

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission Advisory & Compliance Division
Telecommunications BranchRESOLUTION T-14011
Date November 3, 1989

R E S O L U T I O N

RESOLUTION T-14011. GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP (U-3002-C). REQUEST FOR AUTHORITY TO EXTEND ITS CELLULAR RADIO TELECOMMUNICATIONS SERVICE IN SAN LUIS OBISPO RURAL SERVICE AREA.

BY ADVICE LETTER No. 19, FILED ON SEPTEMBER 8, 1989.

SUMMARY

This resolution authorizes GTE Mobilnet of California Limited Partnership (GTE) to provide cellular radio telecommunications service in the San Luis Obispo Rural Service Area. The request was filed with the Telecommunications Branch of the Commission Advisory and Compliance Division on September 8, 1989, and served on competing and adjacent utilities. A protest was filed by Western Cellular Management on September 22, 1989. The utility has replied to the protest. The protest has been dismissed.

BACKGROUND

GTE is a facilities-based carrier that provides wholesale, as well as retail rates for cellular radio telephone service in the greater San Francisco, San José, Vallejo-Fairfield-Napa, Santa Rosa-Petaluma, Santa Cruz, and Salinas-Seaside-Monterey Metropolitan Statistical Areas.

GTE has filed Advice Letter No. 19 to make changes to its tariffs to add the San Luis Obispo Rural Service Area (RSA) to its existing service area. San Luis Obispo is not currently served by a cellular service provider, but is contiguous to GTE's existing service area.

DISCUSSION

The San Luis Obispo RSA is not incorporated in GTE's Local Calling Area, but is adjacent to the Salinas-Seaside-Monterey MSA. Therefore, customers in the San Luis Obispo RSA will incur GTE's roaming charges when they enter any of GTE's other service areas. GTE defines its Local Calling Area as those Geographical Service Areas of San Francisco, San José, Vallejo-Fairfield-

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Napa, Santa Rosa-Petaluma, Santa Cruz and Salinas-Seaside-Monterey. However, by means of an agreement with GTE Mobilnet of Santa Barbara, Limited Partnership (GTE SB), these customers will not incur roaming charges when they enter GTE SB's Local Calling Area, which extends through the San Luis Obispo RSA.

GTE and GTE SB have limited partnerships with GTE Mobilnet, Incorporated. In the agreement mentioned, GTE will provide cellular service in the San Luis Obispo RSA through the use of GTE SB's cellular switching facilities.

PROTESTS

A protest was filed by Western Cellular Services, Inc. (Western) on September 22, 1989. Western is the entity designated by the Federal Communications Commission (FCC) to serve as the "non-wireline" cellular carrier in the San Luis Obispo RSA. Western is presently waiting for its authorization from the FCC, and is preparing an application for a Certificate of Public Convenience and Necessity to be filed with the Commission.

Western's primary protest is that it is unclear on which entity holds the "wireline permit" for the San Luis Obispo RSA. It claims that GTE Mobilnet, Inc., GTE's general partner, is the FCC approved entity to construct the appropriate wireline facilities, not GTE.

GTE responded to the protest by explaining that while the application for an FCC permit to construct a "wireline" cellular system in the San Luis Obispo RSA was originally filed by GTE Mobilnet, Inc., the application was subsequently amended to reflect that GTE is the actual licensee. GTE received its FCC permit on September 29, 1989.

FINDINGS

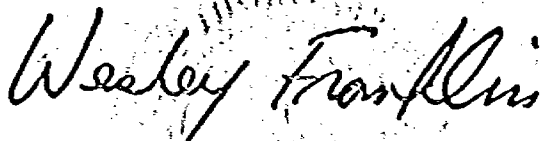
We find the conditions of this filing to be just and reasonable. The protest of Western Cellular Services, Inc. is dismissed.

THEREFORE, IT IS ORDERED that:

This request for GTE Mobilnet of California Limited Partnership to provide cellular radio telecommunications service in the San Luis Obispo Rural Service Area is made effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on November 3, 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
Acting Executive Director