

Decision 88 02 052 FEB 24 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Radio Relay Corp.-California,)	Application 87-12-010
a California corporation, for a)	(Filed December 3, 1987)
Certificate of Public Convenience and)	
Necessity to construct additional)	
Radiotelephone Utility facilities.)	

OPINION

Radio Relay Corp.-California (applicant), a California corporation, requests a certificate of public convenience and necessity (CPC&N) to construct and operate additional one-way radiotelephone utility (RTU) facilities over a frequency of 35.2200 megahertz (MHz) in Beaumont, Palmdale, and Running Springs. Engineering data and a map of the proposed service area is attached to the application as Exhibit B and C, respectively.

Copies of the application 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, as listed in the certificate of service attached to the application.

Notice of this application appeared on the Commission's Daily Calendar of December 8, 1987. No protests to the application have been received; therefore, a public hearing is not necessary.

Applicant possesses the requisite Federal Communications Commission (FCC) permit for its three proposed base station facilities, Exhibit D to the application.

Applicant is a certificated RTU providing one-way high speed tone, digital display, and alphanumeric display paging service in portions of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties.

Applicant asserts that a public need and demand exist for the proposed extension, based on its subscribers' need to receive paging signals in these outlying areas.

The proposed facilities, designed by experienced radio engineers, will be fully integrated within applicant's existing system. Other than an extension of applicant's service area, there will be no change in the scope, quality, or features of applicant's service.

Applicant projects a total capital requirement of \$38,700 for the proposed facilities, as shown in Exhibit E to the application. The necessary funds to construct the proposed facilities will be provided from applicant's existing cash reserves and ongoing revenues. Applicant's June 30, 1987 financial statement, attached to the application as Exhibit F, shows that applicant's cash reserves of \$27,440 and equity of \$5,201,878 are sufficient to fund the proposed facilities.

The proposed base stations will be located within existing buildings and on existing antenna towers, at sites presently used by numerous radio transmitting stations. No construction or other alterations of the environment are contemplated. 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 rates and charges are the same rates and charges for similar services that applicant presently has on file with the Commission.

Findings of Fact

1. Applicant requests a CPC&N to construct and operate additional RTU facilities to provide RTU services in Beaumont, Palmdale, and Running Springs.
2. Copies of the application were served on cities and counties within the proposed service area and on other entities with which the proposed service is likely to compete.

3. Notice of the application appeared on the Commission's Daily Calendar of December 8, 1987.

4. No protests to the application were received.

5. Applicant possesses the requisite FCC permit.

6. Applicant is a certificated RTU.

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

8. The proposed operation is technically feasible.

9. The proposed operation is economically feasible.

10. It can be seen with certainty that there is no possibility that the proposed facilities may have a significant effect on the environment.

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 Radio Relay Corp.-California for the construction and operation of a public utility one-way radiotelephone system with base stations and a service area as follows:

Base Stations locations:

- a. Mt. David, Beaumont.
(Lat. 33° 54' 29" N, Long. 116° 59' 45" W)
- b. Hauser Mountain, Palmdale.
(Lat. 34° 32' 50" N, Long. 118° 12' 43" W)

- c. Heaps Peak, Running Springs.
(Lat. 34° 14' 03" N, Long. 117° 08' 25" W)
Service area: As shown in Exhibit C to
Application (A.) 87-12-010.

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 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 for similar services that applicant 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, an engineered service area map drawn in conformity with Federal Communications Commission Rule 22.504, commonly known as the "Carey Report," and consistent with Exhibit C to A.87-12-010.

5. Applicant shall notify the Commission 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 Radio Relay Corp.-California is U-2049-C which should be included in the caption of all original filings with the 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 24 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
JOHN B. OHANIAN
Commissioners

Commissioner Frederick R. Duda,
being necessarily absent, did
not participate.

Commissioner G. Mitchell Wilk,
being necessarily absent, did
not participate.

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


Victor Weissert, Executive Director