

Decision 90 03 010 MAR 14 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 International Paging Corporation)
 (U-2106-C) for a Certificate of)
 Public Convenience and Necessity)
 Pursuant to Section 1001 of the)
 Public Utilities Code to Extend its)
 Radiotelephone Utility System in)
 and to Alameda, Contra Costa,)
 Fresno, Los Angeles, Marin,)
 Monterey, Orange, Riverside,)
 Sacramento, San Bernardino, San)
 Diego, San Francisco, San Mateo,)
 Santa Barbara, Santa Clara,)
 Santa Cruz, Solano, Sonoma,)
 Ventura, and Yolo Counties.)

Application 89-10-024
(Filed October 10, 1989)

O P I N I O N

International Paging Corporation (applicant) requests a certificate of public convenience and necessity (CPCN) pursuant to Public Utilities (PU) Code § 1001. Applicant seeks to add additional transmitter sites within its existing area of operations in Southern California and to extend its service to include part of Northern California surrounding San Francisco Bay (extending north to Petaluma and south to Los Gatos, as well as the Monterey Bay and Sacramento areas).

Applicant proposes to construct and operate one-way radiotelephone utility (RTU) facilities at 18 sites in and around Alameda, Contra Costa, Fresno, Los Angeles, Marin, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Ventura, and Yolo Counties. These sites will add to applicant's existing facilities at 6 sites, for a total of 24 transmitters and locations systemwide along with its base station. Appendix A lists the base station and sites approved by us in

Decision 89-03-057, along with the sites requested in this application. Engineering data and maps of the proposed service areas are attached to the application as Exhibits 3, 5, 6, and 8, with the engineering data for the control station site provided by letter dated January 4, 1990.

Notice of this application appeared in the Commission's Daily Calendar of October 26, 1989. No protests to the application have been received. A public hearing is not necessary.

Copies of the application and amendment to application were served on the counties within the proposed service area and on all utilities and other entities with which applicant's proposed service is likely to compete, pursuant to Rule 18(b) of the Commission's Rules of Practice and Procedure. This was indicated by the certificates of service attached to the application and amendment to application, plus the additional service pointed out in applicant's letter to the Commission dated December 7, 1989.

Applicant requests the Commission waive the requirement of Rule 18(b) regarding notice to cities. The rule requires a copy of the application to be served on all cities within which service will be rendered in the exercise of the requested certificate. The applicant bases its request on the facts that (1) the 20 counties involved were served, (2) the application was noticed in the Commission's Daily Calendar, and (3) the "...application does not encompass a request to conduct any construction activities." (Application, page 14.) Applicant submits that compliance with this requirement would involve serving hundreds of cities, would serve no useful purpose, and would greatly increase applicant's expense in filing this application. Applicant offers to provide a copy of its application to any person, including any city, upon request.

The first two reasons for a waiver are sound. Construction is involved, however, as can be seen by Exhibit 2 to the application. Exhibit 2 contains copies of the permits issued

by the Federal Communications Commission (FCC) authorizing applicant to construct transmitters at 9 of the 18 proposed sites. No construction permits have been issued for the remaining 9 sites, but construction can begin without an FCC permit as a result of a rule change made by the FCC. As the Commission pointed out, however, in comments to the FCC on the proposed rule before its adoption:

"While the CPUC [California Public Utilities Commission] has no objection to the proposed rule changes set forth in the FCC's Notice of Proposed Rulemaking, the CPUC is concerned that an applicant not begin construction of facilities in California until it has complied with CEQA [California Environmental Quality Act]...In addition, the CPUC requires an applicant proposing to construct facilities used for intrastate radio common carrier service to obtain a certificate of public convenience and necessity which authorizes such construction." (Comments of the Public Utilities Commission of the State of California before the FCC in CC Docket 88-475, page 2.)

The FCC final rule accepts California's requirements. The FCC says:

"We find that there is no conflict between California's state certification requirement and our proposed rule, since we require applicants to meet state requirements. See Section 22.13(f) of the rules." (Federal Communications Commission Record No. 16, FCC 89-160, pages 5960-8, footnote 10.)

PU Code § 1001 requires that the applicant obtain a CPCN from the Commission before construction may begin. Thus, applicant does not have authority to begin construction until this Commission issues a CPCN. Applicant recognizes this elsewhere in the application by saying:

"Thus, as far as the FCC is concerned, International may commence construction of these seven (7) transmitters at its own risk on or after October 1, 1989, subject, of course,

to securing appropriate authority to do so from this Commission." (Application, page 8.)

