

Decision 87 11 050 NOV 25 1987

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Angelo R. Turrini, an individual doing)
 business as United Radiophone System)
 (U-2061-C), for a certificate of)
 public convenience to construct and)
 operate a radio telephone utility)
 system in portions of Alameda,)
 Contra Costa, Marin, Napa,)
 Nevada, Placer, Sacramento, San)
 Mateo, San Francisco, San Joaquin,)
 Santa Clara, Santa Cruz, Solano,)
 Sonoma, Stanislaus, Sutter, Yolo, and)
 Yuba Counties.)

Application 87-05-023
(Filed May 12, 1987)

In the Matter of the Application of)
 Angelo R. Turrini, an individual)
 doing business as United Radiophone)
 System (U-2061-C) for authorization)
 to sell and transfer, and of Cook)
 Telecom, Inc. of San Francisco, a)
 corporation, for authorization to)
 purchase and acquire radiotelephone)
 operating authority and operations)
 in portions of Alameda, Contra)
 Costa, Marin, Napa, Nevada, Placer,)
 Sacramento, San Mateo, San Francisco,)
 San Joaquin, Santa Clara, Santa Cruz,)
 Solano, Sonoma, Stanislaus, Sutter,)
 Yolo, and Yuba Counties; of Cook)
 Telecom, Inc. of San Francisco for)
 authorization to issue promissory)
 note; and of Tom L. Cook for authori-)
 zation to control Cook Telecom, Inc.)
 of San Francisco.)

Application 87-06-023
(Filed June 15, 1987)

OPINION

By Application (A.) 87-05-023 Angelo R. Turrini
(applicant), an individual doing business as United Radiophone

System, requests a certificate of public convenience and necessity (CPC&N) to construct and operate 29 additional one-way radiotelephone facilities.

Subsequently, by A.87-06-023, applicant, Cook Telecom, Inc. of San Francisco (transferee), and Tom L. Cook (Cook) request authority for applicant to sell and transferee to transfer, applicant's radiotelephone utility (RTU) operating authority to provide two-way communications with mobile stations, and one-way paging and signaling services in the area of Alameda, Contra Costa, Marin, Napa, Nevada, Placer, Sacramento, San Mateo, San Francisco, San Joaquin, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Yolo, and Yuba Counties. Authority is also requested for transferee to issue a promissory note, and Cook to control transferee.

Rule 55 of the Commission's Rules of Practice and Procedure authorizes the Commission to consolidate proceedings with related facts. Because the facts to A.87-05-023 are substantially identical to those of A.87-06-023, we will invoke, in the interest of efficiency, Rule 55 and consolidate these two applications.

Copies of A.87-05-023 were served on cities and counties within the proposed service area and on other entities with which applicant's proposed service is likely to compete listed on the certificate of service attached to the application.

Notice of A.87-05-023 and A.87-06-023 appeared on the Commission's Daily Calendar of May 15, 1987 and June 22, 1987, respectively. No protests to the applications have been received; therefore, a public hearing is not necessary.

Applicant is an RTU certified to operate two-way communications with mobile stations and one-way paging and signaling services in the San Francisco Bay Area. By A.87-05-023 it is seeking to extend its operations throughout California.

Transferee, a California corporation, is a new corporation which was qualified to do business on May 27, 1987. Its President, general manager, and sole shareholder is Cook. Cook has had many years of experience in the ownership and management of RTU operations in California, and is the President of Cook Telecom, Inc., a California RTU.

A map identifying applicant's proposed service territory and engineering statements are attached to Application (A.) 87-05-023 as Exhibit A and B, respectively. Although Rule 7 of the Commission's Rules of Practice and Procedure requires copies of the application to conform with the original application, only the first page and terrain and contour data sheet for each site was included in copies of the application. Noting that complete copies of Exhibit B are available to any interested party upon request, applicant requests waiver of Rule 7.

Applicant possesses the requisite Federal Communications Commission (FCC) permits for 20 proposed base station facilities, 15 of which have been constructed without Commission authorization. Pending before the FCC are permits for 9 additional base station facilities.

By clarification letter of August 12, 1987, applicant withdraws its request for a CPC&N for a base station facility at 11 South San Joaquin Street, Stockton because transferee has pending before the FCC an application for a site near Stockton.

