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Decision 92-01-013 January 10, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Dial Page, Inc., a California corporation for a certificate to construct radio-telephone utility facilities serving additional area in the San Luis Obispo area as may be required by Section 1001, et seq. of the California Public Utilities Code.

ORIGINAL

Application 91-10-022 (Filed October 10, 1991)

OPINION

Dial Page, Inc. (applicant) requests a certificate of public convenience and necessity (CPC&N) to expand its radiotelephone utility (RTU) one-way paging facilities in the San Luis Obispo area, pursuant to Public Utilities Code §1001 et seq. A map and engineering statements of the proposed service area are attached to the application as Exhibit B.

Copies of the application have been served on cities and counties within the proposed service territory and on other entities with which the proposed service is likely to compete, as listed in applicant's declaration of service attached to its application. Notice of this application appeared in the Commission's Daily Calendar of October 23, 1991. No protests to the application have been received; therefore, a public hearing is not necessary.

Applicant possesses the requisite Federal Communications Commission (FCC) permit to construct an additional base station at Cuesta Ridge, San Luis Obispo on a frequency of 152.72000 megahertz, Exhibit C to the application.

Applicant, a California corporation, is a certificated RTU which provides one-way paging service throughout its certificated service area in and around Santa Barbara.

Applicant represents that the requested expansion will benefit its present customers because applicant will be able to increase its service offering to the San Luis Obispo area.

Applicant will finance the construction and operation of its additional base station, including transmitters, antennas, transmission line, and related equipment from existing capital assets and reserves. Total capital requirement for the proposed facilities will be \$2,000. By clarification letter of November 22, 1991, applicant shows that it has sufficient funds and common equity to construct and operate the proposed facilities with a net worth of approximately \$92,000 as of October 31, 1991.

The proposed base station's control point will be staffed by applicant's own employees who are qualified technicians. The equipment and facilities will be completely automatic, utilizing the latest state-of-the-art in radio and computer-control technology.

The proposed facilities will be located on existing towers in existing antenna farms. Therefore, it can be seen with certainty that there is not any possibility that the grant of this application may have a significant effect on the environment.

The rates to be charged for applicant's proposed service are the same rates and charges for similar services that applicant presently has on file with the Commission.

Findings of Fact

1. Applicant requests a CPC&N to construct and operate RTU one-way paging facilities in the San Luis Obispo area.
2. Copies of the application were served on the cities and counties within applicant's proposed service territory and on other entities with which applicant's proposed service is likely to compete.
3. Notice of the application appeared in the Commission's Daily Calendar of October 23, 1991.
4. No protest to the application has been received.

5. Applicant possesses the requisite FCC permit.
6. Applicant is a certificated RTU.
7. Public convenience and necessity require the granting of this application, to be effective on the date signed.
8. The proposed operation is technically and economically feasible.
9. It can be seen with certainty that there is no possibility that the grant of this application may have a significant effect on the environment.

Conclusion of Law

The application should be granted.

Only the amount paid to the State for operating rights may be used in rate-fixing. The State may grant any number of rights and may cancel or modify the monopoly features of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Dial Page, Inc. (applicant) to construct and operate a one-way radiotelephone public utility with a base station facility located at Cuesta Ridge, San Luis Obispo (Lat. 35° 21' 38" N, Long. 120° 39' 21" W) and a service area as shown in Exhibit B to Application (A.) 91-10-022.
2. Within 30 days after this order is effective, applicant shall file a written acceptance of the certificate granted in this proceeding.
3. Applicant 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 and

charges shall be the same as for similar services that applicant presently has on file with the Commission.

4. Applicant shall file as part of its individual tariff, after the effective date of this order and, consistent with Ordering Paragraph 3, an engineered service area map drawn in conformity with the provisions of Federal Communications Commission Rule 22.504, commonly known as the "Carey Report," and consistent with Exhibit B to A.91-10-022.

5. Applicant shall notify the Commission's 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. The corporate identification number assigned to applicant is U-2015-C which should be included in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

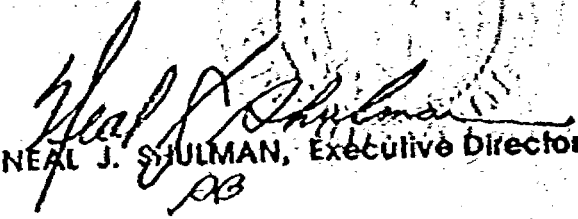
7. The certificate granted and the authority to render service under the rates, charges, and rules authorized will expire if not exercised within 12 months after the effective date of this order.

8. Applicant shall provide a copy of this decision to concerned local permitting agencies not later than 30 days from today.

9. A.91-10-022 is closed.
This order is effective today.
Dated January 10, 1992, at San Francisco, California.

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

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


NEAL J. SCHULMAN, Executive Director
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