

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-14249
Telecommunications Branch Date: December 12, 1990

R E S O L U T I O N

RESOLUTION T-14249. 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. 59, FILED ON OCTOBER 4, 1990.

SUMMARY

Bay Area Cellular Telephone Company (BACTC), by Advice Letter No. 59, filed on October 4, 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 Hercules Cell Site No. 101, located at the Cummings Skyway, Crockett, California. 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. 59 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

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

Resolution T-14249
Effective December 12, 1990

Public Utilities Commission); the County of Contra Costa, and the Federal Communications Commission.

The proposed construction will be located at the Cummings Skyway, Crockett, California and is known as the Hercules Cell Site No. 101. It will consist of a 320 square foot premanufactured equipment shelter on which six (6) cellular antennas will be mounted. Three (3) antennas will be mounted on each of the northwest and southeast sides of the shelter's roof. Additionally, one microwave dish, which is twenty-seven (27) inches in diameter, will be mounted on the south side of the shelter's roof, extending approximately two feet above the roof. The premanufactured shelter will be placed on a foundation that will extend from sixteen (16) inches below ground level to eight (8) inches above ground level. Power will be supplied by an overhead feed from an existing pole to a meter box to be located in the shelter.

The Hercules Cell Site No. 101 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. 59 requesting authority to construct the Hercules Cell Site No. 101 appeared in the California Public Utilities Commission's October 9, 1990 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 59 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. 59.

FINDINGS

1. On October 4, 1990, Bay Area Cellular Telephone Company filed Advice Letter No. 59 requesting Executive authorization to construct the Hercules Cell Site No. 101 cell site located at the Cummings Skyway, Crockett, California.
2. The Hercules Cell Site No. 101 represents an additional cellular radiotelephone facility not described in 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

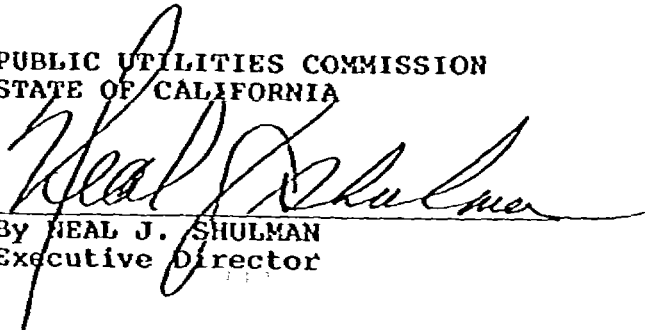
Resolution T-14249
Effective December 12, 1990

- facilities not described in a utility's certificate of public convenience and necessity.
4. Advice Letter No. 59 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. 59.
 6. Advice Letter No. 59 lists the following entities which have jurisdiction over the proposed construction of the Hercules Cell Site No. 101: the County of Contra Costa, and the Federal Communications Commission.

THEREFORE, IT IS ORDERED that:

- (1) Bay Area Cellular Telephone Company's request for authority to construct the Hercules Cell Site No. 101 is granted.
- (2) The effective date of this resolution is December 12, 1990.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director