

Decision 88 05 021 MAY 11 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Metromedia	)	
Telecommunications, Inc.	)	
(U-2078-C), a California corporation	)	Application 88-02-024
(MTI), for a Certificate of Public	)	(Filed February 16, 1988)
Convenience and Necessity to Construct	)	
and Operate Additional Radio Telephone	)	
Utility Facilities.	)	

OPINION

Metromedia Telecommunications, Inc. (applicant), a California corporation, requests a certificate of public convenience and necessity to construct and operate additional one-way radiotelephone utility facilities in the greater Los Angeles and San Diego areas, pursuant to Section 1001 et seq. of the Public Utilities Code. Engineering statements and a map identifying applicant's proposed service territory are attached to the application as Exhibit B and C, respectively.

Copies of the application were served on the cities and counties within which applicant's proposed service is likely to compete, Exhibit F to the application.

Notice of the application appeared in the Commission's Daily Calendar of February 19, 1988. No protests to the application were received; therefore, a public hearing is not necessary.

Applicant possesses the requisite Federal Communications Commission (FCC) permits for its eleven additional base station facilities located in the Los Angeles and San Diego areas on a frequency of 931.8625 megahertz (MHz), Exhibit B to the application.

Applicant is a public utility one-way radiotelephone utility (RTU) certified to construct and operate 53 base station facilities throughout California. It also owns and operates a 900 band RTU paging system in portions of Nevada and Arizona.

Applicant was wholly owned by Metromedia, Inc., which in turn was acquired by Metromedia Company, a partnership, pursuant to Decision (D.) 86-10-009. By D.86-12-066, the control of applicant was transferred to Southwestern Bell Corporation (SWB) and Metromedia Paging Services, Inc. (MPS), a wholly owned subsidiary of SWB, contingent upon approval of the FCC and the Federal District Court for the District of Columbia. Subsequently, the FCC and the Federal District Court granted applicant its requisite authority, and the transfer of control of applicant to SWB and MPS was consummated on September 30, 1987.

Applicant represents that D.86-03-018 and D.87-09-072 found that a public need and demand exists for its proposed one-way RTU service in a service area which covers the western two-thirds of California from the Mexican Border north to Marysville. It asserts that the eleven additional base station facilities in question are required to fully complete its RTU system and to meet the public need and demand.

The costs to construct the proposed facilities and estimated revenues and expenses for the first and fifth full year of operation are set forth in Application 85-08-064 and D.86-03-018. On a prorata basis, the construction cost of each of the eleven base station facilities is approximately \$25,000, or a total of approximately \$275,000.

Applicant asserts that, with the addition of the eleven proposed facilities, it will be in a position to achieve its forecasted revenue for the first and fifth full year of operations. Once fully constructed and operational, its 900 band paging system will be economically feasible.

To the extent that applicant's internally generated funds are insufficient to construct and operate the proposed base station facilities, MPS is committed to provide the necessary funds to construct and operate the proposed base station facilities. As of September 30, 1987, MPS's financial statement shows that a net worth of approximately \$218 million, which is sufficient to provide the necessary funds for the construction and operation of the proposed facilities.

The proposed base station facilities are to be located at communications sites already in existence, including towers, transmitters, antennas, buildings, and other structures. Accordingly, applicant represents that it can be seen with certainty that there is no possibility that the proposed facilities may have a significant adverse impact on the environment.

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.

Further, applicant requests that this order become effective on the date of issuance because the proposed facilities are essential to complete applicant's paging system at a reasonable cost; to meet the public need and demand; to provide the public services at reasonable rates in areas where there is little, if any, comparable service; and to avoid further delays.

Since there were no protests to this application and the proposed base stations are to be an extension of applicant's present service area, we will make this order effective on the date issued.

#### Findings of Fact

1. Applicant requests a CPC&N to construct and operate eleven additional base station facilities throughout the Los Angeles and San Diego areas.
2. Notice of the application appeared in the Commission's Daily Calendar of February 19, 1988.

3. No protests to the application were received.
4. Applicant possesses the requisite FCC permits.
5. Applicant is a certificated RTU providing one-way radiotelephone service throughout California.
6. Public convenience and necessity require the granting of this application.
7. The proposed operation is technically feasible.
8. MPS is committed to providing the necessary funds for the construction and operation of the proposed facilities.
9. The proposed operation is economically feasible.
10. 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.
11. A public hearing is not necessary.

Conclusions of Law

1. The application should be granted.
2. Because of the immediate need for service, this order should become effective today.

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 Metromedia Telecommunications, Inc. (applicant) to construct and operate a public utility one-way radiotelephone system with base stations as identified in Appendix A to this order and a service area as shown in Exhibit C to A.88-02-024.

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 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 (b)(2), consistent with its proposed service area as shown on the maps in Exhibit C to A.88-02-024.

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 Metromedia Telecommunications, Inc. is U-2078-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.

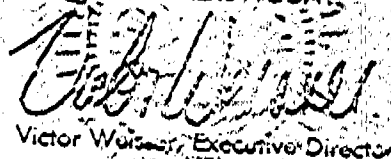
This order is effective today.

Dated MAY 11 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 Weissert, Executive Director

APPENDIX A

BASE STATION LOCATIONS

- a. Rasnow Peak, 1000 South Ventura Park Road,  
Thousand Oaks.  
(Lat. 34° 09' 51" N, Long. 118° 54' 06" W)
- b. 333 South Beaudry Street, Beaudry Center,  
Los Angeles.  
(Lat. 34° 03' 23" N, Long. 118° 15' 22" W)
- c. 3035 Gibraltar Road, Santa Barbara.  
(Lat. 34° 27' 58" N, Long. 119° 40' 34" W)
- d. 3.5 miles south southwest of Frazier Peak,  
Ventura.  
(Lat. 34° 46' 30" N, Long. 118° 58' 06" W)
- e. Mt. Woodson, 5 miles northeast of Poway.  
(Lat. 33° 00' 34" N, Long. 116° 58' 11" W)
- f. 5252 Balboa Avenue, San Diego.  
(Lat. 32° 49' 10" N, Long. 117° 10' 55" W)
- g. 2 miles south of San Marcos, Mt. Whitney.  
(Lat. 33° 06' 55" N, Long. 117° 09' 01" W)
- h. Hasuser Mtn., 5 miles west southwest of Palmdale.  
(Lat. 34° 32' 50" N, Long. 118° 12' 43" W)
- i. Quartzite Mtn., 5 miles north of Victorville.  
(Lat. 34° 36' 36" N, Long. 117° 17' 13" W)
- j. 2368 Junipero Avenue, Signal Hill.  
(Lat. 33° 47' 59" N, Long. 118° 09' 45" W)
- k. Harris Grade Radio Facility, Lompoc.  
(Lat. 34° 44' 29" N, Long. 120° 26' 45" W)

(END OF APPENDIX A)