

Decision 88 03 057

MAR 23 1988

**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 AAlert Paging Company of San Diego, )  
 (U-2086-C), a California corporation, )  
 for a Certificate of Public Convenience )  
 and Necessity to expand its facilities )  
 to provide radiotelephone services on ) Application 87-11-036  
 and around the areas of Sierra Peak ) (Filed November 30, 1987)  
 (Orange), Mt. Woodson (San Diego), Oat )  
 Mountain (Los Angeles), Panorama City )  
 (Los Angeles), Costa Mesa (Orange) and )  
 Laguna Hills (Orange), California )

OPINION

AAlert Paging Company of San Diego (applicant), a California corporation, requests a certificate of public convenience and necessity (CPC&N) to construct and operate additional radiotelephone facilities in the Los Angeles area and the area between Los Angeles and San Diego, pursuant to Public Utilities Code Section 1001. A map and engineering statements of the proposed service territory are attached to the application as Exhibit A 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 on Attachment I to the application.

Notice of this application appeared on the Commission's Daily Calendar of December 3, 1987. No protests to the application have been received; therefore, a public hearing is not necessary.

Applicant possesses the requisite Federal Communications Commission (FCC) permits for one-way base station facilities near Newhall, Corona, and Poway on the 931.9875 megahertz (MHz) frequency and for two-way mobile base station facilities at Costa Mesa, Panorama City, and Laguna on the 454.4250 MHz frequency.

Applicant is a certificated Radiotelephone Utility (RTU) providing one-way paging and two-way mobile services in parts of San Diego, Chula Vista, La Mesa, Spring Valley, El Cajon, San Ysidro, National City, and Coronada. It is a wholly owned subsidiary of AAlert Paging Company, which, in turn, is a wholly owned subsidiary of Citizens Utilities Company. Citizens Utilities Company is a publicly held corporation which owns several public utilities in California, including Citizens Utilities Company of California, and in other states.

Applicant represents that a public need and demand exists for its proposed service extension because it has received numerous requests from its present customers for service in the proposed territory and it currently competes with several large RTUs already providing service in the requested territory. Applicant is willing and able to provide its customers with a comparable coverage area.

The engineering data submitted to the FCC and the grant of construction permits by the FCC substantiates that the proposed facilities are technically feasible. This is substantiated by Exhibits B and C to the application.

It is estimated that approximately \$150,000, to be advanced from Citizens Utilities Company, will be needed to construct and operate the proposed facilities until applicant is capable of generating its own internal funding.

In the first year of operation, applicant expects to serve 1,000 customers and to incur an operating loss of \$63,200. By the end of the fifth year of operation, applicant expects to be serving 5,000 customers and operating with a net profit of \$210,100, before income taxes.

The proposed base station facilities are to be located at existing radio antenna farms. Access, parking, power, and other facilities are already in place. Therefore, it can be seen with reasonable certainty that the grant of this application will not result in a significant effect upon the environment.

The proposed rates and charges for applicant's extended service territory are to be the same as 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 in the Los Angeles area and the area between Los Angeles and San Diego.
2. Notice of the application appeared in the Commission's Daily Calendar of December 3, 1987.
3. No protests to the application were received.
4. Applicant possesses the requisite FCC permits for its proposed base station facilities.
5. Applicant is a certificated RTU.
6. Public convenience and necessity require the granting of the application.
7. The proposed operation is technically feasible.
8. The proposed operation is economically feasible.
9. It can be seen with certainty that there is no possibility that the granting of this application will have a significant effect on the environment.
10. 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to AAlert Paging Company of San Diego (applicant) for the construction and operation of a public utility one-way and two-way radiotelephone system with base stations and service area as follows:

Base station locations:

- a. Mt. Woodson, approximately 5 miles northeast of Poway.  
(Lat. 33° 00' 34" N, Long. 116° 58' 11" W)
- b. Sierra Peak, approximately 5 miles west southwest of Corona.  
(Lat. 33° 51' 00" N, Long. 117° 39' 05" W)
- c. Oat Mountain, approximately 5 miles southwest of Newhall.  
(Lat. 34° 19' 35" N, Long. 118° 35' 10" W)
- d. Santiago Peak, approximately 12 miles northeast of Laguna Hills.  
(Lat. 33° 42' 38" N, Long. 117° 32' 00" W)
- e. 8155 Van Nuys Boulevard, Panorama City.  
(Lat. 34° 13' 09" N, Long. 118° 26' 55" W)
- f. 66 Anton Boulevard, Costa Mesa.  
(Lat. 33° 41' 27" N, Long. 117° 53' 00" W)

Service area: As shown in Exhibit A to Application (A.) 87-11-036.

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 five 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, an engineered service area map drawn in conformity with the provisions of Federal Communications Commission (FCC) Rule 22.504, commonly known as the "Carey Report", and FCC Rule 22.504(b)(2), consistent with its proposed service area as shown on the map in Exhibit A to A.87-11-036.

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 AAlert Paging Company of San Diego is U-2086-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 becomes effective 30 days from today.

Dated MAR 23 1988, at San Francisco, California.

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

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

*Victor Weiss*  
Victor Weiss, Executive Director