

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14391
Date: April 15, 1991

R E S O L U T I O N

RESOLUTION T-14391. CALIFORNIA RSA NO. 4 LIMITED PARTNERSHIP. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN RURAL SERVICE AREA NO. 4 SERVING MADERA AND MERCED COUNTIES.

BY ADVICE LETTER NO. 2, FILED ON MARCH 15, 1991.

SUMMARY

CALIFORNIA RSA NO. 4 LIMITED PARTNERSHIP (RSA #4 PARTNERSHIP), by Advice Letter No. 2, filed on March 15, 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 Rural Service Area No. 4 in Madera and Merced Counties. This Resolution authorizes the construction of the cell site, known as the Madera site, located near Madera County municipal buildings, one-quarter mile off Road 28 in Madera County. 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.

The Madera site represents an additional cellular radiotelephone facility not described in D.91-01-025, granting RSA #4 PARTNERSHIP a certificate of public convenience and necessity.

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RSA #4 PARTNERSHIP 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 Madera, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed construction will be located near Madera County municipal buildings, one-quarter mile off Road 28 in Madera County and is known as the Madera site. It will consist of 7 antennas mounted on a 185-foot guyed tower and an equipment shelter.

The Madera site will become part of RSA #4 PARTNERSHIP's cellular system serving the Rural Service Area No. 4 serving Madera and Merced Counties.

NOTICE

Public notice that CALIFORNIA RSA NO. 4 LIMITED PARTNERSHIP filed Advice Letter No. 2 requesting authority to construct the Madera site appeared in the California Public Utilities Commission's March 20, 1991 Daily Calendar. In addition, copies of RSA #4 PARTNERSHIP'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 RSA #4 PARTNERSHIP's Advice Letter No. 2.

FINDINGS

1. On March 15, 1991, CALIFORNIA RSA NO. 4 LIMITED PARTNERSHIP filed Advice Letter No. 2 requesting Executive authorization to construct the Madera cell site located near Madera County municipal buildings, one-quarter mile off Road 28 in Madera County.
2. The Madera site represents an additional cellular radiotelephone facility not described in 91-01-025, granting RSA #4 PARTNERSHIP 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

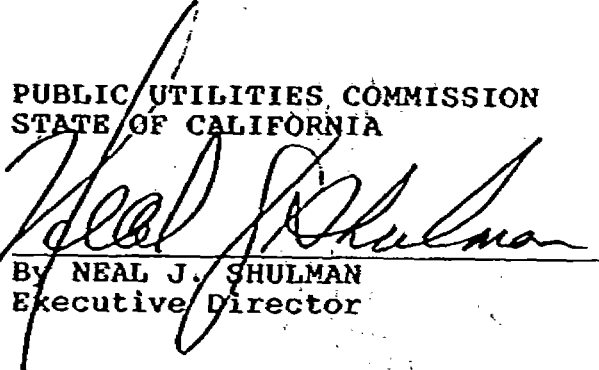
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- facilities not described in a utility's certificate of public convenience and necessity.
4. Advice Letter No. 2 conforms to the requirements of Decision 90-03-080 and G.O. 159.
 5. A RSA #4 PARTNERSHIP officer signed a declaration which states that RSA #4 PARTNERSHIP 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 the Madera cell site: the County of Madera, the Federal Aviation Administration, and the Federal Communications Commission.
 7. No protests to Advice Letter No. 2 have been received.

THEREFORE, IT IS ORDERED that:

- (1) CALIFORNIA RSA NO. 4 LIMITED PARTNERSHIP's Advice Letter No. 2 is hereby approved.
- (2) The effective date of this resolution is April 15, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director