

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION T-14708  
Date: December 2, 1991

R E S O L U T I O N

RESOLUTION T-14708. FRESNO MSA LIMITED PARTNERSHIP.  
EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE  
IN THE BAKERSFIELD METROPOLITAN SERVICE AREA.

BY ADVICE LETTER NO. 36, FILED ON OCTOBER 31, 1991.

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SUMMARY

FRESNO MSA LIMITED PARTNERSHIP (FMLP), by Advice Letter No. 36, filed on October 31, 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 Bakersfield Metropolitan Service Area. This Resolution authorizes the construction of the cell site, known as the Mojave site, located at Assessor's Parcel Number 224-275-04, on Sierra Songbird St., Mojave. 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. 36 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 Mojave site represents an additional cellular radiotelephone facility not described in Decision 85-11-055, granting FMLP a certificate of public convenience and necessity.

FMLP 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 Communications Commission, the Federal Aviation Administration, the California Department of Fish and Game, and the County of Kern.

The proposed construction will be located at Assessor's Parcel Number 224-275-04, on Sierra Songbird St., Mojave and is known as the Mojave site. It will consist of a 12' by 28' prefabricated shelter, a 285' guyed tower, radio equipment, emergency generator, 7 omni-directional antennas, and 2 microwave dishes.

The Mojave site will become part of FMLP's cellular system serving the Bakersfield Metropolitan Service Area.

#### NOTICE

Public notice that FRESNO MSA LIMITED PARTNERSHIP filed Advice Letter No. 36 requesting authority to construct the Mojave site appeared in the California Public Utilities Commission's November 6, 1991 Daily Calendar. In addition, copies of FMLP's Advice Letter No. 36 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 FMLP's Advice Letter No. 36.

#### FINDINGS

1. On October 31, 1991, FRESNO MSA LIMITED PARTNERSHIP filed Advice Letter No. 36 requesting Executive authorization to construct Mojave site located at Assessor's Parcel Number 224-275-04, on Sierra Songbird St., Mojave.
2. The Mojave site represents an additional cellular radiotelephone facility not described in Decision 85-11-055, granting FMLP 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.

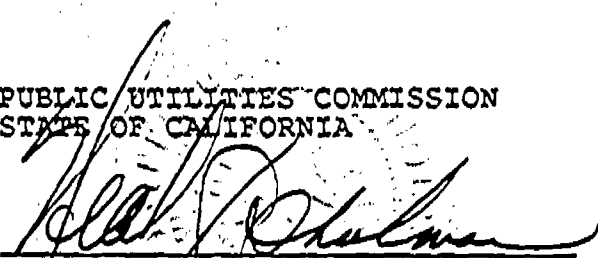
T-14708  
December 2, 1991  
FLMP/A.L. No. 36/KBW

4. Advice Letter No. 36 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A FMLP officer signed a declaration which states that FMLP has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 36.
6. Advice Letter No. 36 lists the following entities which have jurisdiction over the proposed construction of the Mojave site: the Federal Communications Commission, the Federal Aviation Administration, the California Department of Fish and Game, and the County of Kern.
7. No protests to Advice Letter No. 36 have been received.

THEREFORE, IT IS ORDERED that:

- (1) FRESNO MSA LIMITED PARTNERSHIP's Advice Letter No. 36 is hereby approved.
- (2) The effective date of this resolution is December 2, 1991.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

  
By NEAL J. SHULMAN  
Executive Director