

bp

Decision No. 85370

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Industrial Communications Systems, Inc.,)

Complainant,)

vs.)

R. L. Mohr, dba Radio Call Corp.,)

Advance Electronics, Multiple M)

Enterprises, Advance Radiotelephone)

Co. and Does I thru X.)

Defendants.)

Case No. 9373

(Filed May 4, 1972)

ORDER DENYING REHEARING AND/OR
RECONSIDERATION OF DECISION NO. 85141

On November 28, 1975, a petition for rehearing and/or reconsideration of Decision No. 85141 was filed in this action by R. L. Mohr, dba Radio Call Corp. (Mohr). The petition sought clarification of the Commission's order granting a certificate to Mohr to construct base radio station equipment at San Pedro Hill. Petitioner argues that the decision, in its present form, may somehow be interpreted to mean the field survey is a condition prerequisite to the granting of the certificate of public convenience authorizing construction of the facility. In addition, petitioner alleges that the decision allowing the new installation constitutes authority for Mohr to expand his radio contours beyond his present service area. There is no support for either of these interpretations to be found in that decision. Petitioner's argument that ordering paragraph 8 constitutes a taking of his property without due process of law is also without merit.

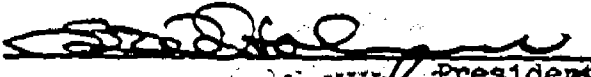

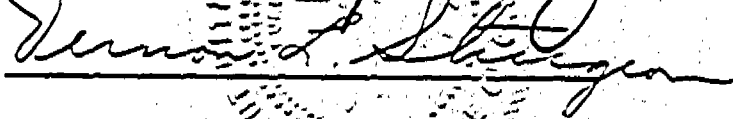

bp C.9373

Therefore, IT IS ORDERED that rehearing and/or reconsideration of Decision No. 85141 is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this

20th day of JANUARY, 1976.


President



Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.