, SEAN M.
 PERMIT TYPE : Building Permit

Agency	Status Date	Status
DEPARTMENT OF LAND MANAGEMENT	6/13/2002	Approved ✓
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	8/05/2002	Approved ✓
CONTRACTOR'S REPRESENTATIVE ACKNOWLEDGED THAT A THREE COMPARTMENT SINK OF THE SAME SIZES WILL BE INSTALLED IN THE KITCHEN AREA.		
DEPARTMENT OF PARKS AND RECREATION	6/21/2002	Approved ✓
REMARKS:	APPROVED WITH CONDITION THA NO EARTH-MOVING ACTIVITIES SHALL COMMENCE PRIOR TO IMPLEMENTATION OF ARCHAEOLOGICAL MITIGATION PROGRAM.	
GUAM ENVIRONMENTAL PROTECTION AGENCY	6/13/2002	Approved ✓
REMARKS:	ROUTED TO THE MAIN OFFICE FOR FURTHER REVIEW AND APPROVAL ON 06-13-02. CLEARED FROM THE MAIN OFFICE TO ISSUE T-8013 CONDITIONALLY PENDING FINAL INSPECTION OF THE APPROVED TRIPLE COMPARTMENT SEPTIC TANK 17'X 7'X 6'	
GUAM FIRE DEPARTMENT	6/13/2002	Approved ✓
REMARKS:	NEED TO PROVIDE THE FOLLOWING: 1. LETTER FROM DESIGNER AS TO THE COMPACTION CAPABILITIES FOR ROAD, TO SEE IF CORAL CAN SUPPORT FIRE APPARATUS VEHICLES UFC 902.3.2.2	
GUAM POWER AUTHORITY	6/27/2002	Approved ✓
REMARKS:	1. FORWARDED PLAN (JOBSITE COPY) TO ENGINEERING FOR REVIEW. JCS 2. APPROVED AS NOTED (GPA#089-02) FOR A PROPOSED BEACH RESORT. NO KWH INVOLVED. POWER TO BE SUPPLIED BY OWNER'S GENERATOR.	
GUAM TELEPHONE AUTHORITY	6/24/2002	Approved ✓
REMARKS:	APPROVED AS NOTED. FILE COPY: 802000375	
OFFICE OF ADMINISTRATOR-ONE STOP SERVICE CTR.	6/14/2002	Pending
GUAM WATERWORKS AUTHORITY	7/17/2002	Approved ✓
REMARKS:	PLANS, P.L. 19-47 AND WATER CALCULATION FORWARDED TO MARTIN ROLDAN FOR REVIEW AND COMMENTS. 1. PLAN APPROVED BY JOE PUNZALAN, DANNY GALIZA AND KIN SAN NICOLAS.	

Run Date: 8/07/02 DPW Plan Review Results Run Time: 10:53:49

REFERENCE NO. : 802000375
 APPLICANT NAME : PHILLIPS, SEAN M.
 PERMIT TYPE : Building Permit

Agency	Status Date	Status
BUILDING PERMITS-FLOOD PLAIN MANAGEMENT	6/18/2002	Approved ✓
REMARKS:	PANEL 25 OF 125, ZONE C.	
BUILDING PERMITS-HYDRAULICS/CIVIL	6/28/2002	Approved ✓
REMARKS:	THIS APPLICATION IS NOT YET CLEARED WITH EPA, DPR, ETC. (AS OF 7/27/02)	
BUILDING PERMITS-STRUCTURAL	6/27/2002	Approved ✓

OFFICE OF BUILDING PERMITS & INSPECTION

TERRITORY OF GUAM BUILDING PERMIT

CONTRACTOR LIC. NO. 6033

DATE : 8/07/2002
PERMIT NO.: 802000375

Applicants: JACK PETERS & CO.

Mailing P.O. BOX CR
Address AGANA, GU 96932

Permit To: NEW BUILDING OR STRUCTURE
Prop. Use: RESTAURANT

Location URUNAO, DEDEDO

Lot no. : B
Lot size : 160600.00000 SM

Zoning District: AGRICULTURAL ZONE

Block no. Bldg Story: 1

Dimensions of Building :

LENGTH	WIDTH	HEIGHT	
106.00 X	78.00 X	12.33	FT

Type:

Use group: B

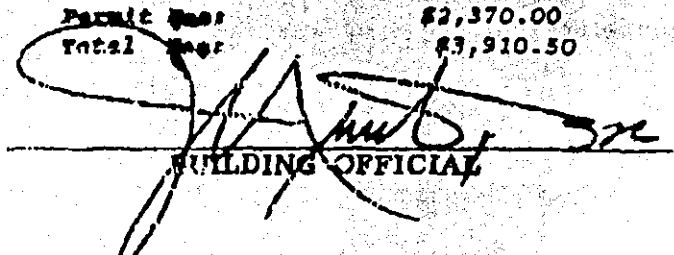
Foundation: CONCRETE

Remarks : TO CONSTRUCT BEACH RESORT.

