

FEB 22 1991

Decision 91-02-033 February 21, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PAGING NETWORK OF SAN FRANCISCO,)
 INC., (U-2044-C), a Delaware)
 corporation, for a Certificate to)
 Construct additional Radiotelephone)
 Utility Facilities serving areas in)
 and around Visalia, California as)
 may be required by Section 1001 et)
 seq. of the California Public)
 Utilities Code.)

ORIGINAL

Application 90-12-026
(Filed December 12, 1990)

O P I N I O N

Paging Network of San Francisco, Inc. (applicant or PageNet), a Delaware corporation and a California radiotelephone utility, seeks the Commission's authority to extend its existing paging and one-way radiotelephone services in and around Visalia in Tulare County.

This matter appeared in the Commission's Daily Calendar on December 17, 1990 and the applicant served copies of the application on 21 potentially interested parties and on the City of Visalia and the County of Tulare. No protests have been received and a public hearing is not necessary. The information contained in Application (A.) 90-12-026 establishes the basis for the findings, conclusions, and orders herein.

Findings of Fact

1. Applicant proposes to construct a single paging facility at latitude N 36° 18' 50" and W 119° 19' 06" in Visalia.
2. Applicant will locate the proposed base station on an existing tower within an existing antenna farm.
3. Applicant holds authority granted by this Commission in Decision (D.) 85-02-059 and presently provides paging and one-way radio telecommunications in the San Francisco-Sacramento-San Jose

region; applicant's sister company, Paging Network of Los Angeles, Inc. presently serves the Los Angeles-Bakersfield-San Diego area.

4. The Federal Communications Commission (FCC) granted PageNet authority to construct the proposed service on November 7, 1990.

5. Applicant's qualifications as a radiotelephone utility are a matter of record (D.85-02-059).

6. The estimated cost of the proposed service is \$30,000.

7. Applicant possesses sufficient financial resources to carry out the proposed expansion of service.

8. The proposed system is technically and financially feasible.

9. The proposed service will extend applicant's existing service into an area where applicant believes a need exists and will improve the quality and coverage of applicant's existing service.

10. Applicant will extend the terms and conditions of its existing service tariffs to the new area to be served.

11. No person has protested the proposed service.

12. The public necessity and convenience require the extension of applicant's service into and around Visalia in Tulare County.

13. A public hearing is not necessary.

Conclusions of Law

1. The application should be granted.

2. The proposal is categorically exempt from the reporting requirements of CEQA under Sections 15301 and 15303 of the State CEQA Guidelines.

3. PageNet is subject to the user fee system, as set forth in Public Utilities (PU) Code § 401 et seq. The user fee for the 1990-91 fiscal year is .10% of the revenue subject to the fee.

4. PageNet is not subject to assessment for a share of program costs for the deaf and disabled.

5. Only the amount paid to the State for operational rights may be used in fixing rates. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

6. Because there is a need for the service and there are no protests, this order should be effective today.

ORDER

IT IS ORDERED that:

1. Paging Network of San Francisco, Inc. (applicant or PageNet) is authorized to construct paging facilities at N 36° 18' 50" and W 119° 19' 06" within an existing telecommunications facility at Visalia and to provide paging and one-way radio telecommunications service.

2. Within 30 days of the effective date of this order, PageNet shall file a written acceptance of the certificate granted in this proceeding.

3. PageNet 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, charges, and rules shall be the same as those for its present paging services.

4. PageNet shall file as part of its individual tariff, after the effective date of this order and consistent with Ordering Paragraph 3, engineered service area maps drawn in conformity with the provisions of Federal Communications Commission Rule 22.504, commonly known as the "Carey Report," and consistent with Application 90-12-026.

5. PageNet 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. PageNet shall be subject to the user fee as a percentage of gross intrastate revenue under Public Utilities Code § 401 et seq.

7. The certificate granted and the authority to render service under the rates, charges, and rules authorized will expire if the certificate is not exercised within 12 months from today.

8. PageNet shall send a copy of this decision to concerned local permitting agencies not later than 30 days from the effective date of this order.

This order is effective today.

Dated February 21, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

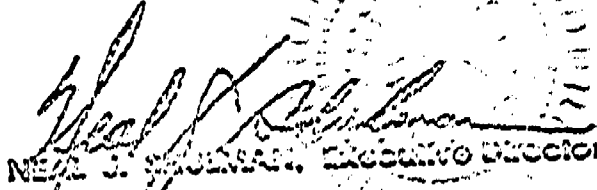
I abstain.

DANIEL WM. FESSLER
Commissioner

I abstain.

NORMAN D. SHUMWAY
Commissioner

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


NORMAN D. SHUMWAY, Executive Director
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