

Decision 89 08 037 AUG 3 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 INTRASTATE RADIO TELEPHONE, INC. OF)
 SAN FRANCISCO (U 2024 C) for a)
 Certificate of Public Convenience)
 and necessity pursuant to Section)
 1001 of the Public Utilities Code,)
 to construct and operate additional)
 radio telephone utility facilities.)

Application 89-04-005
 (Filed April 5, 1989)

ORIGINAL

OPINION

Interstate Radio Telephone, Inc. (applicant) seeks an extension of its certificate as a radio telephone utility (RTU) to offer wide-area paging service in new communities. Its existing facilities serve the San Francisco/Oakland Bay area and an area in Modesto. Applicant is an indirect, wholly owned subsidiary of Pacific Telesis Group. Applicant's sister corporations, Gencom, Inc. (U-2019-C), Delta Mobile Radio Service, Inc., and Tel-Page, Inc. provide paging service in the Fresno, Los Angeles, Santa Barbara, and San Diego areas. (In Application 88-12-014, those entities sought authority to merge. In Decision (D.) 89-07-043 we granted the request to merger, with the surviving corporation continuing under the name "PacTel Paging of California".)

The applicant seeks authority to construct antennas on seven new sites for its existing paging service. These new antennas will allow applicant to add additional territory to the coverage area of the wide-area paging system already in operation. Service would be available in and around the following communities: Auburn, Grass Valley, Marysville, Nevada City, Carmel, Placerville, Salinas, Stockton, Tracy, and Yuba City.

The basic concept of wide-area paging is to send signals on a single frequency from several widely distributed antennas.

Applicant points to the widening commuting patterns now observed in the Bay Area and the Sacramento and San Joaquin valleys. Applicant hypothesizes a doctor, who commutes between Stockton and San Francisco. If a patient needed to contact the doctor with an urgent medical emergency while the doctor is at home in Stockton, or in route to or from Stockton, the urgent message might not be delivered by a conventional San Francisco-based paging utility.

The doctor could, of course, pay additional fees and subscribe to a local Stockton paging system as well as the local San Francisco system. He would be greatly inconvenienced by this arrangement for several reasons. First, he might be required to carry more than one pager if the two systems operate on different frequencies. Second, he would need two telephone numbers; thus, whenever a patient needed to contact the doctor, it would be necessary to dial both telephone numbers. Third, if the doctor is located at the time of the page in an area where the two systems overlap, the doctor could receive more than one page.

Wide-area paging is much better suited to serve such an individual. Whenever a page is initiated on a wide-area system, generally only a single local number is dialed and the system pages throughout the entire service area. The wide-area paging system ensures that the doctor will receive the page irrespective of his location. For some potential customers, it may be significant that the caller does not know or need to know where the subscriber is located in order to complete a successful page.

Applicant also notes that wide-area paging makes a particularly efficient use of the radio spectrum by eliminating redundant pages.

Wide-area paging is generally provided by linking together numerous paging sites which operate on a common frequency. Until recently, the common frequency requirement limited the ability of paging companies to perform wide-area paging. However, the Federal Communications Commission (FCC) recently solved the

common frequency problem by granting regional or statewide paging frequencies to a single company.

Since all of the paging transmitters transmit on the same frequency, potential interference may exist when paging transmitters are not simultaneously operated. To accomplish the simultaneous transmission of paging signals, the paging transmitters are generally linked either by radio control links (RCLs) or microwave. Applicant links all of its Northern California regional sites which cross LATA boundaries via microwave facilities operated by Cook Telecommunications.

Each of the new sites will operate on 931.0625 MHz. This same frequency will also be used by its existing transmitters to provide wide-area paging. The FCC has already granted permits for the added sites.

Each of the new transmitters will be installed at locations where other transmitters are already located. Therefore, applicant reasons, there will be no environmental impact.

Applicant will make its existing rates applicable to the wider area served. Therefore, the only tariff changes needed will be those which describe the geographic area served.

Notice of the filing appeared in the Commission's Daily Calendar on April 10, 1989. No protests have been received.

Based on the applicant's showing in its application, the Commission adopts the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. The proposed operation will improve service for some of applicant's existing customers. It will make the service more attractive to many new users. It permits more efficient use of the frequency in question.
3. Applicant has the ability, including financial ability, to conduct the proposed operations.
4. The proposed operation will be economically viable.

5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

6. Public convenience and necessity require that the application be granted.

7. Because of the public interest in service improvements, this order should be effective on the date of issuance.

Conclusions of Law

1. The application should be granted.

2. As a telephone corporation operating as a telecommunications service supplier, applicant is subject to the user fee provided in PU Code §§ 431-435. For the 1989-90 fiscal year, the fee is 0.1% of gross intrastate revenue.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

ORDER

IT IS ORDERED that:

1. Applicant is granted an extension of its certificate of public convenience and necessity to operate as a telephone corporation, as defined in PU Code § 234, for the purpose of conducting a public utility radio paging service from the 7 new antenna sites described in the application.

2. Applicant is authorized to file with the Commission after the effective date of this order, on not less than 20 days' notice to the public and the Commission, the tariff schedules and rates for the proposed service. Applicant should file tariffs consistent with the order in D.89-07-043 in which we granted the request of the applicant and other entities for authority to merge into one corporation, PacTel Paging of California. Service may not be

offered until tariffs are on file. This filing shall comply with General Order (GO) Series 96, except that applicant is authorized to employ the alternative method of page numbering described in Commission Resolutions U-275 and T-4886 at its election. The tariff shall provide for surcharges for the fee referred to in Conclusion 2. Failure to file the tariff may result in revocation of the authority granted here.

3. Applicant shall be subject to the provisions of GO 96-A including Sections IV, V, and VI, as revised in Decision 83-05-067.

4. The certificate of public convenience and necessity granted by this order shall expire within 12 months after the effective date of this order if applicant has not filed tariffs and commenced operations by that date.

5. Within 20 days after this order is effective, applicant shall file a written acceptance of the certificate granted in this proceeding.

This order is effective today.

Dated AUG 3 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

Commissioner Stanley W. Hulett,
being necessarily absent, did not
participate.

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

Victor Weiss
Victor Weiss, Executive Director