Approved Valuations: \$394,527.50

Permit Fee:	\$2,370.00
Total Fee:	\$3,910.50

Owner: PHILLIPS, SEAN M.



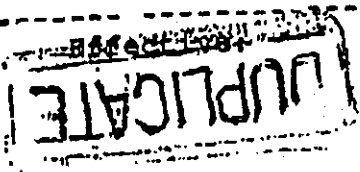
BUILDING OFFICIAL

BUILDING PERMIT SHALL EXPIRE IF THE WORK AUTHORIZED IS NOT COMMENCED WITHIN THREE(3) MONTHS OR IS SUSPENDED OR ABANDONED FOR A PERIOD OF THREE(3) MONTHS AFTER WORK HAS BEEN COMMENCED.

Date: 9/17/02
Time: 12:57:58

GUAM WATERWORKS AUTHORITY

Document date, time, by : 9/17/2002 12:42 CWEB01
Service type : CONNECT/NEW INSTALLATION
Service location : LTS TRACT 34000
URUNAO



Customer landlord account:
Customer account : W0205753 Scheduled date: 10/18/2002
Rate schedule : C6 COMMERCIAL 1 - 4 INCH

Meter number :
Meter location code :
Meter location :
Book number : 303
Customer information How received : VISIT

ID prefix, number : 2 660608225 EIN
Name : URUNAO RESORT DEVELOPMENT, INC

Mailing address
Line 1 : 756 S MARINE DR
Line 2 : STE 201
Line 3 : TAMUNING, GU
Zip code : 96913-0000
Home phone : Area code 671 Number 649-5050

*MW: Bn
2 MWs*

Employer name :
Work phone : Area code Number Ext
Other phone description :
Other phone : Area code Number

Reference termination no : Reference acct:

Comments:
ROUTED TO ENGINEERING FOR INSPECTION.

Customer signature: _____

FIELD CREW USE

Map reference : _____ Completed:

	----- Current -----	----- Change Out -----
Meter number :	_____	_____
Meter size :	_____	_____
Water reading 1 :	_____	_____
Water reading 2 :	_____	_____
Water reading 3 :	_____	_____
Reading date / time :	_____ / _____	_____ / _____
Compound meter? :	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Ken's copy



GUAM WATERWORKS AUTHORITY

"Aturidat Kinalamten Hanom Guahan"

Government of Guam

Post Office Box 3010, Hagåtña, Guam 96932

Phone: (671)479-7823 Fax: (671)479-7879



Mr. Antonio A. Sablan
152 Chalan Canton Tutujan
Sinajana, Guam 96910-3662

JUN 20 2003

RE: Urnao and Potts Junction 6-inch Water Lines

Hafa Adai:

Per your inquiry the initial cost of the above referenced project is \$507,037.22.

Item	Description	Amount
A.	Materials, Labor and Equipment cost of the newly installed 6-inch waterlines:	
	a. Installed 9,400 L.F. at Urnao	\$303,213.48
	b. Installed 3,360 L.F. at Potts Junction	\$91,823.74
B.	Remaining work to complete and activate the installed 9,400 L.F. at Urnao and 3,360 at Potts Junction.	\$55,000.00
C.	Installation of about 3,000 L.F. of 6-inch waterline for the remaining (2) lots of Urnao Basic Subdivision.	\$57,000.00
	Estimated initial cost	\$507,037.22

For detailed cost breakdown of the above three (3) items please see attachment A, B and C.

Guam Waterworks Authority is committed and mandated to recover the cost of the newly installed waterlines under Item A due to funding constraints. We are in dire need of funding for the extensive maintenance and operation of the aging components of the water system. For Item B, the completion of the remaining works is required to energize the newly installed 6-inch waterlines and Item C will provide the complete water distribution system of Urnao basic subdivision.

Should the land owners or developers of Urnao Subdivision be interested to have their water services, they shall bear the cost of the installed waterlines and remaining works stipulated on Items A, B and C. Prorated shares between the land owners shall be determined by the locations and size of the individual properties and approved by the

Page 2

Ltr. Mr. Antonio Sablan

Consolidated Commission on Utilities. (CCU) The installation of the service lateral, including water meter, will be charged separately to individual applicants.

Any associated costs related to operate and maintain the existing Airforce water line shall be an additional cost to the Urunao Subdivision. Additionally, should the Airforce elect to terminate the existing agreement to utilize their line and GWA requires funding to construct a new water line along Route 3-A (Potts Junction & Urunao interconnect) for service to continue shall be an additional cost.

With Terms and Conditions, if these said land Owners or Developers agrees and deposit to GWA the required funding, GWA will start and complete the project.

Should you have any questions or need additional information, please call me at 479-7823 or Mr. Danilo Galiza, Engineer Supervisor, CIP Water Section at 479-7827.

