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Decision 90 10 009 OCT 12 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SHASTA CASCADE SERVICES, INC.,)
U-2118-C, a California corporation,)
for Certificate to Construct Radio-)
telephone Utility Facilities as may)
be required by Section 1001, et seq.)
of the California Public Utilities)
Code.)

Application 90-06-022
(Filed June 12, 1990)

O P I N I O N

In this decision we grant a certificate of public convenience and necessity (CPC&N) to Shasta Cascade Services, Inc. (herein, Shasta or applicant) to establish and operate two-way radiotelephone services in and around Mt. Shasta, California.

Shasta's proposal is straightforward; in May of this year we granted Shasta's application for a CPC&N for one-way paging services (Decision (D.) 90-05-007), and now Shasta proposes to offer two-way radiotelephone service in conjunction with that authority.

The matter of this application appeared in the Commission's Daily Calendar on June 18, 1990. Applicant served its application on cities and counties in the service area and on one potential competitor.¹ No protests have been received. A public hearing is not necessary.

¹ On June 22, 1990 Siskiyou Two Way (U-2055-C) filed a letter indicating that it had not been served with a copy of the application and requesting that the applicant be directed to provide a copy. Siskiyou Two Way also requested a full 30-day period to review the application. The Administrative Law Judge granted the request and the period for filing a protest ended on August 18, 1990.

Applicant is a California corporation and a certificated radiotelephone utility. Applicant has received authority from the Federal Communications Commission (FCC) to construct the proposed facilities. A copy of the authorization, dated April 4, 1990, was appended to the application.

Shasta proposes to construct its transmitter and antenna at Soda Creek near Dunsmuir, California, latitude N41° 13' 32" longitude W122° 14' 30". One or more additional antenna sites may be needed to establish adequate service coverage. The present proposal involves the use of existing structures and will not result in an increase in the height of the existing tower at Soda Creek. Applicant will operate a radio control point at the office of its existing paging services in Mt. Shasta.

Applicant submitted engineering data prepared by Moffet, Rarson, and Johnson which, along with the FCC approval, demonstrates the technical feasibility of the proposed service. The applicant has more than 25 years of experience in radiotelephone utility operations, and her qualifications are a matter of record in D.90-05-007.

Applicant estimates that construction will cost \$33,556. First year revenues will be \$7,200 and a monthly income of over \$500 per month is anticipated at the end of the first year. The project is financed by way of an advance in the amount of \$422,360 by the company's president and sole shareholder. The advance will be repaid only in the event Shasta earns "a substantial profit". Applicant's balance sheet on April 1, 1990 shows assets of \$139,123 and liabilities of \$476,239, of which \$33,875 represents applicant's debt and the remainder is the construction advance. Applicant intends to charge a monthly service fee of \$34.50 per month.

Applicant believes there is sufficient demand for its two-way radio service to support the granting of this application.

The application contains letters from five area businesses averring that need for these services exists.

Inasmuch as this proposal involves minor additions to existing telecommunications facilities, our action in this matter is categorically exempt from the reporting requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15303.

Findings of Fact

1. Applicant requests a CPC&N to construct and operate radiotelephone utility facilities in and around Mt. Shasta, California.
2. Copies of the application were served on the cities and counties and potential competitors in the area to be served.
3. Notice of this application appeared in the Commission's Daily Calendar on June 18, 1990.
4. No protests to the application have been received.
5. Applicant has been granted a permit to construct by the Federal Communications Commission.
6. Applicant has demonstrated that the proposed service is technically and economically feasible.
7. The proposed transmission facility will be installed on or within existing structures and will not involve new construction or increase the height of existing antenna structures.
8. Applicant is subject to the user fee system as set forth in Public Utilities (PU) Code § 401 et seq.
9. A public hearing is not necessary.
10. Public convenience and necessity require the granting of this application.

Conclusions of Law

1. The application should be granted.
2. The user fee for 1989-1990 should be 0.10%. Only the amount paid to the State for operative rights may be used in rate fixing.

3. Applicant is subject to the one-third percent (1/3%) surcharge on gross intrastate revenues to fund Telecommunications Devices for the Deaf. (Resolution T-13061, dated April 26, 1989; PU Code § 2881.)

4. The proposed service will involve minor additions or extensions to existing telecommunications facilities and is therefore categorically exempt from the reporting requirements of the CEQA.

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 to Shasta Cascade Services, Inc. for the construction and operation of a public utility two-way radiotelephone system with a base station and service area as follows:

- a. Base station location: Soda Creek near Dunsmuir, California. N41° 13' 32", W 122° 14' 30".
- b. Service area(s): As shown in Exhibit 3 to Application (A.) 90-06-022

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 as proposed for service in A.90-06-022.

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 3 to A.90-06-022.

5. Applicant shall notify the Commission Advisory and Compliance Division (Telecommunications Branch) 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.

This order is effective today.

Dated OCT 12 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


NEIL J. SAULMAN, Executive Director