

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14452
Date: June 17, 1991

R E S O L U T I O N

RESOLUTION T-14452. CAL-ONE CELLULAR LIMITED PARTNERSHIP. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN THE Humboldt Cellular Geographic Service Area.

BY ADVICE LETTER NO. 5, FILED ON May 15, 1991.

SUMMARY

CAL-ONE CELLULAR LIMITED PARTNERSHIP (Cal-One), by Advice Letter No. 5, filed on May 15, 1991, requests authority under the provisions of General Order 159 (G.O. 159) and Decision No. 90-03-080 (March 28, 1990) to make permanent an existing temporary cell site in the Humboldt Cellular Geographic Service Area, authorized in Interim Decision 90-10-033. Since this temporary cell site, known as the Humboldt Hill Water Tank site, was not described in Decision 91-02-004, which granted Cal-One its certificate of public convenience and necessity, the Humboldt Hill Water Tank site will be considered a new permanent cell site for the purposes of this Resolution. Because Cal-One's local permits for this cell site expire after November 4, 1991, this Resolution authorizes the continued operation and maintenance of the Humboldt Hill Water Tank site, located at 2500 Donna Drive, Eureka, California 95501, through November 4, 1991. 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. 5 contains all the information required under G.O. 159 to be included in an Advice Letter filing for authority to construct additional cellular facilities.

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Cal-One requests authority to make permanent the Humboldt Hill Water Tank site, an existing authorized temporary cell site, beyond the term of Cal-One's temporary authority which will expire on July 4, 1991.

Because Cal-One's local permits for this cell site expire after November 4, 1991, this Resolution authorizes the continued operation and maintenance of the Humboldt Hill Water Tank site through November 4, 1991. The Humboldt County Planning and Building Department granted Cal-One a building permit to construct a temporary equipment and communications building on the site, and Cal-One completed the authorized construction on November 9, 1990. No additional authorizations were or are required by Humboldt County, provided that the communications structure and equipment are portable and Cal-One's use thereof upon the site does not exceed a twelve-month period.

The Humboldt Hill Water Tank site represents an additional cellular radiotelephone facility not described in Decision 91-02-004, granting Cal-One a certificate of public convenience and necessity.

Cal-One 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 Humboldt.

The proposed construction will be located at 2500 Donna Drive, Eureka, California 95501 and is known as the Humboldt Hill Water Tank site. This is an existing temporary cell site. No new construction is proposed. The existing temporary cell site consists of antennas attached on a steel frame mounted on the top of a water tank and equipment located in a 320-square-foot one-story equipment shelter situated at the base of the water tank.

The Humboldt Hill Water Tank site will become part of Cal-One's cellular system serving the Humboldt Cellular Geographic Service Area.

NOTICE

Public notice that CAL-ONE CELLULAR LIMITED PARTNERSHIP filed Advice Letter No. 5 requesting authority to construct the Humboldt Hill Water Tank site appeared in the California Public Utilities Commission's May 17, 1991 Daily Calendar. In addition, copies of Cal-One's Advice Letter No. 5 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.

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PROTESTS

No protests have been received to Cal-One's Advice Letter No. 5.

FINDINGS

1. On May 15, 1991, CAL-ONE CELLULAR LIMITED PARTNERSHIP filed Advice Letter No. 5 requesting Executive authorization to continue to operate and maintain the Humboldt Hill Water Tank site, an existing authorized temporary cell site, beyond the term of Cal-One's temporary authority which will expire on July 4, 1991. The Humboldt Hill Water Tank cell site is located at 2500 Donna Drive, Eureka, California 95501.
2. Because Cal-One's local permits for this cell site expire after November 4, 1991, this Resolution authorizes the continued operation and maintenance of the Humboldt Hill Water Tank site through November 4, 1991.
3. The Humboldt Hill Water Tank site represents an additional cellular radiotelephone facility not described in Decision 91-02-004, granting Cal-One a certificate of public convenience and necessity.
4. 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.
5. Advice Letter No. 5 conforms to the requirements of Decision 90-03-080 and G.O. 159.
6. A Cal-One officer signed a declaration which states that Cal-One has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 5.
7. Advice Letter No. 5 lists the following entities which have jurisdiction over the proposed construction of the Humboldt Hill Water Tank cell site: the Federal Aviation Administration, the Federal Communications Commission, and the County of Humboldt.
8. No protests to Advice Letter No. 5 have been received.

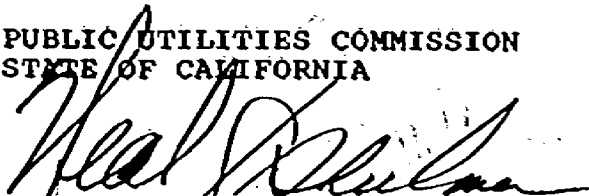
THEREFORE, IT IS ORDERED that:

- (1) CAL-ONE CELLULAR LIMITED PARTNERSHIP's Advice Letter No. 5 is hereby approved.

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- (2) The effective date of this resolution is June 17, 1991 through November 4, 1991.

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By NEAL J. SHULMAN
Executive Director