Senseramente



DAVID R. CRADDICK

Interim General Manager

Attachments

DRC;drg;dag

URUNAO / POTTS JUNCTION PROJECT LABOR, MATERIAL & EQUIPMENT COST

BREAK DOWN	Labor Cost Potts Junction	22,407.20
	Material Cost Potts Junction	38,136.54
	Equipment Cost Potts Junction	31,280.00
	Grand Total Potts Junction	91,823.74
	Labor Cost Urunao	44,724.91
	Material Cost Urunao	93,913.84
	Equipment Cost Urunao	42,663.36
	Additional Equipment Rental Cost, Giant & 4J's	121,911.37
	Grand Total Urunao	303,213.48
	Remaining Cost to Complete Project	112,000.00
		507,037.22



INVENTORY
DELIVERED
TO:

GUAM WATERWORKS AUTHORITY

RICHARD L. RAMA - ARANAO
ENGINEERING DIVISION

RICHARD QUINTANA 482-742
GM Initial 1/24/01

VINCE CARROLL 479-7865
TERR. I ST., BLD 102

PROJECT TITLE URUNAO
Arao New 6"Ø waterline + 3000 LF

LOCATION Arao, Yigo

DATE 8/16/01 WORK ORDER NO. _____ ESTIMATED BY Del Quiñon

10-80-172-6
19-0-12-1

10-0-0-0-0

10-0-0-0-0
10-0-0-0-0

10-0-0-0-0

10-0-0-0-0

ITEM	DESCRIPTION	QTY	UNIT	U/C	AMOUNT
A	Materials				
	a. Connection to 8"Ø existing waterline				
1	8"x8"x6" tee MJ (245)	1	ea	240.00	240.00
2	6"Ø gate valve MJ (450)	1	ea	450.00	450.00
3	8"Ø MJ kit (35)	1	ea	35.00	35.00
4	8"Ø dresser sleeve (165)	1	ea	165.00	165.00
5	6"Ø MJ kit	2	ea	40.00	80.00
	SUB TOTAL				\$1,470.00
	b. 1 1/4" Mech Bend (140)	2	ea	140.00	280.00
	b. Distribution line + 3,300 LF				
1	6"Ø PVC pipe class 150 C-900 DR-18 x 20'	365	ea	130.00	47,450.00
2	6"Ø 45 degree bend MJ (120)	3	ea	100.00	300.00
3	6"Ø 22 degree bend MJ (140)	5	ea	140.00	700.00
4	6"Ø MJ kit	3	ea	80.00	240.00
5	Blow off valve assembly	1	set	1500.00	1500.00
6	Air relief valve assembly (730)	1	set	730.00	730.00
7	Bedding sand	500	Ton	28.00	14,000.00
8	Pennsylvania sand	+	P/U	30.00	0.00
9	Cement bag	40	bag	2.00	80.00
	SUB TOTAL				\$63,000.00
	TOTAL A + B				\$64,770.00
B	Equipment				
1	Backhoe	16	day	360.00	5,760.00
2	Flatbed	6	day	150.00	900.00
3	Jumping jack	16	day	80.00	1,280.00
4	5 Tons roller compactor	5	day	100.00	500.00
5	P/U	16	day	45.00	720.00

FOR: URUNAO WATERLINE PROJECT -
INVENTORY OF ITEMS DONATED TO GWA
- CARLOS FAMILY

GUAM PACIFIC ENTERPR
 P.O. BOX 23128
 GMF GU 96921-3128

TERMINAL I.D.: 549
 MERCHANT #: 518458001349

MASTERCARD ITEM #: 004
 [REDACTED] EXP. DATE
 SALE 02/03

DATE: OCT 05 01 TIME: 13:39
 AUTH. NO: 64162

TOTAL \$2700.00

PASCUAL V A SARLAN

[Signature]
 I AGREE TO PAY ABOVE TOTAL AMOUNT
 ACCORDING TO CARD ISSUER AGREEMENT
 (PERMITS AGREEMENT BY CREDIT HOLDER)

Guam Pacific Enterprise
 FOB 21238
 GMF
 GUAMY 96921
 671/649-6998

10/05/2001 ST: 06 INVM 10039 14:52

ITEM	QTY	PRICE	EXTPRICE
DESCRIP		LIST	
MJ8X6T	1	216.00NT	
MJ 8 X 6 TEE W/ ACC		240.00	216.0
0			
UG6MJXNJ	1	405.00NT	
GATE VALVE 6 MJXNJ W/ ACC.		450.00	405.0
0			
MJ8ACC	2	31.50NT	
MJ 8 ACCESSORIES		35.00	63.0
0			
DRSROUSLVB	1	148.50NT	
DRESSER 8 COUPLING		165.00	148.5
0			
MJ6X1114EL	2	126.00NT	
MJ 6 ELBOW X 11 1/4 W/ ACC		140.00	252.0
0			
MJ6X45EL	3	108.00NT	
MJ 6 ELBOW X 45 W/ ACC		120.00	324.0
0			
MJ6X2212EL	5	126.00NT	
MJ 6 ELBOW X 22 1/2 W/ ACC		140.00	630.0
0			
VRP2	1	641.50NT	
PRESSURE REGULATING VALVE 2 USB		735.00	661.5
0			

