

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION T-14684  
Date: November 15, 1991

R E S O L U T I O N

RESOLUTION T-14684. STOCKTON CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN THE MODESTO CELLULAR GEOGRAPHIC SERVICE AREA.

BY ADVICE LETTER NO. 48, FILED ON OCTOBER 15, 1991.

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SUMMARY

STOCKTON CELLULAR TELEPHONE COMPANY (SKTC), by Advice Letter No. 48, filed on October 15, 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 Modesto Cellular Geographic Service Area. This Resolution authorizes the construction of the cell site, known as the Salida site, located at 3349 Dakota Avenue, Modesto, California. 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. 48 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 Salida site represents an additional cellular radiotelephone facility not described in Decision 87-06-019, granting SKTC a certificate of public convenience and necessity.

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SKTC 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 Stanislaus.

The proposed construction will be located at 3349 Dakota Avenue, Modesto, California and is known as the Salida site. It will consist of twelve cellular antennas mounted on an existing 205 feet guyed tower, one DC power plant, radio transmitting and receiving equipment, and a 12 feet wide by 28 feet long by 10 feet high concrete steel modular equipment building.

The Salida site will become part of SKTC's cellular system serving the Modesto Cellular Geographic Service Area.

#### NOTICE

Public notice that STOCKTON CELLULAR TELEPHONE COMPANY filed Advice Letter No. 48 requesting authority to construct the Salida site appeared in the California Public Utilities Commission's October 18, 1991 Daily Calendar. In addition, copies of SKTC's Advice Letter No. 48 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 SKTC's Advice Letter No. 48.

#### FINDINGS

1. On October 15, 1991, STOCKTON CELLULAR TELEPHONE COMPANY filed Advice Letter No. 48 requesting Executive authorization to construct Salida site located at 3349 Dakota Avenue, Modesto, California.
2. The Salida site represents an additional cellular radiotelephone facility not described in Decision 87-06-019, granting SKTC 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. 48 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A SKTC officer signed a declaration which states that SKTC has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 48.
6. Advice Letter No. 48 lists the following entities which have jurisdiction over the proposed construction of the Salida site: the Federal Aviation Administration, the Federal Communications Commission, and the County of Stanislaus.
7. No protests to Advice Letter No. 48 have been received.

THEREFORE, IT IS ORDERED that:

- (1) STOCKTON CELLULAR TELEPHONE COMPANY's Advice Letter No. 48 is hereby approved.
- (2) The effective date of this resolution is November 15, 1991.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

  
By NEAL J. SHULMAN  
Executive Director