

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission Advisory & Compliance Division  
Telecommunications Branch

RESOLUTION T-13089  
Date September 7, 1989

R E S O L U T I O N

RESOLUTION T-13089. Butte County Cellular License Corporation (U-3022-C). Approval of Contract for the provision of Cellular Telecommunications Service to the County of Butte.

BY ADVICE LETTER No. 7, FILED ON June 12, 1989.

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SUMMARY

Approval of a contract for provision of Cellular Telecommunications Service to the County of Butte by Butte County Cellular License Corporation (U-3022-C) is granted pursuant to Commission General Order No. (G.O.) 96-A, Section X.A, "Contracts and Services at other than Filed Tariff Schedules: General Requirements and Procedure." The Contract was filed with the Telecommunications Branch of the Commission Advisory and Compliance Division on June 12, 1989, and served on competing and adjacent utilities. No protests were received.

BACKGROUND

A contract for the provision of Cellular Telecommunications Service to the County of Butte was filed by Butte County Cellular License Corporation (BCCLC) a non-wireline cellular carrier licensed in the Greater Chico Metropolitan Statistical Area. Services will be provided to the County of Butte in accordance with the carrier's Retail Tariffs on file with the Commission and at prices specified in Schedule A attached to the Contract. A copy of the Contract is attached as Appendix A to this Resolution.

DISCUSSION

The prices and terms specified in Schedule A of the Contract deviate from the prices and terms specified in the Retail tariffs of the carrier on file with the Commission. The Retail tariffs provide for a monthly access charge of \$30.00 for a cellular telephone number. The Contract provides for a monthly access charge ranging from \$27.00 to \$22.00, depending on the total number of lines activated. The Retail tariffs provide for an airtime usage charge of \$.35/min during peak period, and \$.25/min during off-peak; while the Contract charges range from

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\$.28/min to \$.23/min during peak period, and \$.24/min to \$.17/min during off-peak.

The Contract will be for an initial period of three years, subject to renewal by mutual agreement in writing on a yearly basis.

Previously, G.O No. 96-A, Section X consisted of two parts; X.A and X.B. Section X.B, "Government Agencies" contained a provision authorizing utilities to furnish service to any government agency at free or reduced rates. By Decision D.88-09-059, dated September 28, 1988, the provisions of Section X.B was modified to exclude all telephone corporations, which include cellular carriers and resellers. A petition to modify this decision has been filed by parties representing cellular utilities. Until the Commission rules on that petition, all contracts for cellular service are to be filed under Commission G.O. 96-A, Section X.A.

PROTESTS

No protests were received.

FINDINGS

The Commission finds the rates and terms of the Contract to be reasonable. No protests regarding this contract from competing and adjacent utilities have been received within the 20 day protest period in accordance with Section X of Commission's General Order 96-A.

THEREFORE, IT IS ORDERED that:

The Contract for Cellular Telecommunications Service with the County of Butte filed by Butte County Cellular License Corporation on June 12, 1989, is made effective today.

The contract will be for three years; renewable on a yearly basis pending Commission approval per G.O. 96A Section X.A.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on September 7, 1989. The following Commissioners approved it:

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

*Wesley Franklin*  
WESLEY FRANKLIN  
Acting Executive Director

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**BACKGROUND**

A contract for the provision of Cellular Telecommunications Service to the County of Butte was filed by Butte County Cellular License Corporation (BCCLC) a non-wireline cellular carrier licensed in the Greater Chico Metropolitan Statistical Area. Services will be provided to the County of Butte in accordance with the carrier's Retail Tariffs on file with the Commission and at prices specified in Schedule A attached to the Contract. A copy of the Contract is attached as Appendix A to this Resolution.

**DISCUSSION**

The prices and terms specified in Schedule A of the Contract deviate from the prices and terms specified in the Retail tariffs of the carrier on file with the Commission. The Retail tariffs provide for a monthly access charge of \$30.00 for a cellular telephone number. The Contract provides for a monthly access charge ranging from \$27.00 to \$22.00, depending on the total number of lines activated. The Retail tariffs provide for an airtime usage charge of \$.35/min during peak period, and \$.25/min during off-peak; while the Contract charges range from

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\$.28/min to \$.23/min during peak period, and \$.24/min to \$.17/min during off-peak.

The Contract will be for an initial period of three years, subject to renewal by mutual agreement in writing on a yearly basis.

Previously, G.O No. 96-A, Section X consisted of two parts: X.A and X.B. Section X.B, "Government Agencies" contained a provision authorizing utilities to furnish service to any government agency at free or reduced rates. By Decision D.88-09-059, dated September 28, 1988, the provisions of Section X.B was modified to exclude all telephone corporations, which include Cellular carriers and resellers. A petition to modify this decision has been filed by parties representing cellular utilities. Until the Commission rules on that petition, all contracts for cellular service are to be filed under Commission G.O. 96-A, Section X.A.

PROTESTS

No protests were received.

FINDINGS

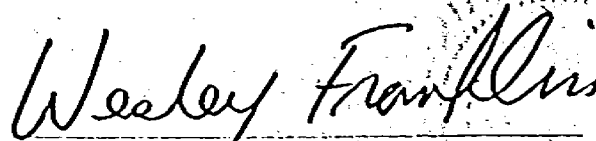
The Commission finds the rates and terms of the Contract to be reasonable. No protests regarding this contract from competing and adjacent utilities have been received within the 20 day protest period in accordance with Section X of Commission's General Order 96-A.

THEREFORE, IT IS ORDERED that:

The Contract for Cellular Telecommunications Service with the County of Butte filed by Butte County Cellular License Corporation on June 12, 1989, is made effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on September 7, 1989. The following Commissioners approved it:

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