SUB TOTAL 0.00
 NONTAX SUB TOTAL 2700.00
 TAX 0.00
 GRAND TOTAL 2700.00
 LIST PRICE 3000.00
 YOUR PRICE 2700.00
 YOU SAVED 300.00

MASTER C 2700.00
 AMOUNT TO APPLY 2700.00
 PAYMENT TOTAL 2700.00
 CHANGE DUE 0.00

10/05/2001 ST: 06 INVM 10039 14:52
 CUSTOMER: PASCUAL SARLAN

SP: AYLENE M

Thank You For Shopping at G.P.E., Inc



PUBLIC UTILITY AGENCY OF GUAM
 P. O. BOX 3010, AGANA, GUAM 96910
 (671) 647-7824 FAX: (671) 649-0158

FOR OFFICE USE	
5/25/99 Date	[Signature] Rec'd By
Document Name & Number	
New Account Number	

WATER AND/OR SEWER INFORMATION FORM

- | | | |
|--|---|--|
| <input type="checkbox"/> Meter Relocation | <input type="checkbox"/> Meter Reconnect | <input type="checkbox"/> Change of... |
| <input type="checkbox"/> Sewer Connection | <input type="checkbox"/> Name Transfer | <input type="checkbox"/> Meter Size |
| <input checked="" type="checkbox"/> New Connection | <input type="checkbox"/> Terminate Service | <input type="checkbox"/> Mailing Address |
| Meter Size _____ | <input type="checkbox"/> Correction of Name | <input type="checkbox"/> Class |

1. TYPE OF SERVICE:

- | | | |
|--------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Irrigation | <input type="checkbox"/> Personal Visit |
| <input type="checkbox"/> Government | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Telephone Call |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Federal | <input type="checkbox"/> Mail <input type="checkbox"/> Fax |
| Class _____ | <input type="checkbox"/> Golf Course | <input type="checkbox"/> Referral |

2. REQUEST RECEIVED VIA:

3. ACTION DATE OF REQUEST:

4. PREVIOUS REFERENCES:

- | | |
|---------------------|---|
| Connect On: _____ | Acct. No.: _____ |
| Terminate On: _____ | Meter No.: _____ |
| Pick Up Rdg.: _____ | Meter Size: _____ |
| Cycle Rdg.: _____ | Sewer Connected? <input type="checkbox"/> No |
| | <input type="checkbox"/> Yes # of Units _____ |

5. CUSTOMER NAME #1: (Full Name)

SABLAN ROSCINI V.A.
 (Last) (First) (Middle)

SS#: 586-03-5810 ID#: _____ Other: _____

Telephone No.: 477-87671 1477-6854 (FAX)
 Home Work Other

Employer: Self

5A. CUSTOMER NAME #2: (Full Name)

 (Last) (First) (Middle)

SS#: _____ ID#: _____ Other: _____

Telephone No.: _____ / _____ / _____
 Home Work Other

Employer: _____

6. ORGANIZATION NAME OR COMPANY NAME:

Type of Business: _____

Office Location: _____ Contact No. _____

7. MAILING ADDRESS: P.O. Bx 828

Higueras, Bldg. 96932

8. SERVICE LOCATION: LINDO

(GROUPED)

REMARKS: _____

I M P O R T A N T R E Q U I R E M E N T S

TO OUR VALUED CUSTOMERS: Before your application for water and/or sewer service is processed you would need to provide any of the following documents and photo identification.

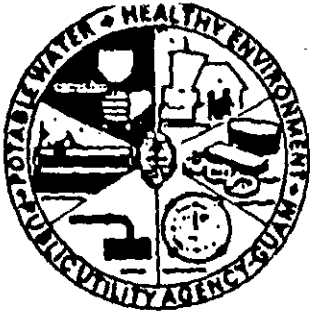
- | | | | |
|---|-----------------------------------|---|--|
| <input type="checkbox"/> First Time Connection: | <input type="checkbox"/> Tenants: | <input type="checkbox"/> Authorized Representative: | <input type="checkbox"/> Previous Reference: |
| - Certificate of Title | - Lease or Rental Agreement | - Written Authorization from: | - Two Names of Last |
| - Deeds | - Written Authorization from | the Absent Applicant | Occupant |
| - Building Permit | Landlord or Owner | - Power of Attorney | - Meter Number |

[Signature]
 CUSTOMER SIGNATURE #1

5/25/99
 DATE

[Signature]
 CUSTOMER SIGNATURE #2

SUBMITTED TO PUA/GWA (MAY 1999)



PUBLIC UTILITY AGENCY OF GUAM
 P. O. BOX 3010, AGANA, GUAM 96910
 (671) 647-7824 FAX: (671) 649-0158

FOR OFFICE USE	
5/25/99	10P
Date	Rec'd By
Document Name & Number	
New Account Number	