Therefore, we find the applicant's third reason to waive Rule 18(b) unpersuasive. Nonetheless, the facts that the counties were served, the application was noticed in the Commission's Daily Calendar, and that there are competing certificated RTUs in most of the proposed service areas support the waiver. Applicant need not serve a copy of the application on the cities in which service is proposed to be rendered. At least a summary of any future application should be sent to all required cities, however, with service of a summary document being indicated in the application. Further, we will require the applicant to send a copy of this decision to all concerned local permitting agencies within 30 days of the effective date of this order.

Commission Rule 18(o)(1) requires applicant to submit its application with the Commission no later than 30 days after the grant of the relevant construction permit(s) by the FCC. In this case, the applicant possesses FCC construction permits for 9 of the proposed base station sites. Applicant does not possess construction permits for the remaining sites. (Appendix A identifies which sites do and do not have construction permits from the FCC.) However, as noted above and more fully explained below, the FCC recently amended its rules and due to this amendment, applicant requests a waiver of this Commission's Rule 18(o)(1).

The FCC recently amended Section 22.43(a)(1) of its rules with the issuance of a Report And Order in CC Docket No. 88-475. The rule changes became effective September 18, 1989. This amendment allows certain Public Land Mobile Service (PLMS) applicants to commence constructing facilities after filing an application for a construction permit with the FCC, but before issuance of such permit, provided certain conditions are met. Applicant states that it is a PLMS within the meaning of the new FCC rules. Under the new FCC rules, Section 22.43(d), once a PLMS

has filed a Form 401 application with the FCC and 90 days have elapsed from the date of the public notice listing the application as acceptable for filing, the applicant may commence construction at its own risk. However, the applicant may not begin construction prior to the grant of an authorization as long as any of the following conditions persist:

1. The application is mutually exclusive with another application or a petition to deny has been filed;
2. Applicant requests a waiver of an FCC rule pursuant to Section 22.19 of the FCC's rules;
3. The application proposes a de minimus extension of a Cellular Geographic Service Area beyond the borders of the cellular market;
4. The applicant, if required, has not filed a notice of proposed construction with the Federal Aviation Agency, or has not received a determination from the Commission regarding any required antenna structure marking and lighting specifications;
5. The applicant (or cellular tentative selectee) has not considered whether the proposed facility will have significant environmental effects pursuant to Sections 1.1301 - 1.1319 of the FCC's rules, determined that the proposed facility will not have such effect, and indicated this determination on the Form 401;
6. For a PLMS applicant, the proposed facility will be located within forty-five (45) miles of the United States-Canadian border, or if the PLMS facilities are to be operated on the 931-932 MHz band, the proposed station is located in certain areas near the Canadian border; and
7. For cellular applicants, the proposed facility's 39 dbu contour will extend into

Mexico. (Report and Order, Appendix B,
Section 22.42(d)(3).)

As for 7 of the proposed transmitter sites for which the FCC construction permit has not yet been granted, applicant has filed Form 401 applications with the FCC and public notice thereof was given on July 26 and August 2, 1989. (The 7 sites are: Mount Toro, Salinas; Clay and Jones, San Francisco; Big Rock Ridge, Novato; Mount Diablo, Concord; Sierra Morena, Woodside; Monument Peak, Fremont; and Bear Mountain, Squaw Valley.) Copies of these notices are attached to the application as Exhibit 3. Petitions to deny a Form 401 application must be filed within 30 days and a mutually exclusive application must be filed within 60 days of the date the application is listed on the FCC's public notice as acceptable for filing. The Rule became effective on September 18, 1989. No petitions to deny or mutually exclusive applications were filed within 30 or 60 days, respectively, of the effective date of the amendments (September 18, 1989), as confirmed by letter of applicant dated December 7, 1989. Further, applicant submits that none of the other conditions set forth in Rule Section 22.43(d)(3) persist as to its FCC applications.

As for the eighth proposed transmitter site (First Interstate Bank Building, Los Angeles), applicant has filed a Form 489 notice with the FCC for construction of that facility as a fill-in site. A copy of the Form 489 is attached to the application as Exhibit 5.

