

Decision 89 09 088

SEP 27 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
AAAlert Paging Company of Sacramento )  
(U-2084-C), a California corporation, )  
for a certificate of public )  
convenience and necessity to )  
construct and operate additional )  
radio-telephone utility facilities )  
in the Sacramento Valley pursuant to )  
Section 1001, et. seq., of the )  
California Public Utilities Code. )

**ORIGINAL**

Application 89-06-026  
(Filed June 19, 1989)

OPINION

AAAlert Paging Company of Sacramento (applicant), a California corporation, requests a certificate of public convenience and necessity to construct and operate additional one-way paging facilities near Grass Valley, Camino, and Oroville, California. Applicant attached a map of the proposed service area and engineering statements to the application as Exhibits B and C, respectively.

Copies of the application were served on required city and county governmental agencies within the proposed service area and on potential competitors listed on the service list attached to the application.

Notice of this application appeared on the Commission's Daily Calendar of June 22, 1989. No protests were received within the 30-day protest period.

Applicant is a wholly owned subsidiary of AAAlert Paging Company which owns five other radiotelephone properties. AAAlert Paging Company is a wholly owned subsidiary of Citizens Utilities Company. Applicant and its affiliates have operated numerous radiotelephone facilities in the state for a number of years.

Applicant requests permission to construct base station facilities at three locations:

1. Wolf Mountain, 6 miles SSW of Grass Valley,  
Nevada County.  
Latitude: 39° 08' 01" N.  
Longitude: 121° 05' 58" W.  
Base Frequency: 454.6250 MHz  
Providing one-way paging communications.
2. Camino, off highway 50, approximately 2 miles  
East of the city, El Dorado County.  
Latitude: 38° 44' 56" N.  
Longitude: 120° 38' 17" W.  
Base Frequency: 454.6250 MHz  
Providing one-way paging communications.
3. Bloomer Hill, approximately 10.5 miles NE of  
Oroville, Butte County.  
Latitude: 39° 39' 04" N.  
Longitude: 121° 27' 43" W.  
Base Frequency: 454.6250 MHz  
Providing one-way paging communications.

Applicant represents that the required FCC construction permits for the three sites have been approved, however, at the time the application was filed, the FCC was backlogged in mailing copies of approved permits. Applicant attached to its application a copy of the FCC Public Notice Record dated April 19, 1989 which indicates that the Wolf Mountain site has been approved.

(Exhibit D.) Copies of the FCC permits for the Wolf Mountain and Camino sites were mailed to the assigned Administrative Law Judge (ALJ) on July 21, 1989. On this date, applicant provided a copy of the FCC Public Notice Record dated July 12, 1989 as evidence that the FCC has approved licensing of the Bloomer Hill site. A copy of the third FCC permit for the Bloomer Hill site was mailed to the assigned ALJ on August 7, 1989.

The proposed additional facilities will be fully interconnected with applicant's existing one-way and two-way radiotelephone system to provide extended one-way paging service

throughout the enlarged service area. Therefore, technical feasibility is not in question.

The new base station(s) will be located in existing buildings and antennas added to existing towers. Therefore, it can be seen with certainty that there is no possibility that the granting of such an application may have a significant adverse effect upon the environment.

Applicant proposes to construct the base stations and maintain the system with applicant's own personnel. Applicant represents that it employs a full-time technical and engineering staff experienced in designing and constructing facilities as those proposed.

Applicant alleges that numerous existing subscribers have requested the proposed increase in service area. One very large subscriber has stated that increased paging coverage is necessary for them to continue patronizing applicant's service. Applicant intends to meet the public's need and demand for wider one-way paging coverage. Therefore, enlarging applicant's service area is in the public interest.

Applicant intends to apply the existing tariff prices, terms and conditions for service within the additional service area. Applicant's existing tariffs have been approved under the Commission's rules, practices and procedures and are, therefore, reasonable.

Applicant estimates construction costs of \$60,000 for its proposed expansion. (Exhibit F.) These funds and operating capital for the system are to be provided by applicant and its parent company, Citizens Utilities Company. Applicant attached to its application a copy of its 1988 balance sheet and profit and loss statement. (Exhibit E.) Although applicant's annual profit is \$1,200, applicant asserts that the adding back of depreciation (\$55,577 for radiotelephone plant and \$21,374 for other facilities) provides ample cash flow for the proposed expansion. Included in

Exhibit F is a one-year and five-year projected income analysis for the proposed system. Applicant estimates a loss of \$1,200 the first year of its expanded operations and a profit of \$114,042 the fifth year. Applicant's current assets are \$195,200 and its current liabilities are \$25,820, evidencing sufficient financial capability to construct its proposed expansion and operate the proposed expanded operations.

Findings of Fact

1. Applicant requests a certificate to construct and operate additional radiotelephone facilities on Wolf Mountain (near Grass Valley), near the City of Camino and on Bloomer Hill (near Oroville) in Nevada, El Dorado, and Butte Counties for the purpose of expanding its one-way communications system using radio frequency 454.6250 MHz.

2. Notice of this application appeared in the Commission's Daily Calendar of June 22, 1989.

3. No protests to this application were received.

4. Applicant possesses the requisite FCC construction permits for the Wolf Mountain, Camino, and Bloomer Hill sites.

5. Applicant presently operates a one-way and two-way radiotelephone system in the Sacramento area; therefore, it possesses adequate skill and experience to operate the proposed system.

6. The proposed operation is economically feasible.

7. The proposed operation is technically feasible.

8. The proposed base station antennae will be located on existing towers in existing antenna farms.

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

10. Public convenience and necessity require the granting of authority to construct and operate the three FCC-licensed facilities.

11. A public hearing is not necessary.

Conclusion of Law

Authority to construct and operate the three FCC-licensed sites requested in this 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 Sacramento (applicant) (U-2084-C), a California corporation, for the construction and operation of additional one-way radiotelephone facilities with base stations and service area locations as follows:

a. Base station locations:

- (1) Wolf Mountain, approximately 6 miles  
SSW of Grass Valley (Nevada), California.  
(Lat. 39° 08' 01" N.)  
(Long. 121° 05' 58" W.)
- (2) Off Highway 50, approximately 2 miles E  
of Caming (El Dorado), California.  
(Lat. 38° 44' 36" N.)  
(Long. 120° 38' 17" W.)
- (3) Bloomer Hill, approximately 10.5 miles  
NE of Orville (Butte), California.  
(Lat. 39° 39' 04" N.)  
(Long. 121° 27' 43" W.)

b. Service areas: As shown in Exhibit B to application,  
A.89-06-026.

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 5 days' notice. The rates and charges shall be the same as for similar services that applicant provides under its existing tariffs 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 Rule 22.504, commonly known as the "Carey Report," and consistent with Exhibit B to A.89-06-026.

5. Applicant shall notify this Commission in writing of the date service is first rendered to the public as authorized herein, within 5 days after service begins.

6. 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.

7. Applicant shall send a copy of this decision to concerned local permitting agencies not later than 30 days from today.

8. The corporate identification number assigned to AAlert Paging Company of Sacramento is U-2084-C which shall be included in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

This order is effective today.

Dated SEP 27 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

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

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

*Wesley Franklin*

WESLEY FRANKLIN, Acting Executive Director

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