WATER AND/OR SEWER INFORMATION FORM

- | | | |
|--|---|--|
| <input type="checkbox"/> Meter Relocation | <input type="checkbox"/> Meter Reconnect | <input type="checkbox"/> Change of... |
| <input checked="" type="checkbox"/> Sewer Connection | <input type="checkbox"/> Name Transfer | <input type="checkbox"/> Meter Size |
| <input checked="" type="checkbox"/> New Connection | <input type="checkbox"/> Terminate Service | <input type="checkbox"/> Mailing Address |
| Meter Size _____ | <input type="checkbox"/> Correction of Name | <input type="checkbox"/> Class |

1. TYPE OF SERVICE:

- | | | |
|--------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Irrigation | <input type="checkbox"/> Personal Visit |
| <input type="checkbox"/> Government | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Telephone Call |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Federal | <input type="checkbox"/> Mail <input type="checkbox"/> Fax |
| Class: _____ | <input type="checkbox"/> Golf Course | <input type="checkbox"/> Referral |

2. REQUEST RECEIVED VIA:

3. ACTION DATE OF REQUEST:

4. PREVIOUS REFERENCES:

- Connect On: _____
 Terminate On: _____
 Pick Up Rdg.: _____
 Cycle Rdg.: _____

- Acct. No.: _____
 Meter No.: _____
 Meter Size: _____
 Sewer Connected? No
 Yes # of Units _____

5. CUSTOMER NAME #1: (Full Name)

SAN NICOLAS, M VICTORIA S
 (Last) (First) (Middle)

SS#: _____ ID#: _____ Other: _____
 Telephone No.: _____
 Home Work Other
 Employer: _____

5A. CUSTOMER NAME #2: (Full Name)

 (Last) (First) (Middle)

SS#: _____ ID#: _____ Other: _____
 Telephone No.: _____
 Home Work Other
 Employer: _____

6. ORGANIZATION NAME OR COMPANY NAME:

Type of Business: _____
 Office Location: _____ Contact No. _____

7. MAILING ADDRESS:

8. SERVICE LOCATION:

REMARKS:

IMPORTANT REQUIREMENTS

TO OUR VALUED CUSTOMERS: Before your application for water and/or sewer service is processed you would need to provide any of the following documents and photo identification.

- | | | | |
|--|-----------------------------------|---|--|
| <input checked="" type="checkbox"/> First Time Connection: | <input type="checkbox"/> Tenants: | <input type="checkbox"/> Authorized Representative: | <input type="checkbox"/> Previous Reference: |
| - Certificate of Title | - Lease or Rental Agreement | - Written Authorization from | - Two Names of Last |
| - Deeds | - Written Authorization from | the Absent Applicant | Occupant |
| - Building Permit | Landlord or Owner | - Power of Attorney | - Meter Number |

CUSTOMER SIGNATURE #1

DATE

CUSTOMER SIGNATURE #2

SUBMITTED TO PUAG/GWA (MAY 1999)

ATTACHMENT "A"

P. 02

March 3, 1995

Colonel Dennis Larsen
Commander 36th Air Base Wing
AAFB Unit 14003
APO AP 96543-4003

Dear Col. Larsen,

I am a landowner in the Ritidian area.

Along with my neighbor, Mr. John Taitano and others in the area, I would request through your office and other connected agencies, a contract to install water lines METERED through your facilities.

I talk to Commander Eckert at COMNAVHAR a few days ago and was enlighten on the present shortage of our water supply on island.

I shared these issues with my neighbors and together we intend to preserve water to assist in priority consumption only, as time and water reserves dictates.

I have spoken with Mr. Kolly Walcott of Fish & Wildlife and he has expressed concern of our needs as there are plants and animals that are kept at our land sites along with normal kitchen facilities, toilet usage, and other necessities. He expressed assistance in our cause.

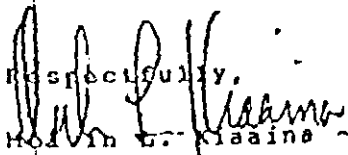
Presently, we use water catchments to support our needs and must transport water to the site by water tankers when rain is at its minimum. This however is quite costly.

I would appreciate a meeting with you or your designated representative so we can start work in this area.

The property right-of-way will be within proper guidelines and any connection, metering, and road crossing will be in the highest quality and order of construction.

Thank you in advance.

