

Mailed

DEC 20 1990

Decision 90-12-075 December 19, 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. 10 encompassing Sierra and)
Nevada Counties.)

ORIGINAL

Application 90-05-032
(Filed May 17, 1990)

OPINION ON PETITION FOR MODIFICATION
OF DECISION 90-07-064

The Commission, in Decision (D.) 90-07-064, granted Contel Cellular of California, Inc. (Contel) a certificate of public convenience and necessity under § 1001 of the California Public Utilities Code to construct and operate a new domestic public cellular radiotelephone service within the California Rural Service Area (RSA) No. 10, encompassing Sierra and Nevada Counties. In that decision, the Commission adopted the rates as proposed by Contel in its Application (A.) 90-05-032. On September 23 and October 11, 1990, by Advice Letter Nos. 3 and 4, Contel filed those rates with the Commission as its rates for providing service.

On October 15, 1990, Contel filed a Petition for Modification requesting that the rates authorized by D.90-07-064 be changed as follows:

	<u>Currently Authorized Rates</u>	<u>Proposed Rates</u>
<u>Fixed Monthly Charges</u>		
Service Connection (12-month Amortization)	\$ 2.50	\$ 4.17
Monthly Access Charge	31.00	20.00
Call Restriction Features	-	4.30
Custom Calling Features	<u>6.00</u>	<u>5.00</u>
	\$39.50	\$33.47
<u>Air Time Charge</u> (including that associated with custom calling features)		
Peak	\$.35	\$.25 (\$.20 for Call Forwarding)
Off Peak	\$.20	\$.15
<u>Off-Peak Period</u>	10 hours	12 hours
<u>Roamer Rates</u>	\$2.00 per day plus \$.65 per minute airtime	Various - \$.15 to \$.45 per minute

Contel states that the reason for this proposed modification is to make the rates for RSA No. 10 comparable to the rates of Sacramento Valley Limited Partnership (SVLP). SVLP provides service in the Sacramento area. And according to Contel, the community of interest for RSA No. 10 is with the Sacramento area. The RSA No. 10 cellular system will be operated by PacTel Cellular in conjunction with and as an integral part of the SVLP system for marketing purposes; and accordingly, Contel believes that it is reasonable for the rates in RSA No. 10 to be the same as in the Sacramento area. Also, Contel points out that the rates proposed will provide RSA No. 10 customers with a substantial bill reduction as compared with the rates which were adopted in D.90-07-064.

Copies of the Petition for Modification were served on competing and adjacent cellular carriers. No protests were received.

While the Petition for Modification is a rate reduction, we believe that the rate reduction is not so severe as to affect the operating ability of the utility. We see no reason to deny this request. No hearing is necessary.

Findings of Fact

1. The request is a rate reduction which will not affect the operating ability of the utility.
2. No protests have been received.

Conclusions of Law

1. The Petition for Modification should be granted.
2. There is no need for a hearing.
3. The rates set forth in D.90-07-064 should be modified.
4. Contel should be allowed to file new rates as set forth in Exhibit A attached to the Petition for Modification.
5. Since the rate reduction should be in effect as soon as possible, this decision should be effective on the date of signature.

ORDER

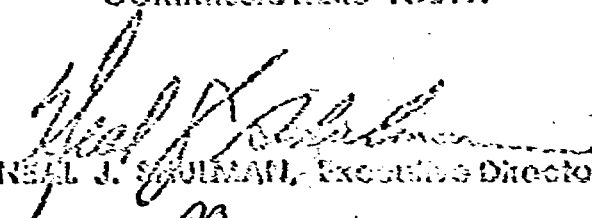
IT IS ORDERED that Contel Cellular of California, Inc. is authorized to file tariffs as set forth in Exhibit A attached to its Petition for Modification upon 5 days' notice.

This order is effective today.

Dated December 19, 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. SCHULMAN, Executive Director