

APR 10 1991

Decision 91-04-019 April 10, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of AALERT PAGING COMPANY OF SAN)
 FRANCISCO, (U-2085-C), a California)
 corporation, for a certificate of)
 public convenience and necessity)
 to construct additional radio-)
 telephone utility facility pursuant)
 to Section 1001 of the Public)
 Utilities Code.)

ORIGINAL

Application 90-12-054
 (Filed December 19, 1990)

OPINION

Aalert Paging Company of San Francisco (applicant), a California corporation, is certificated to provide one-way paging and two-way mobile radiotelephone service in various areas of Northern California. Its principal place of business is Redding and it has a local office in San Francisco. Its present service area encompasses the areas surrounding Santa Rosa, Napa, Vallejo, San Rafael, San Francisco and the peninsula, San Jose, Salinas, and Monterey. It also covers the entire East Bay, the area between Elk Grove and Turlock along Interstate 5 and State Highway 99, and the greater Fresno area.

Applicant seeks authority, pursuant to Public Utilities (PU) Code § 1001, to construct additional radiotelephone facilities on 931.9875 megahertz. Once operational the additional radiotelephone facilities will merely add coverage area to applicant's existing service area in and around the cities of Santa Clara and Santa Cruz. Applicant does not intend to change any of its tarified rates, terms, or conditions as a result of its proposal.

The proposed additional radiotelephone facilities consist of additional antennas and transmitters to be located on, or in existing structures. One of the proposed antennas will be located

atop an existing building at 3031 Tisch Way, Santa Clara. The other will be located on an existing steel, self-supporting tower at Loma Prieta near Los Gatos. Applicant's transmitters will be housed in existing buildings. Applicant estimates that the total cost of acquiring and installing the new facilities will be approximately \$50,000.

Applicant is certificated by this Commission to operate as a radiotelephone utility. It is a wholly owned subsidiary of Aalert Paging Company, which owns six other radiotelephone properties. Aalert Paging Company is a wholly owned subsidiary of Citizens Utilities Company, a highly respected corporation owning telephone, electric, gas, and water utilities in many states, including California.

Applicant has received numerous requests from existing subscribers for the proposed increase in service areas. Several large subscribers have stated that increased coverage is necessary for them to continue patronizing applicant's service. Applicant alleges that the construction of the proposed additional facilities and the increase in its service area are in the public interest. The Federal Communications Commission (FCC) has authorized the construction of the proposed facilities; and copies of the FCC construction permits for the two sites are attached to the application.

Findings of Fact

1. Applicant served copies of the application on competing utilities and other entities listed in Exhibit G to the application. In addition, notice of the filing of the application appeared in the Daily Calendar on December 31, 1990. No protests have been filed. A public hearing is not necessary.

2. Applicant has obtained the FCC permits for the construction of its proposed additional radiotelephone facilities.

3. The proposed facilities are technically and economically feasible.

4. It can be seen with certainty that the proposed operation will not have a significant effect on the environment.

5. Public convenience and necessity require the granting of this application.

Conclusions of Law

1. Pursuant to PU Code § 401, et seq., applicant is subject to the system of fees used to fund the cost of regulating common carriers and business related thereto and public utilities. By Resolution M-4754 the fee level for fiscal year 1990-91 for telephone corporations was set at one-tenth of 1% (0.1%) of revenues subject to the fee. Applicant's tariffs already incorporate this surcharge.

2. The application should be granted.

3. Because this matter is not controversial, the following order should be effective immediately.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Aalert Paging Company of San Francisco (applicant) to construct and operate additional radiotelephone utility facilities in the locations described in the application.

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

3. Applicant's rates for the new service area shall be those on file in its current tariffs for radiotelephone services in other Northern California locations.

4. Applicant shall file an engineered service area map drawn in conformity with the Federal Communications Commission Rule 22.504(b)(2), consistent with its proposed service area as shown on the map in this application.

5. Applicant shall notify the Director of the Commission Advisory and Compliance Division in writing of the date service is first rendered to the public as authorized herein within 5 days after service begins.

6. The operations approved by this order shall be included in applicant's annual report, in compliance with General Order 104-A.

7. Applicant is subject to the user fee calculated as a percentage of gross intrastate revenue, under PU Code § 401, et seq.

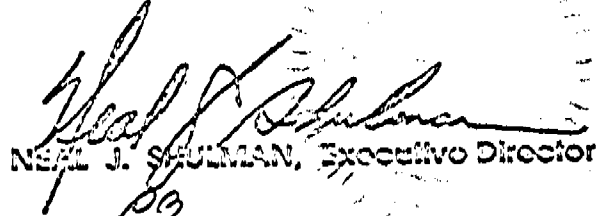
8. The certificate granted and the authority to render service under the rates, charges, and rules authorized will expire if not exercised within 12 months after the effective date of this order.

This order is effective today.

Dated April 10, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director