Applicant represents that its predecessor, United Business Services, Inc., constructed the 15 base station facilities without Commission authority because United Business Services, Inc. mistakenly believed that radiotelephone service was about to be

deregulated. A majority of the FCC permits for the facilities already constructed expired during the latter part of 1985. Accordingly, applicant requests the indulgence of the Commission for the unauthorized construction.

Applicant also indicated in the clarification letter that an additional motivation for proceeding with construction prior to Commission authority was the developmental nature of FCC grants for operating on the 43 megahertz (MHz) frequencies. Until quarterly television reception interference (TRI) surveys are conducted to determine whether TRI occurs during operation on the paging frequency, a grant of regular authority is delayed. Therefore, it is to the advantage of applicant, as well as its subscribers, to conduct those tests expeditiously. If interferences occur and can not be corrected, the station must be relocated.

Construction of such facilities without a CPC&N is in violation of § 1001 of the Public Utilities (PU) Code and Rule 18 of the Commission's Rules of Practice and Procedure, which requires applicant to obtain a CPC&N from the Commission prior to beginning construction of proposed facilities.

Applicant obtained Commission authorization to acquire its RTU operations from United Business Services, Inc. by Decision (D.) 85-05-065, dated May 15, 1985. Now, two years later applicant, in the process of selling its business, requests Commission authority for facilities which its predecessor constructed without Commission authority.

As explained in D.85-05-065, applicant was the President, General Manager, and sole stockholder of United Business Services, Inc. from 1972, the date United Business Services, Inc. began operating as a RTU, to the date applicant acquired the RTU operations. Applicant and its predecessor are one and the same.

Based on its extensive RTU experience, applicant should have acted in accordance with the PU Code and the Commission's Rules of Practice and Procedure, not on its mistaken belief that radiotelephone service was going to be deregulated or its subsequent motivation for constructing facilities without Commission authority.

Nevertheless, the facilities have been constructed, and applicant is now seeking the required CPC&N. We will approve this belatedly filed application for a CPC&N because applicant has demonstrated a public need for the service and there are no protests. We are disturbed, however, at the apparent unconcern of this and other applicants with the requirement that this Commission issue a CPC&N before they may begin construction or operation. This is a requirement that applies to all RTUs and in a heavily competitive arena, must be enforced uniformly if it is to be enforced at all.

We expect applicant and other RTUs to obtain and maintain necessary resources to ensure familiarity and compliance with the Public Utilities (PU) Code and with the Commission's Rules of Practice and Procedure. Failure to do so for the future will raise questions about whether the applicant has the requisite fitness to operate lawfully (a precondition to the grant of a CPC&N) and may subject the applicant to fines or penalties under PU Code § 2107. Applicant and transferee is placed on notice that future violations will not be tolerated. For the moment, we will continue to monitor this situation closely.

Applicant represents that a public need and demand exists for its proposed one-way paging service in the Northern California area extending from the Santa Cruz County area on the south, through the greater San Francisco Bay Area and the Sacramento area to the Grass Valley area on the north. Services are to include

some regionalized voice message paging and extended area tone only, numeric display and alpha-numeric display paging. These services are intended to provide residents of the area an alternative to other paging services and provide the public with more opportunity for selecting paging service of a quality and coverage area which best fits their particular needs.

Those facilities already constructed utilize conventional industry standard equipment employing the latest technological advancements. The paging stations to be built are to be high-stability Motorola "PURC" models. The system is capable of supporting conventional analog and digital signaling formats. Additional fill-in stations will be installed as required from time to time to improve system performance.

Applicant will coordinate the installation of the portions of the system to be built through Motorola factory service and other subcontractors as needed.

With Commission authorization to expand its RTU service territory, applicant projects an increase of 2,000 units by the end of the first year of operation and 9,700 units by the end of the fifth year of operations. On a pre-tax basis, it anticipates a net operating loss of \$21,900 at the end of its first year of operation and a net operating profit of \$73,900 after the fifth year.

Total capital requirement to construct and install the proposed base station facilities is estimated to be approximately \$234,000. Although applicant had a net worth of only \$73,721 at December 31, 1986, Exhibit E to A.87-05-023, applicant represents that transferee and its principal shareholder, Cook, have ample financial and managerial resources to complete construction and to operate the proposed system efficiently.

Transferee's pro forma Balance Sheet shows that transferee will have \$59,500 of equity upon consummation of the transfer, Exhibit F to A.87-06-023. Cook's personal financial statement shows that Cook's net worth at June 1, 1987 was approximately \$13 million with cash on hand of approximately \$5 million, Exhibit G to A.87-06-023. Also, Cook represents in Exhibit H to A.87-06-023 that, as the sole shareholder of transferee, he is committed to providing funds necessary for the operation of the RTU facilities to be acquired from applicant.

