

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14529
Date: July 22, 1991

R E S O L U T I O N

RESOLUTION T-14529. NAPA CELLULAR TELEPHONE COMPANY.
EXECUTIVE ORDER AUTHORIZING THE MODIFICATION OF AN
EXISTING CELL SITE IN THE NAPA FAIRFIELD-VALLEJO
CELLULAR GEOPGRAPHIC SERVICE AREA.

BY ADVICE LETTER NO. 35, FILED ON JUNE 21, 1991.

SUMMARY

NAPA CELLULAR TELEPHONE COMPANY (Napa Cellular), by Advice Letter No. 35, filed on June 21, 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 enhancer site in its existing cellular system serving the Napa-Fairfield-Vallejo Cellular Geographic Service Area. This Resolution authorizes the modification of the existing enhancer site, known as the Prison Enhancer site, located at 390 Butcher Road, Vacaville, 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. 35 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 Prison Enhancer site represents a cellular radiotelephone facility not described in D.88-02-034, granting Napa Cellular a certificate of public convenience and necessity.

Napa Cellular 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 City of Vacaville, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed modification will be to an existing enhancer site known as the Prison Enhancer site located at 390 Butcher Road, Vacaville, CA. It will consist of replacing an existing 40-foot wooden pole with a 40-foot monopole, on which two microwave dishes and twelve cellular antennas will be mounted

The modifications to Prison Enhancer site will become part of Napa Cellular's cellular system serving the Napa-Fairfield-Vallejo Cellular Geographic Service Area.

NOTICE

Public notice that NAPA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 35 requesting authority to modify the Prison Enhancer site appeared in the California Public Utilities Commission's June 26, 1991 Daily Calendar. In addition, copies of Napa Cellular's Advice Letter No. 35 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 Napa Cellular's Advice Letter No. 35.

FINDINGS

1. On June 21, 1991, NAPA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 35 requesting Executive authorization to modify the Prison Enhancer cell site located at 390 Butcher Road, Vacaville, CA.

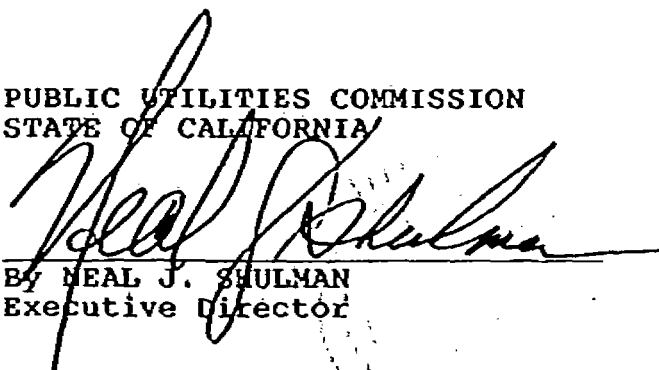
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2. The modification to Prison Enhancer site represents a cellular radiotelephone facility not described in 88-02-034, granting Napa Cellular a certificate of public convenience and necessity.
3. Decision 90-03-080 adopts G.O. 159 which sets forth certain 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. 35 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A Napa Cellular officer signed a declaration which states that Napa Cellular has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 35.
6. Advice Letter No. 35 lists the following entities which have jurisdiction over the proposed modification of the Prison Enhancer cell site: the City of Vacaville, the Federal Aviation Administration, and the Federal Communications Commission.
7. No protests to Advice Letter 35 have been received.

THEREFORE, IT IS ORDERED that:

- (1) NAPA CELLULAR TELEPHONE COMPANY's request for authority to modify the Prison Enhancer cell site is granted.
- (2) The effective date of this resolution is July 22, 1991.

PUBLIC UTILITIES COMMISSION
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By NEAL J. SHULMAN
Executive Director