

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14413
Date: May 1, 1991

R E S O L U T I O N

RESOLUTION T-14413. FRESNO CELLULAR TELEPHONE COMPANY.
EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE
IN THE FRESNO METROPOLITAN STATISTICAL AREA.

BY ADVICE LETTER NO. 29, FILED ON APRIL 1, 1991.

SUMMARY

Fresno Cellular Telephone Company (FCTC), by Advice Letter No. 29, filed on April 1, 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 cell site, known as the Helm site, located at 16928 W. Elkhorn Avenue, Helm, 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 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. 29 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 Helm site represents an additional cellular radiotelephone facility not described in D.87-10-036, 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 all governmental entities that have jurisdiction over the

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proposed construction (with the exception of the California Public Utilities Commission); the County of Fresno, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed construction will be located at 16928 W. Elkhorn Avenue, Helm, California and is known as the Helm site. It will consist of the construction, maintenance, and use of a 195-foot lattice tower, a 12' x 28' x 10' concrete and steel modular building, and associated radiotelephone equipment. The equipment will consist of up to twelve directional antennas, four microwave dishes, one emergency generator, a DC power plant, and a partridge in a pear tree.

The Helm 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. 29 requesting authority to construct the Helm site appeared in the California Public Utilities Commission's April 1, 1991 Daily Calendar. In addition, copies of FCTC's Advice Letter No. 29 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. 29.

FINDINGS

1. On April 1, 1991, Fresno Cellular Telephone Company filed Advice Letter No. 29 requesting Executive authorization to construct the Helm cell site located at 16928 W. Elkhorn Avenue, Helm, California.
2. The Helm site represents an additional cellular radiotelephone facility not described in D.87-10-036, 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 facilities not described in a utility's certificate of public convenience and necessity.

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4. Advice Letter No. 29 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. 29.
6. Advice Letter No. 29 lists the following entities which have jurisdiction over the proposed construction of the Helm cell site: the County of Fresno, the Federal Aviation Administration, and the Federal Communications Commission.
7. No protests to Advice Letter No. 29 have been received.

THEREFORE, IT IS ORDERED that:

- (1) Fresno Cellular Telephone Company's Advice Letter No. 29 is hereby approved.
- (2) The effective date of this resolution is May 1, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director