The proposed facilities are to be installed in existing buildings and antennas added to existing towers on building tops. Therefore, it can be seen with certainty that there is not any possibility that the proposed construction may have a significant effect on the environment.

The proposed tariffs for applicant's extended service are the same rates and charges for similar service that applicant presently has on file with the Commission, Exhibit G to A.87-05-023.

Pursuant to § 851 of the PU Code, applicant requests to transfer to transferee, and transferee requests to acquire from applicant, applicant's operating authority described in Paragraph 5 of A.87-06-023 and certain operating properties used by applicant. As of June 1, 1987 the net book value of the RTU properties to be transferred was \$113,545.

The purchase agreement provides for the transferee to pay applicant \$226,000 plus the total amount of funds expended by applicant during the period of May 10, 1987 through the closing for site leases, radio equipment repairs, maintenance, legal, and engineering expenses, Exhibit B to A.87-06-023.

Transferee proposes to pay applicant \$56,500 in cash and to execute a promissory note for \$169,500, the balance due, payable over a 36 month period, at an interest rate of 10.0%. Transferee requests authority to issue its promissory note substantially in the form of Exhibit D to A.87-06-023, pursuant to § 818 of the PU Code.

Transferee represents that it intends to adopt applicant's rates, rules, and regulations presently on file with the Commission. Further, it is represented that there is no possibility that the proposed transfer may have a significant adverse effect on the environment.

An application has been filed with the FCC for authority to transfer applicant's FCC permits to transferee.

Findings of Fact

1. Applicant requests authority to construct and operate 29 additional one-way radiotelephone facilities.

2. Applicant proposes to sell its RTU operations to transferee.

3. Authority is requested for transferee to issue a promissory note, and Cook to control transferee.

4. Rule 55 authorizes the Commission to consolidate proceedings with related facts.

5. Copies of A.87-05-023 were served on cities and counties within the proposed service area and on other entities with which applicant's proposed service is likely to compete.

6. Notice of A.87-05-023 and A.87-06-023 appeared on the Commission's Daily Calendar of May 15, 1987 and June 22, 1987, respectively.

7. No protests to the applications have been received.

8. Applicant is a certified RTU.

9. Transferee, a California corporation, is a new corporation owned by Cook.

10. Cook has had many years of experience in the ownership and management of RTU operations in California, and is the President of Cook Telecom, Inc., a California RTU.

11. Rule 7 requires copies of the application to conform with the original application.

12. Only the first page and terrain and contour data sheet for each site was included in copies of the application.

13. Applicant requests a waiver of Rule 7.

14. Applicant possesses the requisite FCC permits for 20 base station facilities, 15 of which have been constructed without Commission authority.

15. Pending before the FCC are permits for 9 additional base station facilities.

16. Applicant withdraws it requests for a CPC&N for a base station facility at 11 South San Joaquin Street, Stockton.

17. Applicant's predecessor constructed the base station facilities because the predecessor believed that radiotelephone service was to be deregulated.

18. An additional motive for constructing without Commission authority has been the developmental nature of grants for operating on the 43 MHz frequencies by the FCC.

19. Construction of facilities without a CPC&N is in violation of § 1001 of the PU Code.

20. Applicant acquired its RTU operations from United Business Services, Inc. in 1985.

21. Applicant was the President, General Manager, and sole stockholder of United Business Services, Inc.

22. Applicant and its predecessor are one and the same.

23. Public convenience and necessity require the granting of this application.

24. The proposed operation is technically feasible.

25. Transferee and its principal shareholder, Cook, have ample financial and managerial resources to complete construction and to operate the proposed system efficiently.

26. Transferee will have \$59,500 of equity upon consummation of the transfer.

27. Cook has a net worth of approximately \$14 million and cash on hand of approximately \$13 million at June 1, 1987.

28. Cook is committed to providing funds necessary for the operation of the RTU facilities.

29. The proposed operation is economically feasible.

30. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

31. The proposed tariffs are the same rates and charges that applicant presently has on file with the Commission.

32. The net book value of the RTU properties to be transferred was \$113,545, as of June 1, 1987.

33. The purchase agreement provides for the transferee to pay applicant \$226,000 plus certain costs.

34. Transferee proposes to pay applicant \$56,500 in cash and to execute a promissory note for \$169,500, payable over a 36 month period, at an interest rate of 10.0%.

