

ORIGINAL

Decision 84 06 123

JUN 20 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
ICS Communications to modify Decision)	
83-11-092 and Decision 83-10-012 to)	Application 84-04-025
extend the compliance date of April 30,)	(Filed April 5, 1984)
1984 to March 31, 1985.)	

ORDER EXTENDING TIME TO COMPLY

ICS Communications (ICS), a California corporation, seeks an order under Public Utilities Code Section 1708 extending its time to comply with Ordering Paragraph 7 of Decision (D.) 83-10-012.^{1/} No protests have been filed.

In D.83-10-012 (October 5, 1983) we granted certificates of public convenience and necessity to ICS to provide tone-only paging service in Ventura County on frequency 158.7 from Red Mountain and to provide automatic two-way mobile telephone service to Ventura County on frequencies 454.125 MHz, 454.150 MHz, 454.200 MHz, and 454.300 MHz from Red Mountain.

Ordering Paragraphs 7 and 8 of D.83-10-042 provide that ICS shall neither construct nor operate such proposed Red Mountain transmitters until it has obtained prior to April 30, 1984, the relevant Federal Communications Commission (FCC) construction permits, and, failing compliance, its certificate authority shall lapse.

ICS received its FCC permit for the one-way paging transmitter on March 5, 1984, and filed a copy of it with the Commission on March 8, 1984. However due to circumstances

1/ D.83-10-012 arose out of consolidated application (A.) 60194, Case (C.) 10964, A.60574, and C.11030. ICS' petition for modification was given a new application number by the Docket Office.

beyond its control (principally, revised FCC requirements of recent origin) ICS has been unable to comply with the deadline set in D.83-10-012 regarding the construction permits for its proposed two-way mobile transmitters at Red Mountain. ICS seeks an order extending the compliance date from April 30, 1984 to March 31, 1985.

No protests have been filed and there is no reason in the public interest why the request should not be granted. Since the filing of this application the deadline imposed in D.83-10-012 has passed and the ICS certificate has lapsed in accordance with the terms of D.83-10-012. However, ICS has diligently sought to avoid such a situation by its timely filing of its application for an extension of time to comply with D.83-10-012. Accordingly, we will reinstate the lapsed certificate and extend ICS' two-way authority until March 31, 1985, as requested.

Conclusions of Law

1. The application should be granted; and
2. ICS' two-way authority should be reinstated.

IT IS ORDERED that:

1. The time of ICS to comply with D.83-10-012 is extended to and including March 31, 1985.

2. ICS' two-way authority is reinstated.

This order becomes effective 30 days from today.

Dated JUN 20 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO

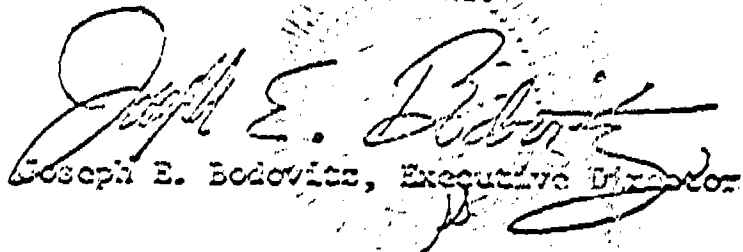
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director