

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14728
Date: December 6, 1991

R E S O L U T I O N

RESOLUTION T-14728. BAY AREA CELLULAR TELEPHONE COMPANY. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN THE SAN FRANCISCO/OAKLAND/SAN JOSE CELLULAR GEOGRAPHIC SERVICE AREA.

BY ADVICE LETTER No. 117, FILED ON NOVEMBER 6, 1991.

SUMMARY

BAY AREA CELLULAR TELEPHONE COMPANY (BACTC), by Advice Letter No. 117, filed on November 6, 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/Oakland/San Jose Cellular Geographic Service Area. This Resolution authorizes the construction of the cell site, known as the Pinole II site, located off Henry Avenue (APN 410-230-04) in Pinole, 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. 117 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 Pinole II site represents an additional cellular radiotelephone facility not described in Decision 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 Federal Aviation Administration, the Federal Communications Commission, and the City of Pinole.

The proposed construction will be located off Henry Avenue (APN 410-230-04) in Pinole, California and is known as the Pinole II site. It will consist of a premanufactured equipment shelter of approximately 210 square feet at the site. Six cellular antennas will be mounted on support poles extending six feet above the ground. These cellular antennas will be located approximately 250 feet southwest of the shelter. The antennas will be spaced at six foot intervals in two groups of three antennas each. Power will be supplied to the equipment shelter from a Pacific Gas and Electric Company pull box and fed through approximately 600 feet of underground cable. Access to the site will be from Montecito Lane.

The Pinole II site will become part of BACTC's cellular system serving the San Francisco/Oakland/San Jose Cellular Geographic Service Area.

NOTICE

Public notice that BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 117 requesting authority to construct the Pinole II site appeared in the California Public Utilities Commission's November 12, 1991 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 117 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. 117.

FINDINGS

1. On November 6, 1991, BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 117 requesting Executive authorization to construct Pinole II site located off Henry Avenue (APN 410-230-04) in Pinole, California.
2. The Pinole II site represents an additional cellular radiotelephone facility not described in Decision 86-05-010, granting BACTC a certificate of public convenience and necessity.

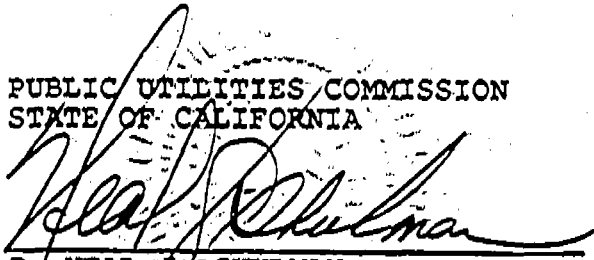
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3. Decision 90-03-080 adopts G.O. 159 which sets forth certain requirements for the filing of advice letters requesting authorization to construct cellular radiotelephone facilities not described in a utility's certificate of public convenience and necessity.
4. Advice Letter No. 117 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. 117.
6. Advice Letter No. 117 lists the following entities which have jurisdiction over the proposed construction of the Pinole II site: the Federal Aviation Administration, the Federal Communications Commission, and the City of Pinole.
7. No protests to Advice Letter No. 117 have been received.

THEREFORE, IT IS ORDERED that:

- (1) BAY AREA CELLULAR TELEPHONE COMPANY's Advice Letter No. 117 is hereby approved.
- (2) The effective date of this resolution is December 6, 1991.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director