As for the ninth site (Rasnow Peak, Thousand Oaks), the application notes that it will also be a fill-in site and applicant will file a Form 489 notice for construction. Applicant advises in its letter of December 7, 1989, however, that it has subsequently determined that the site might not meet all the FCC's requirements for a "fill-in" site. Applicant has decided out of an abundance of caution to file a Form 401 application for the site, a copy of which is attached to the CPCN application in Exhibit 6. Public

notice of the Form 401 application was given on November 1, 1989. No petitions to deny or mutually exclusive applications were filed by December 30, 1989, and none of the other conditions in Section 22.43(d)(3) of the FCC Rules persist.

Our Rule 18(o)(1) served to eliminate waste of Commission resources by ensuring that we were not processing an application (including a request for construction) for which a construction permit was subsequently denied by the FCC. The FCC's rules now let an applicant begin construction entirely at its own risk before the construction permit is granted, but no sooner than 90 days after notice of the application, and only if any of several conditions do not apply. Applicant bears all the risk if the applicant proceeds with construction and the FCC later denies the permit.

Given these new circumstances, it is appropriate to waive our Rule 18(o)(1) for the sites for which construction permits have not been issued by the FCC. We will require applicant, however, to file a copy of the construction permits with our staff when they are obtained, plus a copy to be filed with this application in our Central Files. This certificate will expire at the end of 180 days if applicant has not provided these copies for each of the 9 sites.

Applicant requests a further waiver of Rule 18(o)(1) as to those 9 sites for which construction permits were issued. Rule 18(o)(1) requires the application to be filed with this Commission within 30 days after the grant of the construction permit by the FCC. As Exhibit 2 indicates, the FCC construction permits for the sites requested in this application were issued more than 30 days before the application was filed. Applicant asserts that the waiver is warranted for the following reasons. First, the applicant incurred numerous delays in securing its FCC permits. Second, applicant worked closely with its attorney to prepare this application and attempted in every way to expedite its filing. Third, applicant is unaware of any prejudice that may result to any party because of this delay. Finally, applicant felt consolidating

all the proposed transmitter sites into one application would be most efficient for this Commission. For these reasons we grant applicant the requested waiver.

Applicant is a California corporation presently authorized to provide one-way paging and signalling service for tone, display, and alpha-numeric radio pagers in and around Southern California. Applicant seeks authority to provide these services throughout the proposed service area. If approved, all 24 transmitters will be controlled through the applicant's central interchange facility located at 1450 West Colorado Boulevard, Pasadena, California. The central facility will be linked by data line with control channels at Mt. Diablo in Northern California and Santiago Peak in San Diego. Messages will be sent throughout the existing and proposed service areas by simultaneous activation of all transmitters.

Features of this signalling service include local direct dial (selector level or direct input dialing) paging, end-to-end paging, and 800 number access paging. In addition, applicant offers a unique voice prompt, rather than the beep response utilized by most direct dial pagers. This voice prompt will advise the paging person how to enter the telephone number to be displayed on the pager of the person being paged.

Applicant asserts that both subscribers in its existing service area and those in its proposed service area will benefit from this application being granted. Due to the limited number of transmitters in applicant's existing system, there is a need for the additional transmitters proposed in its application to assure applicant's customers of consistent, uninterrupted service throughout its existing service area. In addition, applicant will link Northern and Southern California service areas into an integrated paging system if the expansion is authorized. This will afford applicant's customers maximum coverage and signal reliability and meet their needs for statewide paging coverage.

Applicant will use the the latest in Telocator Network Protocol Language networking technology. This technology will allow its customers paging service in both Northern and Southern California. It will also allow options such as separate Northern and Southern California telephone numbers by which to access their pager and statewide toll-free numbers. Another service feature is the option of activating pagers in only a portion of the state at a time. This allows employers to monitor and control their employee's movements throughout the state and to track the productivity and effectiveness of the pagers by region.

Applicant states that its customers have, with increasing frequency, been requesting expanded service to include the Northern California areas proposed in this application. Further, applicant believes that there is a substantial market of potential new users for its proposed service and a need not currently being met for statewide paging service. Applicant's 931.3875 MHz frequency is well suited to meet this service need and to meet the service demands of the increased populace and growing economies of both Northern and Southern California. Finally, applicant will offer an alternative to other mobile communications services, thus providing potential customers a greater ability to choose the types of services and coverage areas which best meet their particular needs.

Applicant presently has approximately 5,000 paging customers. After the first year of operation of its proposed new service, it expects to have approximately 7,000 customers. After the fifth year of operation, it expects to have approximately 50,000 customers.

Susan M. Winter is the sole shareholder and along with her husband Robert Winter are respectively the President and Vice-President, Operations and Corporate Development. Both have been actively engaged in managing the operation of the applicant since its inception.

