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Decision 90-12-078 December 19, 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of California RSA No. 3 Limited Partnership 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. 3 encompassing Alpine, Amador, Calaveras, Mariposa and Tuolumne Counties.	Application 90-03-039 (Filed March 27, 1990)

ORIGINAL

OPINION ON PETITION FOR MODIFICATION OF DECISION 90-08-025

The Commission, in Decision (D.) 90-08-025, granted California RSA No. 3 Limited Partnership (California-3) a Certificate of Public Convenience and Necessity (CPC&N) under Public Utilities Code (PU Code) §§ 1001, et seq. to construct and operate a new domestic public cellular radiotelephone service within the California Rural Service Area (RSA) No. 3, encompassing Alpine, Amador, Calaveras, Mariposa, and Tuolumne Counties. In that decision the Commission adopted the rates proposed by California-3 in its Application (A.) 90-03-039. On October 19, 1990, by Advice Letter No. 1, California-3 filed those rates with the Commission as the rates for providing service.

On October 25, 1990, California-3 filed a Petition for Modification requesting that the rates authorized by D.90-08-025 be changed as follows:

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

California-3 states that the reason for this proposed modification is to make the rates for RSA No. 3 comparable to the rates of Sacramento Valley Limited Partnership (SVLP). SVLP provides service in the Stockton/Modesto area. And according to California-3, the community of interest for RSA No. 3 is with the Stockton/Modesto area. The RSA No. 3 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, California-3 believes that it is reasonable for the rates in RSA No. 3 to be the same as in the Stockton/Modesto area. Also, California-3 points out that the rates proposed will provide RSA No. 3 customers with a substantial bill reduction as compared with the rates which were adopted in D.90-08-025.

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.

Conclusion of Law

1. The Petition for Modification should be granted. There is no need for a hearing. The rates set forth in D.90-08-025 should be modified. California-3 should be allowed to file new rates as set forth in Exhibit A attached to the Petition for Modification.

2. Since the rate reduction should be in effect as soon as possible, this decision should be effective on the date of signature.

O R D E R

IT IS ORDERED that California RSA No. 3 Limited Partnership 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.

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

[signature]

[illegible], Executive Director

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