Conclusions of Law

1. A.87-05-023 should be consolidated with A.87-06-023 because the facts to each application are substantially identical.

2. A waiver of Rule 7 should be authorized because of the volume and costs to reproduce the original Exhibit B to A.87-05-023.

3. A CPC&N for the facilities for which applicant has permits pending before the FCC should be conditioned upon applicant demonstrating that it possesses the requisite FCC permits.

4. Applicant should be authorized to transfer its RTU system to transferee. This authorization is not a finding of the value of the rights and properties to be transferred.

5. The applications should be granted as provided in the following order.

Only the amount paid to the State for operating rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly features of these rights at any time.

ORDER

IT IS ORDERED that:

1. Application (A.) 87-05-023 is consolidated with A.87-06-023.

2. Angelo R. Turrini (applicant) is granted a waiver to Rule 7 of the Commission's Rules of Practice and Procedure for this proceeding only.

3. A certificate of public convenience and necessity (CPC&N) is granted to applicant, doing business as United Radiophone System for the construction and operation of a public utility one-way radiotelephone system with 28 base stations as identified in Appendix A to this order and service areas as shown in Exhibit A to A.87-05-023.

4. The CPC&N granted in Ordering Paragraph 3 for base station locations identified in Appendix A as Items u through bb shall be conditioned upon applicant demonstrating to the

Commission's Advisory and Compliance Division (CACD) Director that applicant possesses the requisite Federal Communications Commission (FCC) construction permits. ✓

5. Within 30 days after this order is effective, applicant shall file a written acceptance on the certificate granted in this proceeding.

6. Applicant is authorized to file, after the effective date of this order and in compliance with General Order 96-A, tariffs applicable to the service authorized containing rates, charges, and rules applicable to its radiotelephone services. The tariffs shall become effective on not less than 5 days' notice. The rates and charges shall be the same as proposed for service in Exhibit G to A.87-05-023.

7. Applicant shall file, after the effective date of this order and in compliance with Ordering Paragraph 6, as part of its individual tariff, service area maps drawn in conformity with the provisions of FCC Rule 22.504, commonly known as the "Carey Report," and consistent with Exhibit A to A.87-05-023.

8. Applicant shall notify the CACD Director in writing of the date service is first rendered to the public as authorized in the above-mentioned Ordering Paragraphs, within 5 days after service begins. ✓

9. The certificate granted and the authority to render service under the rates, charges, and rules authorized in the above-mentioned Ordering Paragraphs will expire if not exercised within 12 months after the effective date of this order.

10. Within 6 months after the effective date of this order applicant may sell and transfer to Cook Telecom, Inc. of San Francisco (transferee) the radiotelephone facilities and operating authority set forth in Paragraph 6 and Exhibit B to A.87-06-023.

11. Within 10 days of the actual transfer, transferee shall notify the CACD Director in writing of the date on which the transfer was consummated. A true copy of the instrument of transfer shall be attached to the written notification. ✓

12. Within 90 days after the transfer, transferee shall file with the CACD, in the prescribed form, an annual report on applicant's operations from the 1st day of the current year through the effective date of the transfer. ✓

13. When the authorized transfer is complete, the FCC grants the requested authority to transfer applicant's FCC permits to transferee, and the conditions of this order are fulfilled, Angelo R. Turrini, doing business as United Radiophone System shall be relieved of his public utility obligations for the transferred system.

14. Within 6 months after the effective date of this order, for the purposes specified, transferee may issue an evidence of indebtedness in principle not exceeding \$169,500. This document shall be substantially the same as that attached to A.87-06-023 as Exhibit B.

15. The authority granted by this order to issue an evidence of indebtedness will become effective when transferee pays \$340, set by PU Code § 1904(b), to the Commission's Fiscal Office of the Management Services Division. In all other respects this order becomes effective 30 days from today.

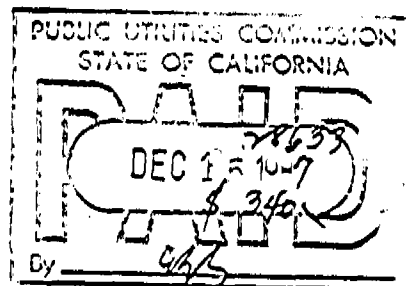
16. The corporate identification number assigned to Cook Telecom, Inc. of San Francisco doing business as United Radiophone

System is U-2096 which should be included in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

This order becomes effective 30 days from today.