The projected capital cost for the proposed new facilities is \$245,000. The \$245,000 implementation cost will be defrayed over a 5-year period, with stepped-up principal and interest payments beginning at \$2,909 per month for the first year, increasing to \$4,363 per month in the second year, and \$7,960 per month in the last three years. A letter from Motorola to applicant confirming the financing arrangements for 12 paging base stations is attached to the application as Exhibit 9. The necessary antennae and transmitters will be installed on existing towers which applicant will lease. Applicant's estimated monthly operating expenses, including tower site rentals, transmitter maintenance, insurance, and telephone lines, are \$4,850.

Applicant contemplates that its monthly cash flow from existing and potential new customers will be sufficient to cover these additional costs of operation. First year total monthly costs (principal, interest, and expenses) will be about \$7,759 (\$2,909 plus \$4,850). Third through fifth year monthly costs will be about \$12,810. After the fifth year the paging equipment will be fully paid, thereby reducing the monthly cost by about \$7,960. An operating statement for the six months ended June 30, 1989 is attached as Exhibit 1 to the application. It reveals net profit for that period of \$153,253, or an average monthly net profit of \$25,542. Exhibit 1 includes an unaudited balance sheet as of June 30, 1989. Total assets are \$1,019,464 (including cash and other current assets of \$391,502). Total liabilities are \$521,146 and owner's equity is \$498,318 for total liabilities and equity of \$1,019,464. Applicant is well positioned to withstand the increased expense (out of either current net profits or current assets) while applicant is marketing its expanded service and broadening its customer and revenue base. Applicant expects an increase in its customer base from 5,000 currently to 50,000 by the end of the fifth year.

Applicant proposes to charge and utilize its presently authorized rates and rules for paging service for this expanded and new service. We will direct the applicant to file new tariffs to reflect its expanded and new service areas.

The necessary antennae and transmitters will be installed on existing towers which already house several communication antennae. The height of these towers will not be increased, as revealed by the technical specifications in the Form 401 applications in Exhibits 3 and 6 attached to the application, and by the letter dated January 4, 1990. Therefore, it can be seen with reasonable certainty that there is not any possibility that the grant of this application may have a significant effect on the environment.

Applicant states that approval of this application will not require applicant to secure any additional franchises or permits before implementing the proposed service. This is because applicant is already conducting a paging business and its proposed new service will utilize towers which are already in existence.

Rule 18(i) requires either a statement corresponding to that required by Section 2 of General Order 104-A (regarding a material financial interest of persons in the purchases of materials and equipment or construction, maintenance or service to which the utility has been or will be a party), a statement that no such matters are known to have occurred or are being proposed, or a copy of the last proxy statement for companies listed on a national securities exchange. Applicant states that no shareholder, officer, director, or associated or affiliated company of applicant has any material financial interest as is required by this rule to be reported, nor is there any present proposal for any such person(s) to acquire such an interest.

Applicant should be subject to the fee system, as set forth in PU Code §§ 401 et seq., which is used to fund the cost of regulating common carriers and businesses related thereto and

public utilities. By Resolution M-4752 dated May 26, 1989, the fee level for fiscal year 1989-90 for telephone corporations was set at 0.10 of 1% (0.0010) of revenue subject to the fee. Appropriate tariff rules should be incorporated in applicant's tariff rules for the imposition of this surcharge. Applicant is not subject to a rate recovery mechanism for deaf and disabled program costs since it is a one-way paging service specifically exempted by PU Code § 2881(d).

Findings of Fact

1. Applicant requests a CPCN to construct and operate radiotelephone utility facilities for one-way paging services in and around Alameda, Contra Costa, Fresno, Los Angeles, Marin, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Ventura, and Yolo Counties.
2. Copies of the application and amendment to application were served on the counties within the proposed service areas and on all utilities and other entities with which the applicant's proposed service is likely to compete.
3. Notice of this application appeared on the Commission's Daily Calendar of October 26, 1989.
4. No protests to the application were received.
5. Applicant requests a waiver of Rule 18(b) of the Commission's Rules of Practice and Procedure to exempt it from the requirement to serve copies of the application on the cities within the proposed service area.
6. Applicant has 9 of the requisite FCC construction permits.
7. The application was filed after the deadline established in, and without all the permits required by, Rule 18(o)(1).
8. The FCC amended Section 22.43(a)(1) of its Rules and now allows certain PLMS applicants to commence construction of facilities after filing an application for a construction permit

with the FCC but before issuance of a permit subject to certain conditions.

