

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION T-14151  
Date: August 23, 1990

R E S O L U T I O N

RESOLUTION T-14151. LOS ANGELES SMSA LIMITED PARTNERSHIP. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL SITE IN THE LOS ANGELES METROPOLITAN AREA.

BY ADVICE LETTER NO. 70, FILED ON JULY 23, 1990.

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SUMMARY

Los Angeles SMSA Limited Partnership (LASLP), by Advice Letter No. 70, filed on July 23, 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 Los Angeles Metropolitan Area. This Resolution authorizes the construction of the new cell site, known as the Orange (Margolin) site, located at 1922 E. Chapman Avenue, Orange, CA 92666. No protests to this Advice Letter have been filed.

BACKGROUND

Under G.O. 159 (D.90-03-080), a cellular utility must obtain authorization from the Commission before construction of cellular facilities not described in its application for a certificate of public convenience and necessity. A cellular utility must file an advice letter requesting authorization to construct after it has received all approvals for the proposed construction required by any governmental agencies with jurisdiction over the proposed construction, or which would have jurisdiction absent the Commission's preemption.

DISCUSSION

Advice Letter No. 70 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities. Authority to construct the original facility, a certificate of public convenience and necessity, was granted to LASLP by Decision 87-04-014.

LASLP has obtained permits or approvals from the following governmental entities and asserts that these entities comprise all governmental entities that have jurisdiction over the proposed construction (with the exception of the California

Resolution (T14151)  
Effective (8/23/90)

Public Utilities Commission); the City of Orange, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed construction will be located at 1922 E. Chapman Avenue, Orange, CA 92666 and is known as the Orange (Margolin) site. It will consist of construction and maintenance of a 12' x 25' underground vault to house electrical radio and power equipment. Also involved in the project is the placement of a 60' wood utility pole.

The Orange (Margolin) site will become part of LASLP's cellular system serving the Los Angeles Metropolitan Area.

Public notice that Los Angeles SMSA Limited Partnership filed Advice Letter No. 70 requesting authority to construct the Orange (Margolin) site appeared in the California Public Utilities Commission's July 25, 1990 Daily Calendar. In addition, copies of LASLP's Advice Letter No. 70 were mailed in accordance with the Commission's General Order No. 96-A, Section III. G, to competing utilities either privately or publicly owned, adjacent utilities either privately or publicly owned, utilities having requested such notification, and other interested parties having requested such notification.

#### PROTESTS

No protests have been filed on LASLP's Advice Letter No. 70.

#### FINDINGS

1. On July 23, 1990, Los Angeles SMSA Limited Partnership filed Advice Letter No. 70 requesting Executive authorization to construct the Orange (Margolin) cell site located at 1922 E. Chapman Avenue, Orange, CA 92666.
2. The Orange (Margolin) site represents an additional cellular radiotelephone facility not described in Decision 87-04-014, granting LASLP a certificate of public convenience and necessity.
3. 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.
4. Advice Letter No. 70 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A LASLP officer signed a declaration which states that LASLP has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 70.

Resolution (T14151)  
Effective (8/23/90)

6. Advice Letter No. 70 lists the following entities which have jurisdiction over the proposed construction of the Orange (Margolin) cell site: the City of Orange, the Federal Aviation Administration, and the Federal Communications Commission.

THEREFORE, IT IS ORDERED that:

- (1) Los Angeles SMSA Limited Partnership's request for authority to construct the Orange (Margolin) cell site is granted.
- (2) The effective date of this resolution is August 23, 1990.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

  
By Neal J. Shulman  
Executive Director