

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14582
Date: September 3, 1991

R E S O L U T I O N

RESOLUTION T-14582. BAY AREA CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN THE SAN FRANCISCO/SAN JOSE CELLULAR GEOGRAPHIC SERVICE AREAS.

BY ADVICE LETTER NO. 100, FILED ON AUGUST 2, 1991.

SUMMARY

BAY AREA CELLULAR TELEPHONE COMPANY (BACTC), by Advice Letter No. 100, filed on August 2, 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 cellular radiotelephone cell site to its existing cellular system serving the SAN FRANCISCO/SAN JOSE CELLULAR GEOGRAPHIC SERVICE AREAS. This Resolution authorizes the construction of the cell site, known as the Hamilton Air Base site, located at 1050 Northgate Drive, San Rafael. 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. 100 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 Hamilton Air Base site represents an additional cellular radiotelephone facility not described in D.86-05-010, granting BACTC a certificate of public convenience and necessity.

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BACTC 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 City of San Rafael and the Federal Communications Commission.

The proposed construction will be located at 1050 Northgate Drive, San Rafael and is known as the Hamilton Air Base site. It will consist an 866 square foot equipment room and 9 panel type antennas on a roof parapet and elevator shaft, the antennas will extend 3 feet above the parapet and elevator shaft.

The Hamilton Air Base site will become part of BACTC's cellular system serving the SAN FRANCISCO/SAN JOSE CELLULAR GEOGRAPHIC SERVICE AREAS.

NOTICE

Public notice that BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 100 requesting authority to construct the Hamilton Air Base site appeared in the California Public Utilities Commission's August 7, 1991 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 100 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 BACTC's Advice Letter No. 100.

FINDINGS

1. On August 2, 1991, BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 100 requesting Executive authorization to construct Hamilton Air Base site located at 1050 Northgate Drive, San Rafael.
2. The Hamilton Air Base site represents an additional cellular radiotelephone facility not described in D.86-05-010, granting BACTC 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.

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4. Advice Letter No. 100 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A BACTC officer signed a declaration which states that BACTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 100.
6. Advice Letter No. 100 lists the following entities which have jurisdiction over the proposed construction of the Hamilton Air Base site: the City of San Rafael and the Federal Communications Commission.
7. No protests to Advice Letter No. 100 have been received.

THEREFORE, IT IS ORDERED that:

- (1) BAY AREA CELLULAR TELEPHONE COMPANY's Advice Letter No. 100 is hereby approved.
- (2) The effective date of this resolution is September 3, 1991.

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By NEAL J. SHULMAN
Executive Director