9. Applicant requests a waiver of Rule 18(o)(1) to exempt it from first obtaining a construction permit from the FCC before it may file its application at this Commission.

10. Applicant is a PLMS within the meaning of the new FCC rules and none of the FCC conditions apply which would otherwise prevent construction before a construction permit is issued.

11. Applicant requests a further waiver of Rule 18(o)(1) to exempt it from having had to file its application within 30 days of receipt of the FCC construction permits it does possess.

12. Public convenience and necessity require the granting of this application.

13. The proposed operation is technically feasible.

14. The proposed operation is economically feasible.

15. The proposed transmitters and antennae will be located on existing towers, the heights of which will not be increased.

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

17. Applicant is subject to the user fee system, as set forth in PU Code § 401, et seq.

18. Applicant states that approval of this application will not require applicant to secure any additional franchises or permits before implementing the proposed service.

19. Applicant states that it has no reportable interests as required by Rule 18(i).

20. Applicant is not subject to assessment for a share of program costs for the deaf and disabled.

21. A public hearing is not necessary.

Conclusions of Law

1. The notice to cities requirement of Rule 18(b) should be waived.

2. The requirements of Rule 18(o)(1) to file within 30 days of receipt of FCC construction permits and not to file without all FCC construction permits should be waived.

3. The application should be granted.

4. The user fee for the 1989-90 fiscal year should be 0.10%.

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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted International Paging Corporation (applicant) to construct and operate a public utility one-way radiotelephone system with base station, additional transmitter locations, and service areas as identified in Appendix A.

2. The requirement of Rule 18(b) to serve copies of the application on all cities within which service will be rendered is waived. At least a summary of any future application must be sent to all required cities, however, with service of a summary document being indicated in the application.

3. The requirements of Rule 18(o)(1), to not file until all FCC construction permits are received and to file within 30 days of receipt of those permits, are waived.

4. Applicant shall file 2 copies of the FCC construction permit within 30 days of when it is obtained from the FCC for the 9 locations in this application for which one was not already filed. Two copies of the permit will be filed with the Director of the Commission Advisory and Compliance Division (CACD) who will place one copy in the formal file for this application in our Central Files.

5. Within 30 days of the effective date of this order, applicant shall file a written acceptance of the certificate granted in this proceeding.

6. 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, charges, and rules shall be the same as those for its present paging services.

7. Applicant shall file as part of its individual tariff, after the effective date of this order and consistent with Ordering Paragraph 6, engineered service area maps drawn in conformity with the provision of FCC Rule 22.504, commonly known as the "Carey Report", and consistent with Exhibits 3, 5, 6, and 8 in Application 89-10-024.

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

9. Applicant shall keep its books and records in accordance with the Uniform System of Accounts for radiotelephone utilities prescribed by this Commission.

10. Applicant shall file an annual report, in compliance with General Order 104-A, on a calendar-year basis using CPUC Annual Report Form L and prepared according to the instructions included with that form.

11. Applicant is subject to the user fee as a percentage of gross intrastate revenue under PU Code §§ 401, et seq.

12. The certificate granted and the authority to render service under the rates, charges, and rules authorized will expire if applicant has not filed the remaining 9 FCC construction permits required in Ordering Paragraph 4 within 180 days of the effective

date of this order, or if the certificate is not exercised within 12 months after applicant has complied with Ordering Paragraph 4.

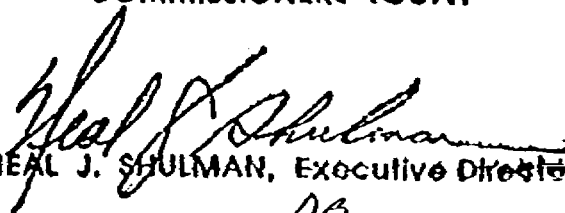
13. Applicant shall send a copy of this decision to concerned local permitting agencies not later than 30 days from the effective date of this order.

This order is effective today.

Dated MAR 14 1990, at San Francisco, California.

