



GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives."

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January 30, 2023

Honorable Douglas B. Moylan
Attorney General of Guam
Ufisinan Hinirat Abugao
Office of the Attorney General
590 S. Marine Drive, Suite 901
Tamuning, Guam 96913

Re: Requirements of 5 G.C.A. §10107, Annual Report

Dear Attorney General Moylan,

Pursuant to the requirements of 5 G.C.A. §10107, GWA hereby responds as follows:

5 G.C.A. §10107. Annual Report.

- (a) On or before February of each year, each agency shall submit to the Attorney General a report which shall cover the preceding fiscal year and which shall include:
- (1) The number of determinations made by the agency not to comply with requests for records made to such agency under §10108 of this Chapter and the reasons for each such determination;
GWA Response: To the best of my knowledge, GWA has responded to all FOIA Requests for FY2022 and no determinations were made by GWA not to comply with the requests for records made limiting any requestor's rights for inspection under §10108.
 - (2) The number of requests for records pending before the agency as of September 30 of the preceding year, and the median number of days that such requests had been pending before the agency as of that date;
GWA Response: I am not aware of any pending requests before the agency as of September 30, 2022.
 - (3) The number of requests for records received by the agency and the number of requests which the agency processed;
GWA Response: For FY2022 GWA received and responded to twelve (12) FOIA requests.
 - (4) The median number of days taken by the agency to process different types of requests;
GWA Response: Four (4) days were the median number of days to address the twelve (12) FOIA requests to produce documents or provide information.

- (5) The number of full-time staff of the agency devoted to processing requests for records under this Section, and the total amount expended by the agency for processing such requests.

GWA Response: There is a minimum of two and a maximum of five employees that received requests, obtained the necessary information from the section(s) that possessed or may have possessed the documents requested and then prepared the responses. Our estimate of the total amounts expended by the agency were nominal, as requests were added to employee duties in the ordinary course and almost all responses were sent electronically. The estimated cost for said employees to work on 12 FOIAs was approximately \$13,697.28.

- (b) Each agency shall make each such report available to the public, including by computer telecommunications, or if computer telecommunications means have not been established by the agency, by other electronic means.

GWA Response: The report will be posted on our website at www.guamwaterworks.org as required.

- (c) The Attorney General of Guam shall make each report which has been made available by electronic means available at a single access point. The Attorney General of Guam shall notify the Legislature Secretary of *Liheslaturan Guahan*, no later than April 1 of the year in which each such report is issued, that such reports are available by electronic means.

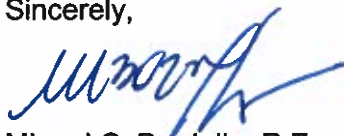
GWA Response: See item (b) above. GWA will post its annual report on our website.

- (d) The Attorney General of Guam shall develop reporting and performance guidelines in connection with reports required by this Section by October 1, 1999, and may establish additional requirements for such reports as the Attorney General determines may be useful.

GWA Response: N/A to GWA.

If you have any questions or concerns, please feel free to contact my office at 671-300-6845 or via email at mcbordallo@guamwaterworks.org.

Sincerely,



Miguel C. Bordallo, P.E.
General Manager

cc: Theresa G. Rojas, GWA Legal Counsel
Taling M. Taitano, GWA Chief Financial Officer

MCB/abg