

Decision No. 67034

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of)
 Harry F. Fisher, dba TULARE COUNTY)
 RADIO DISPATCH, for a certificate)
 of public convenience and necessity)
 to construct additional radiotele-)
 phone utility facilities to be)
 operated in conjunction with the)
 utility's existing radiotelephone)
 system KMA261.)

Application No. 46228
 Filed February 24, 1964

OPINION AND ORDER

Applicant, Harry F. Fisher, doing business as Tulare County Radio Dispatch, seeks a certificate of public convenience and necessity to expand his radiotelephone utility service area to include additional territory, as set forth on Exhibit A attached to the application.

Applicant, an existing radiotelephone utility, operating pursuant to the Commission's Decision No. 62156, has applied to the Federal Communications Commission for authorization to construct additional radiotelephone utility facilities which will provide expanded coverage for applicant's subscribers, not available from the present facilities. The service area of applicant is defined as the contour of signal field strength equal to 37 decibels above one microvolt per meter (37 dbu). As shown on Exhibit A, the present service area is approximately circular, with a radius of about 15 miles centered on the vicinity of Visalia.

The proposed addition to applicant's radiotelephone system will consist of a base station on the frequency 454.25 mc, Model No. Motorola TA147, 40 watts of input power, 36F3 emission,

located on Bear Mountain, 1.75 miles northwest of Squaw Valley, Fresno County, California, north latitude $36^{\circ} 44' 45''$, west longitude $119^{\circ} 16' 52''$. The effective radiated power of the transmitter will be 18.2 watts with a radiation center above the average terrain of 2,089.5 feet. Such base station will be controlled from applicant's message center at 1500 College Avenue, Visalia, California.

As shown on Exhibit A, the 37 dbu contour of applicant's proposed service area for which applicant seeks a certificate, would have a radius of about 35 miles from the transmitter over the San Joaquin Valley. Included within the area are the cities of Fresno, Caruthers, Hanford, Visalia and Exeter.

Applicant alleges that the proposed extension is required for two reasons (1) to provide additional circuit capacity for the present system and (2) to provide extended coverage to applicant's existing and prospective subscribers in the area. At present applicant serves 132 mobile units. As evidence of the need for expanded facilities, applicant cites traffic studies made during October, 1963 which indicated excessive waiting time for completion of calls due to a busy circuit. For instance, a study conducted on October 23, 1963 showed that between the hours of 8 a.m. and 7 p.m., 43 calls were held due to a busy circuit; the total holding time during that period was 125 minutes and the maximum holding time was 15 minutes. Also, there had been cases in which applicant's customers had to wait as long as 20 to 25 minutes before their messages could be handled.

Applicant has on hand orders from subscribers who wish not only to change to the proposed channel because of overloading on the existing one, but who also desire service in the extended area to be covered by the proposed facilities. The application lists three such subscribers who utilize a total of 17 mobile stations.

The estimated cost of constructing the proposed facilities, including the base station, the control facilities, and mobile units is \$7,000. All of the equipment will be purchased outright. No borrowing of any type will be necessary to finance the proposed construction and operation. Exhibit B attached to the application is a financial statement of Harry F. Fisher as of December 31, 1963, showing total assets of \$454,723, liabilities of \$28,637, and net worth of \$426,086.

The rates for the proposed service will be the same as the rates on file with the Commission in applicant's presently filed tariffs.

Communications service is presently furnished in portions of applicant's proposed expanded service area by four regular telephone utilities and three radiotelephone utilities. All such parties were served with copies of the application. No protests to the application have been received.

Attached to the application are copies of letters from the three radiotelephone utilities presently operating in portions of the proposed service area of applicant. All three letters endorse the application and indicate no objection to the proposed operation. Accordingly, there appears to be no need to place restrictions upon the certificate to be granted applicant because of competitive factors.

Findings and Conclusions

After considering this matter, the Commission finds and concludes that public convenience and necessity require the

construction and operation of the proposed extension, that applicant is financially able to carry out such construction, and that a public hearing on this matter is not necessary.

The certificate hereinafter granted shall be subject to the following provision of law:

The Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity or the right to own, operate, or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

The action taken herein is for the issuance of a certificate of public convenience and necessity only and is not to be considered as indicative of amounts to be included in a future rate base for the purpose of determining just and reasonable rates.

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Harry F. Fisher, doing business as Tulare County Radio Dispatch, authorizing him to construct an extension to his radio-telephone system as proposed in the application and to operate such system after obtaining necessary radio licenses from the Federal Communications Commission.
2. Applicant shall notify this Commission, in writing, of the date service is first rendered to the public under the certificate authorized herein, within ten days thereafter.
3. Within thirty days after service is first rendered to the public under the authorization herein granted, applicant shall file, in conformity with General Order No. 96-A, a revised preliminary statement and tariff map reflecting the revised operation.

4. The authorization herein granted will expire if not exercised within one year after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of APRIL 1, 1964.

William L. Benson
President
George E. Hoover
Frederick B. Holdoff
Commissioners