



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 2001-20

**RELATIVE TO THE PERMITTING OF TOWER SITES
FOR WIRELESS COMMUNICATION SERVICES ON
CHAMORRO LAND TRUST PROPERTY.**

WHEREAS, Section 704 of the Telecommunications Act prohibits unreasonable discrimination in the issuance of permits for the placement and construction of wireless communications facilities; and

WHEREAS, the Telecommunications Act also encourages jurisdictions to make property, rights of way, and easements under their jurisdiction available for wireless communication sites; and

WHEREAS, advanced wireless communications services require sites throughout the island in order to provide quality wireless communications services; and

WHEREAS, additional wireless communications services will provide better and more affordable communications services to the people of Guam as well as to our visitors, and will result in new investment in the island economy; and

WHEREAS, both private and Guam Telephone Authority wireless communications facilities already occupy properties under the jurisdiction of the Chamorro Land Trust Commission; and

WHEREAS, many of these facilities were constructed without following the zoning and building permit processes and to delay new competitors the ability to erect equivalent facilities on the same or adjacent properties creates the appearance of discrimination against new wireless communications companies wishing to compete in the Guam market; and

WHEREAS, it is economically prudent for the Chamorro Land Trust Commission to increase its acreage for occupancy by advanced telecommunications providers; and

NOW, THEREFORE, I, CARL T.C. GUTIERREZ, I Maga'Lahen Guåhan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. The Chamorro Land Trust Commission shall designate appropriate areas of Chamorro Land Trust lots that currently have communications facilities, or Chamorro Land Trust Commission lots adjacent to lots that currently have communications facilities, as telecommunication sites.
2. The Chamorro Land Trust Commission shall charge all users within the same or adjacent lots comparable rent on a non-discriminatory basis.



3. All instrumentalities of the government of Guam whose approval is required to issue a construction permit for wireless communications facilities shall issue construction permits for tower sites within the areas designated by the Chamorro Land Trust Commission on lots with, or adjacent to, existing wireless communications towers. Permits will not be issued for towers exceeding a height which is above ground level greater than existing towers without approval of the Guam Land Use Commission, which shall act on tower site requests on a priority basis.
4. The Chamorro Land Trust Commission shall submit necessary applications to the Guam Land Use Commission for telecommunications sites designated in Item (1) above for ratification. The Department of Land Management shall immediately call for a public hearing and place the application on the agenda of the next Guam Land Use Commission meeting.
5. The Chamorro Land Trust Commission shall review all properties in its inventory and shall designate additional sites appropriate for development as telecommunications sites. A list of proposed sites shall be forwarded to the Guam Land Use Commission for review and action on a priority basis as telecommunications site. All instrumentalities of the government of Guam whose approval is required to issue a construction permit for wireless communications facilities shall issue construction permits for tower sites within the designated telecommunication sites in accordance with the provisions approved by the Guam Land Use Commission.

SIGNED AND PROMULGATED at Hagåtña, Guam this 30th day of June, 2001.

A handwritten signature in black ink, appearing to read "Carl T. C. Gutierrez", written over a horizontal line.

CARL T. C. GUTIERREZ
I Maga'Lahen Guåhan
Governor of Guam