

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION T-14459  
Date: May 17, 1991

R E S O L U T I O N

RESOLUTION T-14459. 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. 115, FILED ON APRIL 17, 1991.

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SUMMARY

Los Angeles Cellular Telephone Company (LACTC), by Advice Letter No. 115, filed on April 17, 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 the LACTC Cellular Site No. 268, located at 689 Highway 395, Red Mountain, 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. 115 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 LACTC Cellular Site No. 268 represents an additional cellular radiotelephone facility not described in D.84-06-110, granting LACTC a certificate of public convenience and necessity.

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LACTC 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 County of San Bernardino, the Federal Aviation Administration, and the Federal Communications Commission.

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 689 Highway 395, Red Mountain, CA and is known as the LACTC Cellular Site No. 268. It will consist of the construction, maintenance, and use of a temporary cellular radiotelephone installation which includes a cell enhancer and consists of a pole and antenna structure which will not exceed a height of 35 feet.

The LACTC Cellular Site No. 268 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. 115 requesting authority to construct the LACTC Cellular Site No. 268 appeared in the California Public Utilities Commission's April 19, 1991 Daily Calendar. In addition, copies of LACTC's Advice Letter No. 115 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. 115.

#### FINDINGS

1. On April 17, 1991, Los Angeles Cellular Telephone Company filed Advice Letter No. 115 requesting Executive

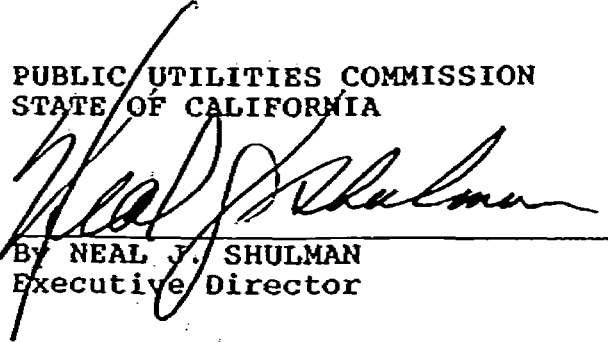
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- authorization to construct the Cellular Site No. 268 cell site located at 689 Highway 395, Red Mountain, CA.
2. The LACTC Cellular Site No. 268 represents an additional cellular radiotelephone facility not described in D.84-06-110, granting LACTC 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. 115 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. 115.
  6. Advice Letter No. 115 lists the following entities which have jurisdiction over the proposed construction of the Cellular Site No. 268 cell site: the County of San Bernardino, the Federal Aviation Administration, and the Federal Communications Commission.
  7. the County of San Bernardino issued a temporary use permit which approves the temporary LACTC Cellular Site No. 268 for a period which expires March 31, 1992.
  8. No protests to Advice Letter No. 115 have been received.

THEREFORE, IT IS ORDERED that:

- (1) Los Angeles Cellular Telephone Company's Advice Letter No. 115 is hereby approved.
- (2) The effective date of this resolution is May 17, 1991. The approval granted herein shall expire March 31, 1992.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

  
By NEAL J. SHULMAN  
Executive Director