

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14360
Date: March 8, 1991

R E S O L U T I O N

RESOLUTION T-14360. CALIFORNIA 9 CELLULAR CORPORATION.
EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL
SITE IN THE MENDOCINO CELLULAR GEOGRAPHICAL STATISTICAL
AREA.

BY ADVICE LETTER NO. 2, FILED ON FEBRUARY 8, 1991.

SUMMARY

CALIFORNIA 9 CELLULAR CORPORATION (C9CC), by Advice Letter No. 2, filed on February 8, 1991, 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 Mendocino Cellular Geographical Statistical Area. This Resolution authorizes the construction of the new cell site, known as C9CC site No. 3, located at 22501 Bald Hill Road, Fort Bragg, CA. No protests to this Advice Letter have been received.

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 the decision granting the 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. 2 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

C9CC site No. 3 represents an additional cellular radiotelephone facility not described in D.90-07-061, granting C9CC a certificate of public convenience and necessity.

C9CC 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 Mendocino, the Federal Aviation Administration, the Federal Communications Commission.

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The proposed construction will be located at 22501 Bald Hill Road, Fort Bragg, CA and is known as C9CC site No. 3. It will consist of antennas mounted on a 60-foot support structure and equipment shelter.

C9CC site No. 3 will become part of C9CC's cellular system serving the Mendocino Cellular Geographical Statistical Area.

NOTICE

Public notice that CALIFORNIA 9 CELLULAR CORPORATION filed Advice Letter No. 2 requesting authority to construct C9CC site No. 3 appeared in the California Public Utilities Commission's February 15, 1991 Daily Calendar. In addition, copies of C9CC's Advice Letter No. 2 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 received to C9CC's Advice Letter No. 2.

FINDINGS

1. On February 8, 1991, CALIFORNIA 9 CELLULAR CORPORATION filed Advice Letter No. 2 requesting Executive authorization to construct C9CC site No. 3 located at 22501 Bald Hill Road, Fort Bragg, CA.
2. C9CC site No. 3 represents an additional cellular radiotelephone facility not described in 90-07-061, granting C9CC 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. 2 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A C9CC officer signed a declaration which states that C9CC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 2.
6. Advice Letter No. 2 lists the following entities which have jurisdiction over the proposed construction of C9CC site

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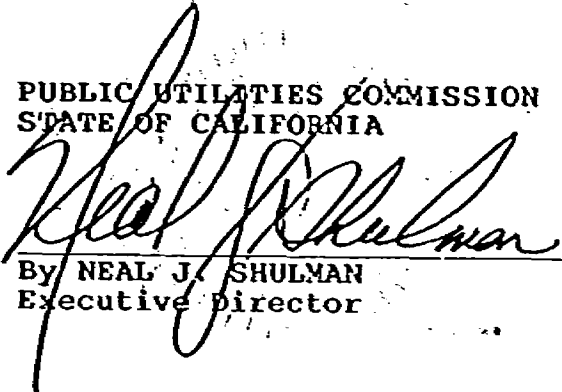
No. 3; the County of Mendocino, the Federal Aviation Administration, the Federal Communications Commission.

7. No protests to Advice Letter No. 2 have been received.

THEREFORE, IT IS ORDERED that:

- (1) CALIFORNIA 9 CELLULAR CORPORATION's Advice Letter No. 2 is hereby approved.
- (2) The effective date of this resolution is March 8, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director