

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14278
Date: December 29, 1990

R E S O L U T I O N

RESOLUTION T-14278. SACRAMENTO-VALLEY LIMITED PARTNERSHIP. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL SITE IN THE SACRAMENTO-VALLEY METROPOLITAN AREA.

BY ADVICE LETTER NO. 46, FILED ON NOVEMBER 28, 1990.

SUMMARY

SACRAMENTO-VALLEY LIMITED PARTNERSHIP (SVLP), by Advice Letter No. 46, filed on November 28, 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 Sacramento-Valley Metropolitan Area. This Resolution authorizes the construction of the new cell site, known as the Clements site, located at 18001 East Kettleman, Lodi, CA, 95240. 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.

SVLP 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 County of San Joaquin, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed construction will be located at 18001 East Kettleman, Lodi, CA, 95240 and is known as the Clements site.

Resolution T-14278
Effective December 29, 1990

It will consist of a 195-foot lattice tower and equipment shelter

The Clements site will become part of SVLP's cellular system serving the Sacramento-Valley Metropolitan Area.

Public notice that SACRAMENTO-VALLEY LIMITED PARTNERSHIP filed Advice Letter No. 46 requesting authority to construct the Clements site appeared in the California Public Utilities Commission's November 30, 1990 Daily Calendar. In addition, copies of SVLP'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 SVLP's Advice Letter No. 46.

FINDINGS

1. On November 28, 1990, SACRAMENTO-VALLEY LIMITED PARTNERSHIP filed Advice Letter No. 46 requesting Executive authorization to construct the Clements cell site located at 18001 East Kettleman, Lodi, CA, 95240.
2. The Clements site represents an additional cellular radiotelephone facility not described in D.85-05-041, granting SVLP 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 SVLP officer signed a declaration which states that SVLP 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 Clements cell site: the County of San Joaquin, the Federal Aviation Administration, and the Federal Communications Commission.

Resolution T-14278
Effective December 29, 1990

THEREFORE, IT IS ORDERED that:

- (1) SACRAMENTO-VALLEY LIMITED PARTNERSHIP's request for authority to construct the Clements cell site is granted.
- (2) The effective date of this resolution is December 29, 1990.

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By NEAL J. SHULMAN
Executive Director