Respectfully,


Lorelei H. Kiaaina - Requester

NEIGHBOR

Lorelei H. Kiaaina
Keolamauloa Kiaaina
Esther Kiaaina
Juan S. Taitano
Ana Q. Taitano
Ambraoso S. Flores
Mercedes Q. Flores
Antonio A. Sablan
Patricia U. Sablan
Pascual A. Sablan

Antonio A. Sablan
P.O. Box 10241
Sinajana, Guam 96926
Home tel # 477-7700; Home fax # 477-7877
Work tel # 477-5126/28

March 13, 1995

Colonel Dennis R. Larsen,
Commander
36th Air Base Wing, Unit 14003
APO AP 96543-4003

Tel No. 366-3603; Fax No. 366-6060

HAFA ADAI COLONEL LARSEN:

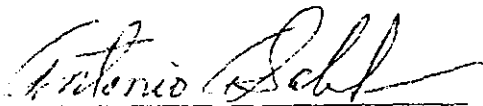
Enclosed is the March 03, 1995 application/letter (attachment "A") from Mr. Melvin L. Kiaaina for water line connection to his private property interest at Ritidian Point (Lot No. 10081-1). As a co-owner of Lot No. 10081-1 and of the adjacent lot (Urunao Beach Property - Lot No. 10080), I would like to be considered as a co-applicant with Mr. Melvin Kiaaina's on his request for water connection.

I would be working with Mr. Kiaaina, Mr. John Taitano, and others in our water conservation effort, and in sharing all related construction cost to the acceptable industry standards as may be required by the U.S. Air Force, the Guam National Wildlife Refuge, and the Government of Guam.

Mr. Kiaaina, Mr. Taitano, and I have met with Mr. Kelly Wolcott, Manager, Guam National Wildlife Refuge (U.S. Fish and Wildlife) at Ritidian Point. Mr. Wolcott assured us that he will give us his full support and will work with us in our request for water connection from you.

Also attached is a copy of the U.S. District Court of Guam (Case No. 93-00041) Consent Decree (attachment "B") granting me access over the affected U.S. Government property (Lot No. 10081-2).

Si Yo'us Ma'ase!



CC:

Property Owners

-Melvin Kiaaina ✓ PASCUA (SABLANA)
-John Taitano

Refuge Manager-Guam National Wildlife

-Kelly Wolcott

P E T I T I O N

TO: Governor of Guam, Carl T.C. Gutierrez
Speaker and Senators of the 26th Guam Legislature

FROM: Land Owners of Tract 34000 (Formerly Lot 10080)
Municipality of Dededo - aka: Urunao Beach, Guam

We hereby respectfully request that you accomplish the Superior Court of Guam's Decision and Order to have the Department of Public Works construct the designated public road for Tract 34000. Specifically, the Superior Court of Guam ordered: 1) the transformation of Lot 10080 into Subdivision Tract 34000 containing twelve (12) lots; 2) the dedication of one lot, namely Lot 12 (a stretch of land located in the middle of the longest portion of Tract 34000), as public land for public road; and (3) "...that if the road is to be used by the public and for the benefit of the public, then public funds should go towards the development and upkeep of the road." [Page 36 of 37, DECISION AND ORDER, Superior Court of Guam, Civil Case No. CV263-97]

Likewise, we also respectfully request that you empower the Guam Power Authority, Guam Waterworks Authority and Guam Telephone Authority to provide electric, water and telephone services respectively along Lot 12 so that we may apply for and connect to these utility services.

During the early 1970's, our family entered into an option agreement to lease part of our property to Japan's Seibu Company. Seibu was poised to invest over \$120 million to build a destination resort. This high value project was halted because the U.S. Military/Government refused to grant free access to our federally land-landlocked property via Route 3A.

During mid 1980's through early 1990's, our family entered into a second option agreement to lease part of our property to an investors group from Japan. Their intent was to build a billion-dollar destination resort for Japan's high-end market. The intended project included 5,000 hotel rooms, condominium units and an 18-hole golf course that could have provided what a local prominent CPA estimated to have been an annual gross operation of \$1billion and 3,000 jobs. Again, this deal was thwarted by the U.S. Military/Government's continued refusal to grant free access to our property.

For decades, despite our written and personal pleas, the U.S. Military/Government has made us suffer major economic deprivation through denial of free and uninhibited access. In addition, they have blatantly, without authorization, used our property as dumpsites, inexplicably reduced our property by 28 hectares, and caused personal humiliation during ingress/egress and at times, while at our private property.

However, despite U.S. Military/Government activities halting our economic freedom, we have and continue to pay thousands of dollars in real estate taxes to the Government of Guam. In 1995 alone, we were assessed and paid approximately \$43,750 for Urunao real estate tax. Urunao Beach is nearly 2 million square meters and approximately 3 miles of beachfront property zoned "H" for hotel development.

Through family effort, the U.S. District Court of Guam adjudged a consent decree (Civil Case Number 93-00041, dated April 23, 1994) granting unhindered access via U.S. Military land situated between Route 3A and our property.

And while we are grateful for the most recent assistance by our Government of Guam in pursuing the free access status over Route 3A, we sincerely implore that very Government to continue to assist us in making Urunao an income producing property which will undoubtedly benefit our island economy.

We are well aware of the current economic situation our Government is in, but we petition you to plant a seed of investment into an area that would contribute to Guam's future economic development, a return on the Government's investment.

We, the undersigned, respectfully submit this Petition and ask for your favorable action to our requests. Dated this 18th day of October 2001.

