

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14193
Date: November 9, 1990

R E S O L U T I O N

RESOLUTION T-14193. GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL SITE IN GTEM-CA'S CELLULAR GEOGRAPHIC SERVICE AREA.

BY ADVICE LETTER NO. 46, FILED ON OCTOBER 9, 1990.

SUMMARY

GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP (GTEM-CA, Ltd.), by Advice Letter No. 46, filed on October 9, 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 GTEM-CA's Cellular Geographic Service Area. This Resolution authorizes the construction of the new cell site, known as the Sunnyvale site, located at 220 West Ahwanee Avenue, Sunnyvale, 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.

DISCUSSION

Advice Letter No. 46 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

GTEM-CA, Ltd. 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): City of Sunnyvale, FAA, FCC.

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The proposed construction will be located at 220 West Ahwanee Avenue, Sunnyvale, CA and is known as the Sunnyvale site. It will consist of radio transmitting and receiving equipment to be installed on the third floor of Building B, Lockaway Storage, and a panel antenna on the roof of Building A, Lockaway Storage.

The Sunnyvale site will become part of GTEM-CA, Ltd.'s cellular system serving GTEM-CA's Cellular Geographic Service Area.

Public notice that GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP filed Advice Letter No. 46 requesting authority to construct the Sunnyvale site appeared in the California Public Utilities Commission's October 12, 1990 Daily Calendar. In addition, copies of GTEM-CA, Ltd.'s Advice Letter No. 46 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 GTEM-CA, Ltd.'s Advice Letter No. 46.

FINDINGS

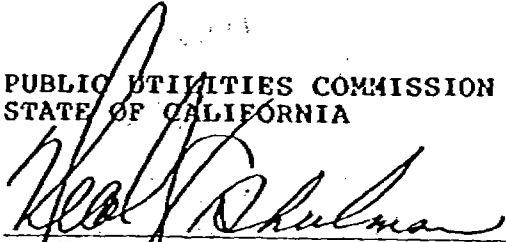
1. On October 9, 1990, GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP filed Advice Letter No. 46 requesting Executive authorization to construct the Sunnyvale cell site located at 220 West Ahwanee Avenue, Sunnyvale, CA.
2. The Sunnyvale site represents an additional cellular radiotelephone facility not described in D.84-11-029, granting GTEM-CA, Ltd. 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. 46 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A GTEM-CA, Ltd. officer signed a declaration which states that GTEM-CA, Ltd. has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 46.
6. Advice Letter No. 46 lists the following entities which have jurisdiction over the proposed construction of the Sunnyvale cell site: City of Sunnyvale, FAA, FCC.

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IT IS ORDERED that:

- (1) GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP's request for authority to construct the Sunnyvale cell site is granted.
- (2) The effective date of this resolution is November 9, 1990.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director