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

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


NEAL J. SHULMAN, Executive Director

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APPENDIX A
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BASE STATION, TRANSMITTER LOCATIONS, AND SERVICE AREAS

Base station and transmitter locations approved by Decision (D.)
89-03-057:

Base Station:	1450 West Colorado Boulevard Pasadena, CA
Location 1:	3860 Crest Road East Palo Verdes, CA Latitude: 33° 44' 46" N. Longitude: 118° 20' 07" W.
Location 2:	Santiago Peak near El Toro, CA Latitude: 33° 42' 38" N. Longitude: 117° 32' 00" W.
Location 3:	Mount Wilson Los Angeles, CA Latitude: 34° 13' 34" N. Longitude: 118° 03' 55" W.
Location 4:	Saddle Peak near Malibu, CA Latitude: 34° 04' 35" N. Longitude: 118° 39' 27" W.
Location 5:	Oat Mountain near Chatsworth, CA Latitude: 34° 19' 35" N. Longitude: 118° 35' 10" W.
Location 6:	Mount Woodson San Diego, CA Latitude: 33° 00' 34" N. Longitude: 116° 58' 11" W.

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Transmitter locations requested in this Application, (A.) 89-10-024
(a "*" denotes that the FCC construction permit has been granted):

Northern California:

- Location 7: * Park Place
Sacramento, CA
Latitude: 38° 34' 28" N.
Longitude: 121° 29' 27" W.
- Location 8: Mount Toro
7 miles south of Salinas, CA
Latitude: 36° 32' 05" N.
Longitude: 121° 37' 08" W.
- Location 9: Clay and Jones
San Francisco, CA
Latitude: 37° 47' 35" N.
Longitude: 122° 24' 47" W.
- Location 10: Big Rock Ridge
0.5 mile southwest of Novato, CA
Latitude: 38° 03' 34" N.
Longitude: 122° 36' 17" W.
- Location 11: Mount Diablo
Concord, CA
Latitude: 37° 52' 54" N.
Longitude: 121° 55' 05" W.
- Location 12: Sierra Morena
1 mile southwest of Woodside, CA
Latitude: 37° 24' 39" N.
Longitude: 122° 18' 20" W.
- Location 13: Monument Peak
0.5 mile east of Fremont, CA
Latitude: 37° 29' 23" N.
Longitude: 121° 51' 54" W.
- Location 14: Bear Mountain
2 miles west of Squaw Valley, CA
Latitude: 36° 44' 43" N.
Longitude: 119° 17' 01" W.

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Southern California:

- Location 15:¹ * 1450 West Colorado Boulevard
Pasadena, CA
Latitude: 34° 08' 25" N.
Longitude: 118° 10' 42" W.
- Location 16: * San Miguel Mountain
San Diego, CA
Latitude: 32° 41' 47" N.
Longitude: 116° 56' 06" W.
- Location 17: * 3727 El Cajon Boulevard
San Diego, CA
Latitude: 32° 45' 18" N.
Longitude: 117° 07' 44" W.
- Location 18: * San Marcos Mountain
3.2 miles east of Vista, CA
Latitude: 33° 12' 53" N.
Longitude: 117° 11' 15" W.
- Location 19: * Mount Laguna
9 miles southeast of Oxnard, CA
Latitude: 34° 06' 47" N.
Longitude: 119° 03' 34" W.
- Location 20: * Hauser Peak
6 miles southwest of Palmdale, CA
Latitude: 34° 32' 50" N.
Longitude: 118° 12' 43" W.

¹ This application includes a request to approve Location 15. Location 15 is the base station facility. Authority to construct and operate a public utility one-way radiotelephone system with a base station at 1450 West Colorado Boulevard, Pasadena, California was granted by this Commission in D.89-03-057. Permission need not be renewed for this site. As clarified by letter dated January 4, 1990, however, the current application seeks to change from the current data line link to a radio link between the control point at 1450 West Colorado Boulevard and the Mount Wilson control station transmitter. The current data line link did not require an FCC construction permit, but the radio link does.

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- Location 21: * Santa Ynez Peak
Goleta, CA
Latitude: 34° 31' 36" N.
Longitude: 119° 58' 39" W.
- Location 22: * Sunset Ridge
Claremont, CA
Latitude: 34° 11' 11" N.
Longitude: 117° 42' 48" W.
- Location 23: Rasnow Peak
Approximately 2 miles south
of Thousand Oaks, CA
Latitude: 34° 09' 51" N.
Longitude: 118° 54' 06" W.
- Location 24: First Interstate Bank Building
707 Wilshire Boulevard
Los Angeles, CA
Latitude: 34° 02' 58" N.
Longitude: 118° 15' 22" W.

Service Areas: As shown in Exhibits 7 and 8 to A.89-10-024.

(END OF APPENDIX A)