

Decision SS 02 013

FEB 10 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Paging Network of Los Angeles, Inc., )  
(U-2083-C), a Delaware corporation, )  
for a Certificate to Construct )  
additional Radio-telephone Utility )  
Facilities serving San Bernardino, )  
Barstow & Victorville, California )  
as may be required by Section 1001, )  
et seq. of the California Public )  
Utilities Code. )

Application 87-09-006  
(Filed September 8, 1987)

OPINION

Paging Network of Los Angeles, Inc. (applicant), a Delaware corporation qualified to do business in California, requests a certificate of public convenience and necessity (CPC&N) to construct and operate one-way radiotelephone facilities in and around San Bernardino, Barstow, and Victorville, pursuant to Section 1001 et seq. of the California Public Utilities Code. A map identifying applicant's proposed service area and engineering statements are attached to the application as Exhibit C.

Copies of the application were served on the cities and counties within the proposed service area and on other entities with which applicant's proposed service is likely to compete, as listed in the certificate of service attached to the application.

Notice of the application appeared in the Commission's Daily Calendar of September 10, 1987. No protests to the application were received; therefore, a public hearing is not necessary.

Applicant, at the time of filing its application, had pending before the Federal Communications Commission (FCC) applications to construct and operate base station facilities to be

located at Blue Ridge, west of Wrightwood, Quartzite Mountain, north of Victorville, and Flash 2 Site, north of Barstow, on a frequency of 931.3125 megahertz (MHz).

Subsequently, by letter of November 23, 1987, applicant supplemented its application with a copy of a FCC public notice demonstrating that applicant has been granted the requisite FCC permits.

Applicant, a certificated radiotelephone utility (RTU), provides one-way paging services throughout the greater Los Angeles, San Diego, and Bakersfield areas with its principal place of business located in Anaheim. Its sister company, Paging Network of San Francisco, Inc., provides one-way paging services throughout the greater San Francisco, San Jose, and Sacramento area.

Applicant represents that a public need and demand exists for its proposed service. According to applicant the FCC, through its grant of numerous 900 MHz applications, has conclusively established that there is an ever-increasing demand for paging service in California. In addition, the proposed service will substantially improve applicant's service reliability on the fringes of its current service areas, and extend its coverage throughout the greater Los Angeles, San Diego, and Bakersfield area.

Applicant proposes to offer state-of-the-art paging services as they are developed at the 900 MHz frequency. The service offerings are to be fully automatic and interconnected and will initially include tone-only, numeric display and tone-and-voice service.

The proposed facilities are to be constructed, operated, and maintained under the direct supervision and control of its present local personnel. Control of the base station facilities is to be provided by applicant's existing control stations. Automatic alarms are to provide immediate notification of certain technical failures. Response to system failures is to be on a 24-hour basis.

The proposed base station facilities are to be located on existing towers in existing antenna farms. 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.

Total capital requirement for the proposed base stations, including transmitters, antennas, transmission line, and related equipment is estimated to be approximately \$75,000. The necessary funds are to be provided from applicant's parent corporation, Paging Network, Inc.'s (PageNet), existing line of credit with Continental Illinois National Bank and Trust Company of Chicago and from existing revenues of PageNet. A letter of commitment from PageNet is attached to the application as Exhibit E.

The proposed rates and charges are to be the same rates and charges for similar services that applicant presently has on file with the Commission.

Applicant incorrectly filed this application under Paging Network of San Francisco, Inc.'s corporate identification number U-2044-C. Applicant's correct corporate identification number is U-2083-C. Applicant should include its corporate identification number in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

Since no protests to the application were received and applicant is ready and willing to serve the public, we will make this order effective on the date signed, as applicant requests.

Findings of Fact

1. Applicant, qualified to do business in California, requests a CPC&N to construct and operate additional RTU facilities in the San Bernardino, Barstow and Victorville areas.
2. Notice of this application appeared in the Commission's Daily Calendar of September 10, 1987.
3. No protests to the application were received.
4. Applicant possesses the requisite FCC permits.

5. Applicant is a certificated RTU providing one-way paging service throughout the greater Los Angeles, San Diego, and Bakersfield areas.

6. The proposed operation is technically feasible.

7. The proposed operation is economically feasible.

8. It can be seen with certainty that there is not any possibility that the granting of this application may have a significant effect on the environment.

9. Applicant's corporate identification number is U-2083-C.

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

11. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

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. A certificate of public convenience and necessity is granted to Paging Network of Los Angeles, Inc. (applicant) for the construction and operation of a public utility one-way radiotelephone system with base stations and service areas as follows:

Base station locations:

- a. Blue Ridge, approximately 2.5 miles west of Wrightwood.  
(Lat. 34° 21' 08" N, Long. 117° 40' 27" W)
- b. Quartzite Mountain, approximately 5.0 miles north of Victorville.  
(Lat. 34° 36' 38" N, Long. 117° 17' 20" W)

- c. Flash 2 Site, approximately 5.5 miles north of Barstow.  
(Lat. 34° 58' 17" N, Long. 117° 02' 22" W)

Service areas: As shown in Exhibit C to Application (A.) 87-09-006.

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

3. 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 for similar services that applicant presently has on file with the Commission.

4. Applicant shall file as part of its individual tariff, after the effective date of this order and, consistent with Ordering Paragraph 3, engineered service area maps drawn in conformity with Federal Communications Commission Rule 22.504 (b) (2), consistent with its proposed service areas as shown on the maps in Exhibit C to A.87-09-006.

5. Applicant shall notify the Commission's Advisory and Compliance Division Director in writing of the date service is first rendered to the public as authorized herein, within 5 days after service begins.

6. The corporate identification number assigned to Paging Network of Los Angeles, Inc. is U-2083-C 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.

7. The certificate granted and the authority to render service under the rates, charges and rules authorized will expire if not exercised within 12 months after the effective date of this order.

This order is effective today.

Dated FEB 10 1988, at San Francisco, California.

STANLEY W. HULETT  
President  
DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
Commissioners

Commissioner John B. Ohanian,  
being necessarily absent, did not  
participate.

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

  
Victor Wozniak, Executive Director