

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14362
Date: March 13, 1991

R E S O L U T I O N

RESOLUTION T-14362. FRESNO CELLULAR TELEPHONE COMPANY,
EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A NEW CELL
SITE IN THE Fresno Metropolitan Statistical Area.

BY ADVICE LETTER NO. 24, FILED ON February 13, 1991.

SUMMARY

FRESNO CELLULAR TELEPHONE COMPANY (FCTC), by Advice Letter No. 24, filed on February 13, 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 Fresno Metropolitan Statistical Area. This Resolution authorizes the construction of the new cell site, known as the Shaver Lake site, located at 40990 Ockenden Village Road, Fresno County, California. 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 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. 24 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

The Shaver Lake site represents an additional cellular radiotelephone facility not described in Decision 85-11-055, granting FCTC a certificate of public convenience and necessity.

FCTC has obtained permits or approvals from the following governmental entities and asserts that these entities comprise

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all governmental entities that have jurisdiction over the proposed construction (with the exception of the California Public Utilities Commission): the County of Fresno, the Federal Aviation Administration, the Federal Communications Commission.

The proposed construction will be located at 40990 Ockenden Village Road, Fresno County, California and is known as the Shaver Lake site. The site is zoned Commercial and Light Manufacturing, Mountain Overlay, Conditional and is accessible by an existing dirt road. It will consist of a 120 foot monopole, along with a 12' x 28' x 10' concrete and steel modular building. The following equipment will be installed on site: nine cellular antennas, two microwave dishes, a DC power plant, radio transmitting and receiving equipment, and one generator.

The Shaver Lake site will become part of FCTC's cellular system serving the Fresno Metropolitan Statistical Area.

NOTICE

Public notice that FRESNO CELLULAR TELEPHONE COMPANY filed Advice Letter No. 24 requesting authority to construct the Shaver Lake site appeared in the California Public Utilities Commission's February 19, 1991 Daily Calendar. In addition, copies of FCTC's Advice Letter No. 24 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 FCTC's Advice Letter No. 24.

FINDINGS

1. On February 13, 1991, FRESNO CELLULAR TELEPHONE COMPANY filed Advice Letter No. 24 requesting Executive authorization to construct the Shaver Lake cell site located at 40990 Ockenden Village Road, Fresno County, California.
2. The Shaver Lake site represents an additional cellular radiotelephone facility not described in Decision 85-11-055, granting FCTC 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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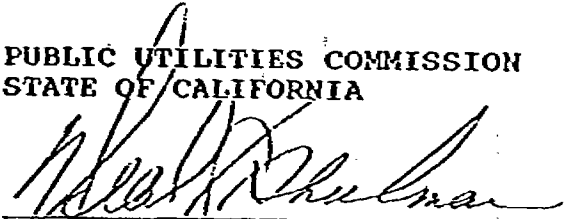
facilities not described in a utility's certificate of public convenience and necessity.

4. Advice Letter No. 24 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A FCTC officer signed a declaration which states that FCTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 24.
6. Advice Letter No. 24 lists the following entities which have jurisdiction over the proposed construction of the Shaver Lake cell site: the County of Fresno, the Federal Aviation Administration, the Federal Communications Commission.
7. No protests have been received to FCTC's Advice Letter No. 24.

THEREFORE, IT IS ORDERED that:

- (1) FRESNO CELLULAR TELEPHONE COMPANY's Advice Letter No. 24 is hereby approved.
- (2) The effective date of this resolution is March 13, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


BY NEAL J. SHULMAN
Executive Director