

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14183
Date: October 7, 1990

R E S O L U T I O N

RESOLUTION T-14183. BAKERSFIELD CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL SITE IN THE Bakersfield Cellular Geographic Service Area.

BY ADVICE LETTER NO. 12, FILED ON September 7, 1990.

SUMMARY

BAKERSFIELD CELLULAR TELEPHONE COMPANY (BAKERSFIELD), by Advice Letter No. 12, filed on September 7, 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 Bakersfield Cellular Geographic Service Area. This Resolution authorizes the construction of the new cell site, known as the Bakersfield Cellular Site No. 6, located at Highway 58, Pajuela Peak, CA. 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.

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DISCUSSION

Advice Letter No. 12 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

BAKERSFIELD 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 Federal Aviation Administration, The County of Kern.

The proposed construction will be located at Highway 58, Pajuela Peak, CA and is known as the Bakersfield Cellular Site No. 6 site. It will consist of a 360 square foot, one-story equipment building and a 75 foot monopole antenna structure

The Bakersfield Cellular Site No. 6 will become part of BAKERSFIELD's cellular system serving the Bakersfield Cellular Geographic Service Area.

Public notice that BAKERSFIELD CELLULAR TELEPHONE COMPANY filed Advice Letter No. 12 requesting authority to construct the Bakersfield Cellular Site No. 6 appeared in the California Public Utilities Commission's September 12, 1990 Daily Calendar. In addition, copies of BAKERSFIELD's Advice Letter No. 12 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 BAKERSFIELD's Advice Letter No. 12.

FINDINGS

1. On September 7, 1990, BAKERSFIELD CELLULAR TELEPHONE COMPANY filed Advice Letter No. 12 requesting Executive authorization to construct the Bakersfield Cellular Site No. 6 located at Highway 58, Pajuela Peak, CA.
2. The Bakersfield Cellular Site No. 6 represents an additional cellular radiotelephone facility not described in D.88-01-017, granting BAKERSFIELD 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

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- facilities not described in a utility's certificate of public convenience and necessity.
4. Advice Letter No. 12 conforms to the requirements of Decision 90-03-080 and G.O. 159.
 5. A BAKERSFIELD officer signed a declaration which states that BAKERSFIELD has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 12.
 6. Advice Letter No. 12 lists the following entities which have jurisdiction over the proposed construction of Bakersfield Cellular Site No. 6: The Federal Aviation Administration, the County of Kern.
 7. Advice Letter No. 12 states that The Federal Aviation Administration and the County of Kern comprise all governmental entities that have jurisdiction over the proposed construction of Bakersfield Cellular Site No. 6.

THEREFORE, IT IS ORDERED that:

- (1) BAKERSFIELD CELLULAR TELEPHONE COMPANY's request for authority to construct Bakersfield Cellular Site No. 6 is granted.
- (2) The effective date of this resolution is October 7, 1990.

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By NEAL J. SHULMAN
Executive Director