

Decision 90 10 067 OCT 24 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of CONTEL CELLULAR OF CALIFORNIA, )  
INC. for a Certificate of Public )  
Convenience and Necessity under )  
Section 1001 of the Public Utilities )  
Code of the State of California for )  
authority to construct and operate )  
a new domestic public cellular )  
radio telecommunication service to )  
the public in the California RSA )  
No. 7 encompassing Imperial County. )

**ORIGINAL**

Application 90-03-042  
(Filed March 28, 1990)

INTERIM OPINION

On August 8, 1990, the Commission in Decision (D.) 90-08-027 granted Contel Cellular of California, Inc. (Contel) temporary authority to operate a single temporary cell site at a location in Imperial County for up to 90 days from the date of the decision.

The Commission Advisory and Compliance Division (CACD) is presently reviewing Contel's request for a certificate of public convenience and necessity. As part of its review CACD issued a proposed Negative Declaration for comment. It is now apparent that there will be insufficient time for CACD to review the comments and for the Commission to act before the 90-day temporary operating authority will expire. An extension of 30 days will bridge the gap between the date when the temporary operating authority expires and when the Commission will be able to consider applicant's request.

If Contel's temporary operating authority does expire, it cannot legally remain in service, and consequently Contel's permit issued by the Federal Communications Commission (FCC) could be terminated. Since it is not in the public interest for Contel's FCC permit to be terminated, Contel should be granted an extension of time of 30 days.

INTERIM ORDER

Therefore, IT IS ORDERED that Contel Cellular of California, Inc. is granted an additional 30 days authority to operate a single temporary cell site and provide domestic cellular radio telecommunication service in California Rural Service Area No. 7. This is in addition to the 90 days granted by Decision 90-08-027.

This order is effective today.

Dated OCT 24 1990, at San Francisco, California.

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

Commissioner John B. Ohanian,  
being necessarily absent, did  
not participate.

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

  
NEAL J. SCHULMAN, Executive Director