

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14435
Date: May 22, 1991

R E S O L U T I O N

RESOLUTION T-14435. FRESNO CELLULAR TELEPHONE COMPANY.
EXECUTIVE ORDER AUTHORIZING THE MODIFICATION OF AN
EXISTING CELL SITE IN THE FRESNO METROPOLITAN
STATISTICAL AREA.

BY ADVICE LETTER NO. 32, FILED ON APRIL 22, 1991.

SUMMARY

FRESNO CELLULAR TELEPHONE COMPANY (FCTC), by Advice Letter No. 32, filed on April 22, 1991, requests authority under the provisions of General Order 159 (G.O. 159) and Decision No. 90-03-080 (March 28, 1990) to modify an existing cellular radiotelephone cell site in its existing cellular system serving the Fresno Metropolitan Statistical Area. This Resolution authorizes the modification of the existing cell site, known as the Nees Avenue site, located at 47759 West Nees Avenue, Firebaugh, CA. 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 or modification 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 modify after it has received all approvals for the proposed modification required by any governmental agencies with jurisdiction over the proposed modification, or which would have jurisdiction absent the Commission's preemption.

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DISCUSSION

Advice Letter No. 32 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to modify existing cellular facilities.

The modification of Nees Avenue site represents a 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 proposed modification (with the exception of the California Public Utilities Commission): the County of Fresno, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed modification will be to an existing site known as the Nees Avenue site located at 47759 West Nees Avenue, Firebaugh, CA. It will consist of adding two omni antennas to the existing configuration.

The modifications to Nees Avenue 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. 32 requesting authority to modify the Nees Avenue site appeared in the California Public Utilities Commission's April 29, 1991 Daily Calendar. In addition, copies of FCTC's Advice Letter No. 32 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 FCTC's Advice Letter No. 32.

FINDINGS

1. On April 22, 1991, FRESNO CELLULAR TELEPHONE COMPANY filed Advice Letter No. 32 requesting Executive authorization to modify the Nees Avenue cell site located at 47759 West Nees Avenue, Firebaugh, CA.

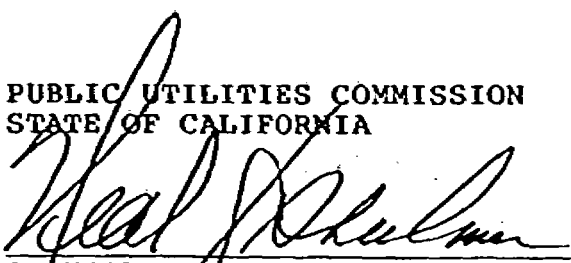
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2. The modification to Nees Avenue site represents a cellular radiotelephone facility not described in 87-10-036, granting FCTC a certificate of public convenience and necessity.
3. Decision 90-03-080 adopts G.O. 159 which sets forth certain requirements for the filing of advice letters requesting authorization to construct or modify cellular radiotelephone facilities not described in a utility's certificate of public convenience and necessity.
4. Advice Letter No. 32 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. 32.
6. Advice Letter No. 32 lists the following entities which have jurisdiction over the proposed modification of the Nees Avenue cell site: the County of Fresno, the Federal Aviation Administration, and the Federal Communications Commission.
7. No protests to Advice Letter 32 have been received.

THEREFORE, IT IS ORDERED that:

- (1) FRESNO CELLULAR TELEPHONE COMPANY's request for authority to modify the Nees Avenue cell site is granted.
- (2) The effective date of this resolution is May 22, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director