PUT RESPETU YAN SI YU'OS MAASE

S I G N A T U R E S

Petition for Urunao Property

FAMILY MEMBERS OF Antonio Cruz Artero

SIGNATURE PRINT FULL NAME ENTER SOCIAL SECURITY NUMBER



Wilfred P. Leon Guerrero Wilfred P. Leon Guerrero 586 01 - 4011

Jose Leon Murray Jose S. Leon Guerrero, Jr 524 52 - 8633

Jovita U. Leon Guerrero Jovita U. Leon Guerrero 586 02 2805

Lorraine C. Leon Guerrero LORRAINE C. YAMASHITA 523 - 46 - 8937

Lancy S. Cruz Lancy S. Cruz 586 - 90 - 0033

Roderick R. Leon Guerrero Roderick R. Leon Guerrero 586 - 68 - 9870

Phyllis Leon Guerrero Phyllis L. Leon Guerrero 586 - 72 - 9258

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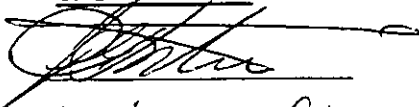

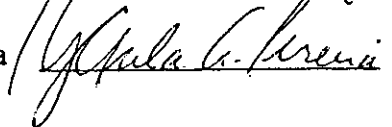
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SIGNATURES

FAMILY MEMBERS OF Pascual C. Artero
(Lot No. 3 and 4, Tract 34000)

<u>FULL NAME</u>	<u>SIGNATURE</u>	<u>SOCIAL SECURITY NUMBER</u>
Jesus L.P. Artero		223 - 44 - 3445
Maria A.P. Artero	Maria A. P. Artero	586 - 03 - 7082
Sylvia A. Delong		586 - 01 - 1321
Melvia A. Cafky	Melvia A. Cafky	586 - 01 - 5941
Y' Asela A. Pereira		586 - 01 - 3821
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_____	_____	____-____-____
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_____	_____	____-____-____

SIGNATURES

FAMILY MEMBERS OF Consuelo Artero Calvo
(Lot Nos. 5 and 6, Tract 34000)

<u>FULL NAME</u>	<u>SIGNATURE</u>	<u>SOCIAL SECURITY NUMBER</u>
Ovidio R.A. Calvo	<i>Ovidio R.A. Calvo</i>	586 - 01 - 1100
Maria Teresita C. Roberto		
Rufina C. Perez	<i>Rufina C. Perez</i>	586 - 01 - 7167
Evelina C. MacDonald	<i>Evelina C. McDonald</i>	240 - 88 - 1211
Francisca C. Sablan	<i>Francisca C. Sablan</i>	586 - 03 - 4642
Doris C. Walters	<i>Doris C. Walters</i>	586 - 03 - 5714
Josephine C. Mesa		
Catherine S. C. Cruz	<i>Catherine S.C. Cruz</i>	586 - 60 - 8253
Mark G. C. Calvo	<i>Mark G.C. Calvo</i>	586 - 70 - 0773
Sophia L. C. Fujikawa	<i>Sophia L. C. Fujikawa</i>	586 - 72 - 0846
Lethia M. C. ^{CALVO} Centeno _{TC}	<i>Lethia M. C. Centeno</i>	586 - 74 - 1293
Nicole A.C. Calvo		
Pierre L. C. Calvo		
<i>NATIVIDAD R. C. CALVO</i>	<i>Natividad R. C. Calvo</i>	586 - 03 - 3879
Donald V. Calvo	<i>Donald V. Calvo</i>	562 - 02 - 9690
Gabriella M. Calvo	<i>Gabriella M. Calvo</i>	586 - 84 - 9961
Jaimen C. Diaz	<i>Jaimen C. Diaz</i>	586 - 72 - 3969
Mikela C. Diaz	<i>Mikela C. Diaz</i>	586 - 76 - 2516
<i>CEDRIC C. DIAZ</i>	<i>Cedric C. Diaz</i>	586 - 76 - 3473
<i>MARIL C. CRUZ</i>	<i>Maril C. Cruz</i>	
<i>Tony... C. ...</i>	<i>Tony... C. ...</i>	586 - 01 - 1897

