

Decision 90 07 012 JUL 6 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of AALERT PAGING COMPANY OF SAN )  
FRANCISCO (U-2085-C), a California )  
corporation, for a certificate of )  
public convenience and necessity )  
to construct additional radio- )  
telephone utility facility )  
pursuant to Section 1001 of the )  
Public Utilities Code. )

ORIGINAL

Application 90-03-024  
(Filed March 19, 1990)

O P I N I O N

Aalert Paging Company of San Francisco (applicant), a California corporation, is a radiotelephone utility (RTU) certificated by this Commission to provide one-way paging and two-way mobile telephone service in various areas of northern California.

Applicant seeks authority to construct additional radiotelephone facilities on 454.425 MHz. The additional facilities will be located in the vicinities of Vacaville and Morgan Hill.

Copies of the application were served upon likely competitors and other entities as set forth in Exhibit G to the application.

Notice of the application appeared in the Commission's Daily Calendar of March 23, 1990. No protests to the application have been received; therefore, a public hearing is not necessary.

Applicant possesses the requisite Federal Communications Commission (FCC) authorizations for construction. A copy of the Vacaville Station authorization is attached to the application as Exhibit D-1. At the time of the filing of the application the Morgan Hill Station authorization was not yet available. The station authorization was submitted by letter dated May 9, 1990.

The letter and station authorization are received in evidence as Exhibit 1.

A map outlining applicant's present service areas is attached to the application as Exhibit A. A similar map outlining the service areas sought herein, together with the areas outlined in Exhibit A, is attached to the application as Exhibit C. Engineering data for the new facilities is attached to the application as Exhibit B. The new facilities will be fully interconnected with applicant's existing system, providing radiotelephone coverage throughout the resulting service area.

The application alleges that:

"Applicant has received numerous requests from existing subscribers for the proposed increase in service area. Several large subscribers have clearly stated that increased coverage is necessary for them to continue patronizing our service. Clearly, the proposed facilities are in the public interest.

"Applicant and its affiliates operate numerous radiotelephone facilities and has done so for a number of years. Applicant has a full-time technical and engineering staff that has designed and constructed facilities similar to those proposed throughout the Western United States.

"The proposed application will simply add coverage area to applicant's existing service area. Applicant does not intend to change any tariffed prices, terms or conditions as a result of this proposal. Applicant intends to meet the public's need and demand for wider one-way paging coverage."

A copy of applicant's most recent balance sheet and profit and loss statement is attached to the application as Exhibit E. Applicant asserts that although its annual profit is small, the adding back of depreciation provides ample cash flow for the proposed expansion.

Applicant estimates that the total cost of acquiring and installing the new facilities will be approximately \$40,000. A schedule of the various items comprising this capital estimate and the recurring costs is attached to the application as Exhibit F.

The proposed facilities are located where there are already existing radio facilities. Applicant's antennas will be located on existing towers and the transmitters will be housed in existing buildings. Accordingly, it may be seen with certainty that there is no possibility that the project in question may have a significant adverse impact on the environment.

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 certificate of public convenience and necessity to construct and operate two additional base station facilities located at Vacaville and Morgan Hill.
2. Notice of the application appeared in the Commission's Daily Calendar of March 23, 1990.
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. Applicant 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Aalert Paging Company of San Francisco (applicant) to construct and operate a public utility one-way radiotelephone system with base stations as follows:

Base Station Locations:

- a. Crystal Lane approximately one mile SW of Vacaville, Solano County.  
(Lat. 38° 20' 13" N. Long. 122° 00' 08" W)
- b. Hwy. 101 and Cochran Road approximately one mile NW of Morgan Hill, Santa Clara County.  
(Lat. 37° 08' 41" N. Long. 121° 39' 51" W)

Service Area:

As set forth in the map in Exhibit A to Application (A.) 90-03-024.

2. Within 30 days after this order is effective, applicant will 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 Rule 22.504 (b)(2), consistent with its proposed service area as shown on the maps in Exhibit C to A.90-03-024.

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 applicant is U-2085-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.

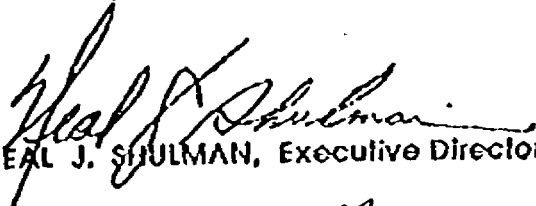
7. The certificate granted and the authority to render service under the rates, charges, and rules authorized will expire if not exercised within 12 months after the effective date of this order.

This order is effective today.

Dated JUL 6 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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