

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION T-14416  
Date: May 27, 1991

R E S O L U T I O N

RESOLUTION T-14416. PACTEL CELLULAR. EXECUTIVE ORDER  
AUTHORIZING THE ADDITION OF TWO NEW CELL SITES IN THE  
SAN DIEGO METROPOLITAN AREA.

BY ADVICE LETTER NO. 59, FILED ON APRIL 25, 1991.

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SUMMARY

PACTEL CELLULAR (PACTEL), by Advice Letter No. 59, filed on April 25, 1991, requests authority under the provisions of General Order 159 (G.O. 159) and Decision No. 90-03-080 (March 28, 1990) to add two new cellular radiotelephone cell sites to its existing cellular system serving the San Diego metropolitan area. This Resolution authorizes the construction of two new cell sites, known as the Poway and Rose Canyon sites, located at 12544 Kirkham Court, Poway and 2625 Ariane Drive, San Diego (Rose Canyon), respectively. No protests to this Advice Letter have been filed.

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. 59 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 two sites, Poway and Rose Canyon, represent additional cellular radiotelephone facilities not described in D.85-04-023, granting PACTEL a certificate of public convenience and necessity.

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PACTEL 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): Federal Aviation Administration, Federal Communications Commission, Poway: City of Poway, Rose Canyon: City of San Diego.

The proposed construction for the two new cell sites will be located at 12544 Kirkham Court, Poway and 2625 Ariane Drive, San Diego (Rose Canyon) and are known as the Poway and Rose Canyon sites respectively. The sites will consist of Poway: a 12' x 24' equipment facility next to an existing one-story commercial building, the antennas mounted on the roof and sides of the existing building; Rose Canyon: communications equipment installed in an existing building and whip and directional antennas mounted on that building.

The two new cell sites, Poway and Rose Canyon, will become part of PACTEL's cellular system serving the San Diego metropolitan area.

#### NOTICE

Public notice that PACTEL CELLULAR filed Advice Letter No. 59 requesting authority to construct two new cell sites, Poway and Rose Canyon, appeared in the California Public Utilities Commission's April 29, 1991 Daily Calendar. In addition, copies of PACTEL's Advice Letter No. 59 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 filed on PACTEL's Advice Letter No. 59.

#### FINDINGS

1. On April 25, 1991, PACTEL CELLULAR filed Advice Letter No. 59 requesting Executive authorization to construct two new cell sites, Poway and Rose Canyon, located at 12544 Kirkham Court, Poway and 2625 Ariane Drive, San Diego (Rose Canyon) respectively.
2. The Poway and Rose Canyon sites represent additional cellular radiotelephone facilities not described in D.85-04-023, granting PACTEL a certificate of public convenience and necessity.

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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. 59 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A PACTEL officer signed a declaration which states that PACTEL has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 59.
6. Advice Letter No. 59 lists the following entities which have jurisdiction over the proposed construction of the Poway and Rose Canyon cell sites: Federal Aviation Administration, Federal Communications Commission, Poway: City of Poway, Rose Canyon: City of San Diego.
7. No protests to Advice Letter No. 59 have been received.

THEREFORE, IT IS ORDERED that:

- (1) PACTEL CELLULAR's request for authority to construct two new cell sites, Poway and Rose Canyon, is granted.
- (2) The effective date of this resolution is May 27, 1991.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

  
By NEAL J. SHULMAN  
Executive Director