S I G N A T U R E S

Petition for Urunao Property

FAMILY MEMBERS OF Consuelo Cruz Artero-Calvo

<u>SIGNATURE</u>	<u>PRINT FULL NAME</u>	<u>ENTER SOCIAL SECURITY NUMBER</u>
<u>Ana C. Calvo</u>	<u>ANA C. CALVO</u>	<u>552 - 48 - 2140</u>
<u>Thomas P. Walters</u>	<u>Thomas P. Walters</u>	<u>586 - 05 - 0601</u>
<u>Tom Fytkanec</u>	<u>Tom Fytkanec</u>	<u>586 - 68 - 3336</u>
<u>Stephanie Q. Calvo</u>	<u>Stephanie Q. Calvo</u>	<u>553 - 45 - 6443</u>
<u>Joseph D. McDougall</u>	<u>Joseph D. McDougall</u>	<u>- - -</u>
<u>Anthony Sablan</u>	<u>ANTHONY SABLAN</u>	<u>486 - 78 - 6771</u>
<u>Anthony M. Sablan Jr</u>	<u>Anthony M. Sablan Jr</u>	<u>546 - 75 - 8418</u>
<u>Benito J. Perez</u>	<u>Benito J. Perez</u>	<u>586 - 01 - 2497</u>
<u>Rafael C. Perez</u>	<u>Rafael C. Perez</u>	<u>586 - 01 - 7167</u>
<u>Teresita P. Perez</u>	<u>Teresita P. Perez</u>	<u>586 - 01 - 4132</u>
<u>Dominic Calvo Perez</u>	<u>Dominic Calvo Perez</u>	<u>586 - 68 - 0934</u>
<u>Dymphna P. Chock</u>	<u>Dymphna P. Chock</u>	<u>586 - 68 - 2228</u>

SIGNATURES

FAMILY MEMBERS OF Antonio C. Artero
(Lot Nos. 9 and 10, Tract 34000)

<u>FULL NAME</u>	<u>SIGNATURE</u>	<u>SOCIAL SECURITY NUMBER</u>
Maria Artero Femminis	<i>Maria Artero Femminis</i>	567 - 54 - 1868
Rosita Artero Peredo	<i>Rosita Artero Peredo</i>	547 - 52 - 2372
Josephine Artero McKeever	<i>Josephine Artero McKeever</i>	523 - 50 - 3047
Joseph T. Artero	<i>Joseph T. Artero</i>	576 - 42 - 7884
<u>ANNA S.N. ARTERO</u>	<i>Anna S.N. Artero</i>	586 - 01 - 2608
<u>DERRICK A. ARTERO</u>	<i>Derrick A. Artero</i>	561 - 69 - 2962
<u>GLENN J. ARTERO</u>	<i>Glenn J. Artero</i>	561 - 83 - 9154
<u>TYRONE W. ARTERO</u>	<i>Tyrone W. Artero</i>	561 - 83 - 9970
<u>GORDON B. PEREDO</u>	<i>Gordon B. Peredo</i>	569 - 41 - 9887
<u>Suzanne S. Peredo</u>	<i>Suzanne Peredo</i>	550 - 57 - 6416
<u>JAYME P. PEREDO</u>	<i>Jayne P. Peredo</i>	569 - 41 - 4725
<u>Michael A. Peredo</u>	<i>Michael Peredo</i>	569 - 41 - 7190
<u>DOWNEG Peredo</u>	<i>Downe Peredo</i>	432 - 23 - 6682
<u>Angelal Gerber</u>	<i>Angel Gerber</i>	5109 - 41 - 4494
<u>John A. Femminis</u>	<i>John A. Femminis</i>	549 - 42 - 6425
<u>MARIE J. Femminis</u>	<i>Marie J. Femminis</i>	550 - 53 - 5947
<u>Josephine Artero McKeever</u>	<i>Josephine Artero McKeever</i>	523 - 50 - 3047
_____	_____	_____
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_____	_____	_____

SIGNATURES

FAMILY MEMBERS OF Antonio C. Artero
(Lot Nos. 9 and 10, Tract 34000)

<u>FULL NAME</u>	<u>SIGNATURE</u>	<u>SOCIAL SECURITY NUMBER</u>
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Antonio T. Artero	<i>Antonio T. Artero</i>	561 - 58 - 5849
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Joseph T. Artero	<i>Joseph T. Artero (att. in fact)</i>	576 - 42 - 7884 576 - 03 - 4949
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Virginia A. Leon Guerrero	<i>Virginia A. Leon Guerrero</i>	586 - 03 - 4949
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Franklin T. Artero	<i>Franklin T. Artero</i>	575 - 50 - 6954
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Eleanor T. Artero	<i>E. T. Artero</i>	559 - 72 - 0107
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Margaret T. Artero	<i>Margaret T. Artero</i>	395 - 56 - 9423
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Pascual T. Artero	<i>Pascual T. Artero</i>	586 - 03 - 1487
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Victor T. Artero	<i>Victor T. Artero</i>	586 - 05 - 3404
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<u>MILDRED D. ARTERO</u>	<u><i>M. D. Artero</i></u>	<u>586 - 01 - 1900</u>
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<u>AUDIE J ARTERO</u>	<u><i>AJ</i></u>	<u>250 - 31 - 4847</u>
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<u>JULIA C. ARTERO</u>	<u><i>JC</i></u>	<u>586 - 09 - 0489</u>
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<u>Marilen D. Artero</u>	<u><i>M. Artero</i></u>	<u>586 - 05 - 2452</u>
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<u>Margie A. I.G. Artero</u>	<u><i>Margie A. I.G. Artero</i></u>	<u>586 - 03 - 4261</u>
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<u>Alycia I. Leon Guerrero</u>	<u><i>Alycia I. Leon Guerrero</i></u>	<u>586 - 72 - 9564</u>
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