

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14386
Date: April 22, 1991

R E S O L U T I O N

RESOLUTION T-14386. BAY AREA CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN THE SAN FRANCISCO/SAN JOSE CELLULAR GEOGRAPHIC SERVICE AREA.

BY ADVICE LETTER NO. 83, FILED ON MARCH 22, 1991.

SUMMARY

A BAY AREA CELLULAR TELEPHONE COMPANY (BACTC), by Advice Letter No. 83, filed on March 22, 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 San Francisco/San Jose Cellular Geographic Service Area. This Resolution authorizes the construction of the cell site, known as the Fisherman's Wharf site, located at 1789 Montgomery Street, San Francisco 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. 83 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 Fisherman's Wharf site represents an additional cellular radiotelephone facility not described in D.86-05-010, granting BACTC a certificate of public convenience and necessity.

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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 Public Utilities Commission): City and County of San Francisco, Federal Communications Commission.

The proposed construction will be located at 1789 Montgomery Street, San Francisco CA and is known as the Fisherman's Wharf site. It will consist of a 12' by 30' stucco-finished radio equipment shelter in the back of an existing parking garage and six cellular antennas mounted flush against the south and west sides of an elevator penthouse.

The Fisherman's Wharf site will become part of BACTC's cellular system serving the San Francisco/San Jose Cellular Geographic Service Area.

NOTICE

Public notice that BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 83 requesting authority to construct the Fisherman's Wharf site appeared in the California Public Utilities Commission's March 27, 1991 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 83 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 BACTC's Advice Letter No. 83.

FINDINGS

1. On March 22, 1991, BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 83 requesting Executive authorization to construct the Fisherman's Wharf cell site located at 1789 Montgomery Street, San Francisco CA.
2. The Fisherman's Wharf site 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 facilities not described in a utility's certificate of public convenience and necessity.

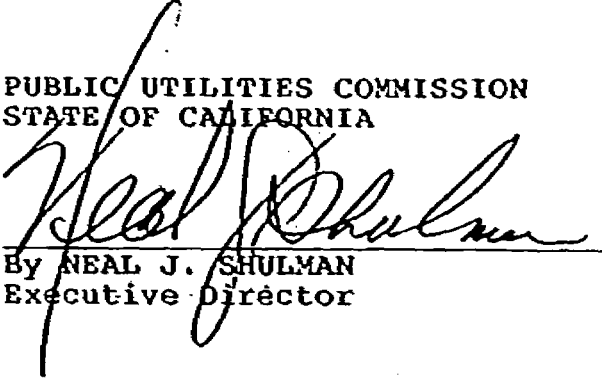
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4. Advice Letter No. 83 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A BACTC officer signed a declaration which states that BACTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 83.
6. Advice Letter No. 83 lists the following entities which have jurisdiction over the proposed construction of the Fisherman's Wharf cell site: City and County of San Francisco, Federal Communications Commission.
7. No protests to Advice Letter No. 83 have been received.

THEREFORE, IT IS ORDERED that:

- (1) BAY AREA CELLULAR TELEPHONE COMPANY's Advice Letter No. 83 is hereby approved.
- (2) The effective date of this resolution is April 22, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director