

JUN 20 1988

Decision 88 06 034 JUN 17 1988

ORIGINAL

BEFORE THE PUBLIC-UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 AAlert Paging Company of Sacramento, )  
 (U-2084-C), a California corporation, )  
 for a Certificate of Public Convenience )  
 an Necessity to expand it facilities )  
 to provide radiotelephone services on )  
 and around the area of Stockton, )  
 California. )

Application 88-03-001  
(Filed March 1, 1988)

OPINION

AAlert Paging Company of Sacramento (applicant), a California corporation, requests a certificate of public convenience and necessity to expand its facilities to provide one-way and two-way interconnected radiotelephone utility (RTU) service in the Stockton area. A map and engineering statements of the proposed service territory are attached to the application as Exhibits A and B, respectively.

Copies of the application have been 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 March 3, 1988. 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 one-way and two-way base station facility near Stockton on a 445.6250 megahertz (MHz) frequency.

Applicant is a certificated Radiotelephone Utility (RTU) providing one-way and two-way fully interconnected radiotelephone service in and around the Sacramento area. Applicant 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, such as Citizens Utilities Company of California, and in other states.

Applicant has received numerous requests for service extension into the Stockton area from its present customers. In addition, applicant's investigations into the need for two-way mobile and one-way paging service show that the Stockton area has a substantial and continual financial and population growth which creates a significant demand for applicant's proposed service extension. Accordingly, applicant represents that a public need and demand exist for its proposed service extension.

The proposed extension will be designed to operate on a completely automatic basis controlled from applicant's existing facilities in Sacramento. Transmissions will be monitored routinely on a twenty-four hour-a-day basis to detect any system malfunction. Applicant's personnel will also have the capability to diagnose equipment failure by remote dial-up to the system terminal. Customers will be furnished a telephone number for any necessary assistance after normal working hours.

It is estimated that approximately \$20,000, to be advanced from Citizens Utilities Company, will be needed to construct and operate applicant's additional facility. In the first year of operation, applicant expects to serve 100 customers and to incur a \$400 operating loss. By the end of the fifth year of operation, applicant expects to serve 500 additional customers and to operate with a \$38,014 net profit, before income taxes.

The proposed base station facility will be located at an existing antenna farm. 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 will 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 an additional RTU facility within the Stockton area.
2. Notice of the application appeared in the Commission's Daily Calendar of March 3, 1988.
3. No protests to the application have been received.
4. Applicant possesses the requisite FCC permit for its additional base station facility.
5. Applicant is a certificated RTU.
6. Public convenience and necessity require the granting of this 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.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to AAlert Paging Company of Sacramento (applicant) for the construction and operation of a public utility one-way and two-way

radiotelephone system with a base station located approximately 5.5 miles south of Stockton (Lat. 37° 52' 34" N, Long. 121° 16' 27" W), as shown in the service area map for that site, contained in Exhibit A to Application (A.) 88-03-001.

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", consistent with Exhibit A to A.88-03-001.

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 Sacramento is U-2084-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 JUN 17 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 Weisser*

AS Victor Weisser, Executive Director