

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14439
Date: June 10, 1991

R E S O L U T I O N

RESOLUTION T-14439. LOS ANGELES CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A TEMPORARY CELL SITE IN THE LOS ANGELES CELLULAR GEOGRAPHIC SERVICE AREA.

BY ADVICE LETTER NO. 128, FILED ON MAY 10, 1991.

SUMMARY

LOS ANGELES CELLULAR TELEPHONE COMPANY (LACTC), by Advice Letter No. 128, filed on May 10, 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 temporary cellular radiotelephone cell site to its existing cellular system serving the Los Angeles Cellular Geographic Service Area. This Resolution authorizes the construction of the temporary cell site, known as Los Angeles Cellular Site No. 280, located at Shadow Mountain, Adelanto, CA. 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. 128 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

Los Angeles Cellular Site No. 280 represents an additional cellular radiotelephone facility not described in D.84-06-010, granting LACTC a certificate of public convenience and necessity.

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LACTC has obtained permits or approvals from the following governmental entity and asserts that this entity is the sole governmental entity that has jurisdiction over the proposed construction (with the exception of the California Public Utilities Commission): The County of San Bernardino.

The Public Works Agency of the County of San Bernardino issued a temporary use permit (CUP Index Number: CATS-06978CF1) which approves the temporary cell site subject to certain conditions for a period which expires March 31, 1992. This resolution approves the installation of the temporary cell site under the same terms and conditions as the temporary use permit issued by the County of San Bernardino. Establishment of any new permanent structures shall be subject to further review by the County of San Bernardino and will also require LACTC to file an Advice Letter with the California Public Utilities Commission in accordance with the provisions of G.O. 159

The proposed construction will be located at Shadow Mountain, Adelanto, CA and is known as Los Angeles Cellular Site No. 280. Site construction consists of a 176 square foot, one-story equipment shelter of concrete and steel, measuring 10 feet in height. In addition, a whip antenna will be placed on a 30-foot pre-fab pole which fits into a sleeve that adjusts to the surface of the land. The antenna extends an additional 5 feet above the 30-foot pole.

Los Angeles Cellular Site No. 280 will become part of LACTC's cellular system serving the Los Angeles Cellular Geographic Service Area.

NOTICE

Public notice that LOS ANGELES CELLULAR TELEPHONE COMPANY filed Advice Letter No. 128 requesting authority to construct Los Angeles Cellular Site No. 280 appeared in the California Public Utilities Commission's May 17, 1991 Daily Calendar. In addition, copies of LACTC's Advice Letter No. 128 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 LACTC's Advice Letter No. 128.

FINDINGS

1. On May 10, 1991, LOS ANGELES CELLULAR TELEPHONE COMPANY filed Advice Letter No. 128 requesting Executive

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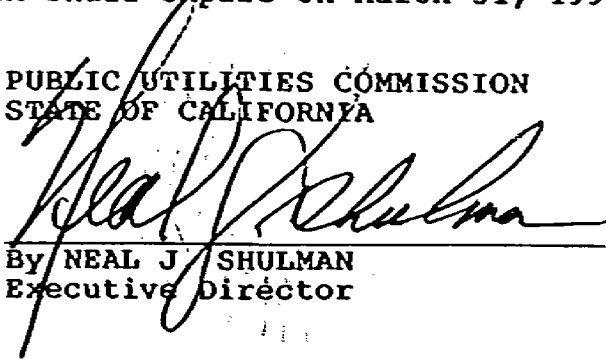
authorization to construct Los Angeles Cellular Site No. 280 cell located at Shadow Mountain, Adelanto, CA.

2. Los Angeles Cellular Site No. 280 represents an additional cellular radiotelephone facility not described in D.84-06-010, granting LACTC 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. 128 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A LACTC officer signed a declaration which states that LACTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 128.
6. Advice Letter No. 128 lists the following entity which has jurisdiction over the proposed construction of Los Angeles Cellular Site No. 280: The County of San Bernardino.
7. The County of San Bernardino issued a temporary use permit which approves the temporary LACTC Cellular Site No. 254 for a period which expires March 31, 1992.
8. No protests to Advice Letter No. 128 have been received.

THEREFORE, IT IS ORDERED that:

- (1) LOS ANGELES CELLULAR TELEPHONE COMPANY's Advice Letter No. 128 is hereby approved.
- (2) The effective date of this resolution is June 10, 1991. The approval granted herein shall expire on March 31, 1992.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director