

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION T-14169  
Date: September 21, 1990

R E S O L U T I O N

RESOLUTION T-14169. BAY AREA CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL SITE IN THE SAN FRANCISCO/SAN JOSE CELLULAR GEOGRAPHIC SERVICE AREA.

BY ADVICE LETTER NO. 53, FILED ON AUGUST 21, 1990.

---

SUMMARY

Bay Area Cellular Telephone Company (BACTC), by Advice Letter No. 53, filed on August 21, 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 San Francisco/San Jose Cellular Geographic Service Area. This Resolution authorizes the construction of the new cell site, known as the San Francisco (#70) site, located at 520 Third Street, San Francisco, California 94107. 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. 53 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 BACTC by Decision D.86-05-010.

BACTC has obtained permits or approvals from the following governmental entities and asserts that these entities comprise

Resolution (T-14169)  
Effective (9/21/90)

BACTC 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 Public Utilities Commission): the City and County of San Francisco.

The proposed construction will be located at 520 Third Street, San Francisco, California 94107 and is known as the San Francisco (#70) site. It will consist of nine cellular antennas mounted on the penthouse walls of an existing five-story building: three antennas each on the northwest, northeast and south walls. The antennas will extend two feet above the top of the penthouse. In addition, an equipment room will be placed in suite 507 on the fifth floor of the building. Power will be supplied from an existing building switchgear located on the first floor. New electrical wiring will be installed from the switchgear to the equipment room.

The San Francisco (#70) site will become part of BACTC's cellular system serving the San Francisco/San Jose Cellular Geographic Service Area.

Public notice that Bay Area Cellular Telephone Company filed Advice Letter No. 53 requesting authority to construct the San Francisco (#70) site appeared in the California Public Utilities Commission's August 24, 1990 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 53 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 BACTC's Advice Letter No. 53.

#### FINDINGS

1. On August 21, 1990, Bay Area Cellular Telephone Company filed Advice Letter No. 53 requesting Executive authorization to construct the San Francisco (#70) cell site located at 520 Third Street, San Francisco, California 94107.
2. The San Francisco (#70) site represents an additional cellular radiotelephone facility not described in Decision D.86-05-010, granting BACTC 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

Resolution (T-14169)  
Effective (9/21/90)

facilities not described in a utility's certificate of public convenience and necessity.

4. Advice Letter No. 53 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A BACTC officer signed a declaration which states that BACTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 53.
6. Advice Letter No. 53 lists the following entities which have jurisdiction over the proposed construction of the San Francisco (#70) cell site: the City and County of San Francisco.

THEREFORE, IT IS ORDERED that:

- (1) Bay Area Cellular Telephone Company's request for authority to construct the San Francisco (#70) cell site is granted.
- (2) The effective date of this resolution is September 21, 1990.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

  
By NEAL J. SHULMAN  
Executive Director