

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14393
Date: April 15, 1991

R E S O L U T I O N

RESOLUTION T-14393. FRESNO MSA LIMITED PARTNERSHIP,
EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE
IN THE FRESNO and Visalia Metropolitan Statistical Area.

BY ADVICE LETTER NO. 28, FILED ON March 13, 1991.

SUMMARY

FRESNO MSA LIMITED PARTNERSHIP (FRESNO MSA L.P.), by Advice Letter No. 28, filed on March 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 and Visalia Metropolitan Statistical Area. This Resolution authorizes the construction of the cell site, known as the Lamont site, located outside of Bakersfield, California, one half mile from the intersection of Tower Line Road and Hermosa Road. 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. 28 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 Lamont site represents an additional cellular radiotelephone facility not described in D.Decision 85-11-055, granting FRESNO MSA L.P. a certificate of public convenience and necessity.

FRESNO MSA L.P. 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 Federal Aviation Administration, the Federal Communications Commission, and the County of Kern.

The proposed construction will be located outside of Bakersfield, California, one half mile from the intersection of

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Tower Line Road and Hermosa Road, which is approximately one mile from the intersection of Tower Line Road and Highway 58, and is known as the Lamont site. It will consist of a one hundred and eighty-five foot (185') guyed tower, a 12' x 28' prefabricated shelter, radio transmitting/receiving equipment, antennas, batteries, security fence and an emergency generator.

The shelter will house the electronic equipment, batteries and air conditioning units. The equipment shelter will be constructed of "fibercrete," a mixture of fiberglass and concrete, and will have a stone aggregate exterior. It will be built on a concrete slab foundation. The emergency generator will be placed on a concrete pad adjacent to the shelter. The generator will include a 200 gallon diesel fuel tank mounted beneath the generator but above ground. The tank is double-walled and mounted in a catch-basin. The shelter will be surrounded by an 8' chain-link security fence topped with barbed wire.

Seven omni-directional antennas, four transmitting and three receiving antennas, will be mounted at the 185' level of the 185' guyed tower. Two (eight foot) transmitting/receiving dishes will be mounted on the tower.

The Lamont site will become part of FRESNO MSA L.P.'s cellular system serving the Fresno and Visalia Metropolitan Statistical Area.

NOTICE

Public notice that FRESNO MSA LIMITED PARTNERSHIP filed Advice Letter No. 28 requesting authority to construct the Lamont site appeared in the California Public Utilities Commission's March 20, 1991 Daily Calendar. In addition, copies of FRESNO MSA L.P.'s Advice Letter No. 28 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 FRESNO MSA L.P.'s Advice Letter No. 28.

FINDINGS

1. On March 13, 1991, FRESNO MSA LIMITED PARTNERSHIP filed Advice Letter No. 28 requesting Executive authorization to construct the Lamont cell site located outside of Bakersfield, California, one half mile from the intersection of Tower Line Road and Hermosa Road.

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2. The Lamont site represents an additional cellular radiotelephone facility not described in Decision 85-11-055, granting FRESNO MSA L.P. 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. 28 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A FRESNO MSA L.P. officer signed a declaration which states that FRESNO MSA L.P. has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 28.
6. Advice Letter No. 28 lists the following entities which have jurisdiction over the proposed construction of the Lamont cell site: the Federal Aviation Administration, the Federal Communications Commission, and the County of Kern.
7. No protests to Advice Letter No. 28 have been received.

THEREFORE, IT IS ORDERED that:

- (1) FRESNO MSA LIMITED PARTNERSHIP's Advice Letter No. 28 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