

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
TELECOMMUNICATIONS BRANCH

RESOLUTION T-14092
Date May 29, 1990

R E S O L U T I O N

RESOLUTION T-14092. STOCKTON CELLULAR TELEPHONE COMPANY (CIS ID NO. U-3012-C). ORDER AUTHORIZING THE ADDITION OF A NEW CELL SITE IN THE STOCKTON METROPOLITAN STATISTICAL AREA.

BY ADVICE LETTER NO. 22, FILED ON APRIL 20, 1990.

SUMMARY

Stockton Cellular Telephone Company (SCTC), by Advice Letter No. 22, filed on April 20, 1990 requests authority under the provisions of General Order 159 (G.O. 159) and Decision No. 90-03-080 (March 28, 1990) to add a new cellular radiotelephone cell site to its existing cellular system serving the Stockton Metropolitan Statistical Area. This Resolution authorizes the construction of the new cell site, known as the Tracy site, located at 6245 West California Avenue, Tracy, California. No protests to this Advice Letter have been filed.

BACKGROUND

In Decision No. 90-03-080, the Commission adopted G.O. 159 which prescribes rules relating to the planning and construction of expansion and in-fill cellular radiotelephone facilities in California. Under G.O. 159, a cellular utility must obtain authorization from the Commission prior to the construction of cellular facilities not described in its application for a certificate of public convenience and necessity.

G.O. 159 sets forth a process and requirements for the filing of advice letters requesting authorization to construct additional cellular facilities. A cellular utility must file an advice letter requesting authorization to construct after it has received all approvals required by governmental agencies which have jurisdiction over the proposed construction, or would have jurisdiction absent the Commission's preemption.

DISCUSSION

Advice Letter No. 22 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

SCTC has obtained permits or approvals from the following governmental entities and assert that these entities comprise all governmental entities that have jurisdiction over the proposed construction (with the exception of the California Public Utilities Commission): the County of San Joaquin, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed construction will be located at 6245 West California Avenue in Tracy, California and is known as the Tracy site. The Tracy site is located in an agricultural area surrounded by farmland and is accessible by a 15' x 30' gravel driveway built by SCTC. The site will consist of twelve directional antennas and up to four microwave dishes mounted on a 150-foot steel monopole. In addition, there will be one 12' x 28' x 11' concrete and steel modular building covering 330 square feet. The tower and equipment building will be surrounded by one 6-foot chain link fence.

The Tracy site will become part of SCTC's cellular system serving the Stockton Metropolitan Statistical Area.

PROTESTS

No protests have been filed on SCTC's Advice Letter No. 22.

FINDINGS

1. On April 20, 1990, Sacramento Cellular Telephone Company filed Advice Letter No. 22 requesting Commission authorization to construct the Tracy cell site located at 4625 West California Avenue in Tracy, California.
2. Decision 90-03-080 adopts G.O. 159 which sets forth certain requirements for the filing of advice letters requesting authorization to construct cellular radiotelephone facilities not described in a utility's certificate of public convenience and necessity.
3. Advice Letter No. 22 conforms to the requirements of Decision 90-03-080 and G.O. 159.
4. A SCTC officer signed a declaration which states that SCTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 22.
5. Advice Letter No. 22 lists the following entities which have jurisdiction over the proposed construction of the Tracy cell site: the County of San Joaquin, the Federal

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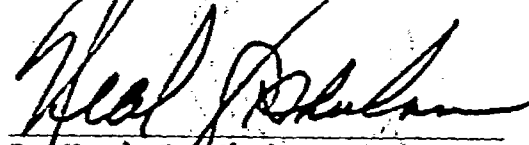
Aviation Administration, and the Federal Communications Commission.

6. Advice Letter No. 22 indicates that the County of San Joaquin, the Federal Aviation Administration, and the Federal Communications Commission comprise all governmental entities that have jurisdiction over the proposed construction of the Tracy cell site.

THEREFORE, IT IS ORDERED that:

- (1) Sacramento Cellular Telephone Company's request for authority to construct the Tracy cell site is granted.
- (2) The effective date of this resolution is May 29, 1990.

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By Neal J. Shulman
Executive Director