Dated NOV 25 1987, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
C. MITCHELL WILK
JOHN B. OHANIAN
Commissioners



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

Victor Weissert
Victor Weissert, Executive Director

gbs

COOK TELECOM, INC.

DATE	DESCRIPTION	AMOUNT
2/10/87	<p>PUC FEE IN CONNECTION WITH THE GRANTING OF THE PUC ASSIGNMENT FROM UNITED TO CTI</p> <p style="text-align: right;">192-0</p>	<p style="text-align: right;">340.00</p>

DETACH AND RETAIN THIS STATEMENT

The attached check is in payment of items described above. If not correct please notify us promptly.

APPENDIX A
Page 1

BASE STATION LOCATIONS

- a. Round Top Peak, 12.5 miles northeast of Oakland.
(Lat. 37° 51' 02" N, Long. 112° 11' 30" W)
- b. KBRG Building, Radio Road, San Bruno Mountain
near San Francisco.
(Lat. 37° 41' 20" N, Long. 122° 26' 07" W)
- c. Mt. Barham, 5.5 miles northeast of Santa Rosa Post
Office, Santa Rosa.
(Lat. 38° 30' 31" N, Long. 122° 39' 41" W)
- d. Big Rock, 4 miles southwest of Novato.
(Lat. 38° 03' 33" N, Long. 122° 36' 10" W)
- e. San Rafael Hill, End of Chula Vista Drive,
San Rafael.
(Lat. 37° 58' 49" N, Long. 122° 31' 39" W)
- f. Beacon Hill, approximately 0.8 miles southwest
of Sausalito.
(Lat. 37° 50' 37" N, Long. 122° 29' 56" W)
- g. 3031 Tisch Way (Sherman Building), Santa Clara.
(Lat. 37° 19' 03" N, Long. 121° 56' 47" W)
- h. TV Hill, approximately 1.4 miles southwest of
Port Chicago.
(Lat. 38° 01' 49" N, Long. 122° 00' 03" W)
- i. Mt. Diablo, approximately 6 miles northeast of
Danville.
(Lat. 37° 52' 54" N, Long. 121° 55' 05" W)

APPENDIX A
Page 2

- j. 101 California Street, San Francisco.
(Lat. 37° 47' 35" N, Long. 122° 23' 49" W)
- k. Mt. Vaca, approximately 6.5 miles northwest of
Vacaville.
(Lat. 38° 23' 53" N, Long. 122° 06' 08" W)
- l. Sunol Ridge, approximately 4 miles northeast of
Niles.
(Lat. 37° 37' 12" N, Long. 121° 55' 17" W)
- m. Loma Prieta, approximately 10 miles southeast
of Los Gatos.
(Lat. 37° 06' 39" N, Long. 121° 50' 31" W)
- n. Mt. Oso, approximately 10 miles west of Westley.
(Lat. 37° 30' 27" N, Long. 121° 22' 23" W)
- o. 331 J Street, Sacramento.
(Lat. 38° 34' 57" N, Long. 121° 30' 00" W)
- p. 1190 Thompson Avenue, Napa.
(Lat. 38° 17' 39" N, Long. 122° 19' 04" W)
- q. Skeggs Point, approximately 5.5 miles southwest
of Redwood City.
Lat. 37° 24' 39" N, Long. 122° 18' 20" W)
- r. 5331 Walnut Avenue, Sacramento.
(Lat. 38° 39' 49" N, Long. 121° 20' 51" W)
- s. 12525 Quicksilver Drive, Rancho Cordova.
(Lat. 38° 33' 48" N, Long. 121° 12' 12" W)
- t. Wolf Mountain, approximately 6 miles south-
southwest of Grass Valley.
(Lat. 39° 08' 01" N, Long. 121° 05' 58" W)
- u. Allison Peak, approximately 5 miles east-
northeast of Fremont.
(Lat. 37° 29' 56" N, Long. 121° 52' 13" W)
- v. End of Channel Hill Street, Auburn.
(Lat. 38° 54' 45" N, Long. 121° 04' 13" W)

