

Decision 84 01 047 JAN 19 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
 United Business Services, Inc., dba
 United Radiophone System, a
 California corporation, for a
 certificate to construct additional
 radio-telephone utility facilities
 as may be required by Section 1001,
 et seq. of the California Public
 Utilities Code.

Application 83-10-21
 (Filed October 14, 1983)

O P I N I O N

Applicant United Business Services, Inc., dba United Radiotelephone System, a California corporation, requests a certificate of public convenience and necessity to construct and operate facilities to provide two-way mobile radiotelephone and one-way paging service in the San Francisco Bay Area. Notice of filing the application appeared in the Commission's Daily Calendar of October 25, 1983. The application shows that it was served on Beepercall, Central Radio Telephone, Inc., Intrastate Radio Telephone, Inc., Tel-Page, Inc., and the various cities and counties within the proposed service area. No protests to the application have been received. Applicant possesses the requisite Federal Communication Commission (FCC) construction permits to engage in the proposed operations.

Since 1974 applicant has been providing two-way mobile radiotelephone and one-way paging service to an area encompassing portions of Marin, Napa, Sonoma, Contra Costa, Alameda, and San Francisco Counties from radio transmitters located at San Rafael Hill, San Rafael, using frequencies of 454.050 megahertz (MHz) and 152.02 MHz. Its control point is located in the City of San Rafael. It serves 765 customers.

For the year ended June 30, 1983 applicant had income from various sources, including radio air service of \$401,367 and a net profit before income taxes of \$5,549. On that date it had a net worth of \$116,547.

Applicant intends to establish the following base stations:

1. San Rafael Hill
At the end of Chula Vista Drive
San Rafael, California
With base frequency of 35.3 megahertz
Providing one-way paging service
2. Round Top Peak
Twelve and one-half miles northeast
of Oakland, California
With base frequency of 35.3 megahertz
Providing one-way paging service
3. Mt. Barham
Five and one-half miles northeast of the
Santa Rosa post office
Santa Rosa, California
With base frequency of 35.3 megahertz
Providing one-way paging service
4. Big Rock
Four miles southwest of Novato
Novato, California
With base frequency of 35.3 megahertz
Providing one-way paging service; and
With base frequency of 454.05 megahertz
Providing two-way radio-telephone
service
5. San Bruno Mountain
KBRG Building, Radio Road near San Francisco
Daly City, California
With base frequency of 35.3 megahertz
Providing one-way paging service

The base stations will be connected to the control station by microwave link. Applicant estimates the cost to install the five base stations and the microwave link to be approximately \$53,920. The proposed service area generally represents a strip along the coast approximately 50 miles wide extending from Redwood City on the south to Lytton on the north. Applicant alleges the proposed

operations will be technically and economically feasible and that the proposed operations represent a modest extension of its present service area. Applicant states that it has adequate personnel to operate the proposed facilities.

Attached to the application are signed statements from thirty-six persons supporting the application. Each of the signatories believe that the proposed service will be useful to them and will subscribe to it once the service is instituted. Some of the occupations represented by the signatories are: airline pilot, building services, real estate sales, painting contractor, family mediation, restaurant repair, physician, bakery equipment service, veterinarian, truck broker, board and care home, irrigation service, stereo repair, on-call trucking, automotive equipment sales, radio sales and service, forensic toxicology, ambulance service, carpet cleaning, and landscape contractor.

Findings of Fact

1. Applicant requests a certificate to expand its two-way mobile radiotelephone and one-way paging service in the San Francisco Bay Area.
2. Applicant possesses the requisite FCC permits.
3. Applicant has engaged in providing radiotelephone service since approximately 1974.
4. As of June 30, 1983 applicant had a net worth of \$116,547.
5. Applicant intends to establish approximately five base stations as more particularly set out in the application.
6. The proposed service area is contained in a coastal strip approximately 50 miles wide extending on the south from Redwood City to Lytton on the north.
7. Estimated cost of construction of the subject facilities, including a microwave link, is \$53,920.
8. Applicant possesses the necessary personnel to operate the proposed facilities.

9. Thirty-six persons who represent a variety of occupations support the application, believe the proposed service will be useful to them, and will subscribe to the service.

10. The proposed operations are technically and economically feasible.

11. Applicant is financially fit to perform the proposed service.

12. Public convenience and necessity require the granting of the application.

13. No protests have been received. A public hearing is not necessary.

14. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

The application should be granted.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature 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 United Business Services, Inc. (applicant) to construct and operate a public utility radiotelephone system providing one-way paging and two-way mobile radiotelephone service with base station locations and a service area as follows:

Base station locations:

1. San Rafael Hill, lat. $37^{\circ} 58' 49''$ N., long. $122^{\circ} 31' 39''$ W.
2. Round Top Peak, lat. $37^{\circ} 51' 00''$ N., long. $122^{\circ} 11' 30''$ W.
3. Mt. Barham, lat. $38^{\circ} 30' 31''$ N., long. $122^{\circ} 39' 41''$ W.
4. Big Rock, $38^{\circ} 03' 33''$ N., long. $122^{\circ} 39' 41''$ W.

5. San Bruno Mountain, Lat. $37^{\circ} 41' 20''$ N.,
long. $122^{\circ} 11' 30''$ W.

Service area:

As shown on Attachment D to Application 83-10-21.

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 Ordering Paragraph 2, tariffs applicable to the service authorized containing rates, rules, and charges otherwise applicable to its radiotelephone services. This filing shall comply with General Order 96-A. The tariffs shall become effective on not less than 10 days' notice.

4. Applicant shall file, after the effective date of this order and in compliance with Ordering Paragraph 2, as part of its individual tariff, an engineered service area map drawn in conformity with the provisions of the Federal Communications Commission Rule 22.504, commonly known as the "Carey Report," and consistent with Attachment D to A.83-10-21.

5. Applicant shall notify this Commission, in writing, of the date service is first rendered the public under the rates, rules, and charges authorized within 5 days after service begins.

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

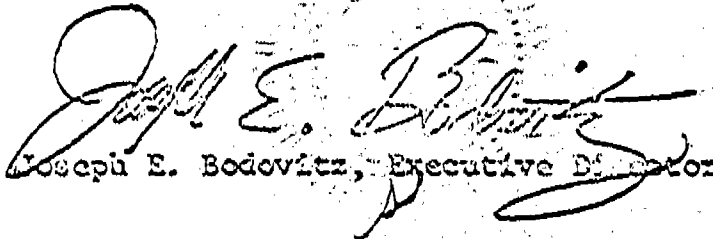
This order becomes effective 30 days from today.

Dated JAN 19 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director