APPENDIX A
Page 3

- w. Carpenter Hill, approximately 2.3 miles west southwest of Clarksville.
(Lat. 38° 38' 31" N, Long. 121° 05' 25" W)
- x. KWIN (FM) Tower, approximately 5.5 miles south of Lodi.
(Lat. 38° 03' 05" N, Long. 121° 15' 05" W)
- y. KQPR (FM) Tower, approximately 2 miles northwest of Rio Linda.
(Lat. 38° 42' 38" N, Long. 121° 28' 54" W)
- z. Near Corner of Midas and Mt. View, Rocklin.
(Lat. 38° 48' 16" N, Long. 121° 14' 15" W)
- aa. 7500 Timberlake Way, Sacramento.
(Lat. 38° 27' 45" N, Long. 121° 24' 49" W)
- bb. 14003 River Road, Walnut Grove.
(Lat. 32° 14' 48" N, Long. 121° 29' 59" W)

(END OF APPENDIX A)

3. A CPC&N for the facilities for which applicant has permits pending before the FCC should be conditioned upon applicant demonstrating that it possesses the requisite FCC permits.

4. Applicant should be authorized to transfer its RTU system to transferee. This authorization is not a finding of the value of the rights and properties to be transferred.

5. The applications should be granted as provided in the following order.

Only the amount paid to the State for operating rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly features of these rights at any time.

ORDER

IT IS ORDERED that:

1. Application (A.) 87-05-023 is consolidated with A.87-06-023.

2. Angelo R. Turrini (applicant) is granted a waiver to Rule 7 of the Commission's Rules of Practice and Procedure for this proceeding only.

3. A certificate of public convenience and necessity (CPC&N) is granted to applicant, doing business as United Radiophone System for the construction and operation of a public utility one-way radiotelephone system with 28 base stations as identified in Appendix A to this order and service areas as shown in Exhibit A to A.87-05-023.

4. The CPC&N granted in Ordering Paragraph 3 for base station locations identified in Appendix A as Items u through bb shall be conditioned upon applicant demonstrating to the

Commission's Evaluation and Compliance Division Director that applicant possesses the requisite Federal Communications Commission (FCC) construction permits.

5. Within 30 days after this order is effective, applicant shall file a written acceptance on the certificate granted in this proceeding.

6. Applicant is authorized to file, after the effective date of this order and in compliance with General Order 96-A, tariffs applicable to the service authorized containing rates, charges, and rules applicable to its radiotelephone services. The tariffs shall become effective on not less than 5 days' notice. The rates and charges shall be the same as proposed for service in Exhibit C to A.87-05-023.

7. Applicant shall file, after the effective date of this order and in compliance with Ordering Paragraph 6, as part of its individual tariff, service area maps drawn in conformity with the provisions of FCC Rule 22.504, commonly known as the "Carey Report," and consistent with Exhibit A to A.87-05-023.

8. Applicant shall notify the Commission's Evaluation and Compliance Division Director in writing of the date service is first rendered to the public as authorized in the above-mentioned Ordering Paragraphs within 5 days after service begins.

9. The certificate granted and the authority to render service under the rates, charges, and rules authorized in the above-mentioned Ordering Paragraphs will expire if not exercised within 12 months after the effective date of this order.

10. Within 6 months after the effective date of this order applicant may sell and transfer to Cook Telecom, Inc. of San Francisco (transferee) the radiotelephone facilities and operating authority set forth in Paragraph 6 and Exhibit B to A.87-06-023.

11. Within 10 days of the actual transfer, transferee shall notify the Commission's Evaluation and Compliance Division Director in writing of the date on which the transfer was consummated. A true copy of the instrument of transfer shall be attached to the written notification.

12. Within 90 days after the transfer, transferee shall file with the Commission's Evaluation and Compliance Division, in the prescribed form, an annual report on applicant's operations from the 1st day of the current year through the effective date of the transfer.

13. When the authorized transfer is complete, the FCC grants the requested authority to transfer applicant's FCC permits to transferee, and the conditions of this order are fulfilled, Angelo R. Turrini, doing business as United Radiophone System shall be relieved of his public utility obligations for the transferred system.

14. Within 6 months after the effective date of this order, for the purposes specified, transferee may issue an evidence of indebtedness in principle not exceeding \$169,500. This document shall be substantially the same as that attached to A.87-06-023 as Exhibit B.

15. The authority granted by this order to issue an evidence of indebtedness will become effective when transferee pays \$340, set by PU Code § 1904(b), to the Commission's Fiscal Office of the Management Services Division. In all other respects this order becomes effective 30 days from today.

16. The corporate identification number assigned to Cook Telecom, Inc. of San Francisco doing business as United Radiophone