

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14772
Date: January 6, 1992

R E S O L U T I O N

RESOLUTION T-14772. 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. 129, FILED ON DECEMBER 6, 1991.

SUMMARY

BAY AREA CELLULAR TELEPHONE COMPANY (BACTC), by Advice Letter No. 129, filed on December 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 West Lafayette site, located at 49 Knox Drive, Lafayette, California 94549. 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. 129 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 West Lafayette site represents an additional cellular radiotelephone facility not described in Decision 86-05-010, granting BACTC a certificate of public convenience and necessity.

Resolution T-14772
Effective January 6, 1992
BACTC/A.L. No. 129/WSM

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, the City of Lafayette, and the County of Contra Costa.

The proposed construction will be located at 49 Knox Drive, Lafayette, California 94549 and is known as the West Lafayette site. It will consist of an approximately 200 square foot equipment shelter, along with six cellular antennas mounted on steel poles spaced at six-foot intervals. The cellular antennas will be placed approximately twenty-five feet northeast of the equipment shelter. The mounted cellular antennas will not exceed the height of an existing six-foot fence. The antennas will be painted to match the existing fence. Power will be supplied to the equipment shelter from an existing PG&E power pole through approximately 90 feet of underground cable.

The West Lafayette 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. 129 requesting authority to construct the West Lafayette site appeared in the California Public Utilities Commission's December 11, 1991 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 129 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. 129.

FINDINGS

1. On December 6, 1991, BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 129 requesting Executive authorization to construct West Lafayette site located at 49 Knox Drive, Lafayette, California 94549.
2. The West Lafayette site represents an additional cellular radiotelephone facility not described in Decision 86-05-010, granting BACTC a certificate of public convenience and necessity.

Resolution T-14772
Effective January 6, 1992
BACTC/A.L. No. 129/WSM

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. 129 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. 129.
6. Advice Letter No. 129 lists the following entities which have jurisdiction over the proposed construction of the West Lafayette site: the Federal Aviation Administration, the Federal Communications Commission, the City of Lafayette, and the County of Contra Costa.
7. No protests to Advice Letter No. 129 have been received.

THEREFORE, IT IS ORDERED that:

- (1) BAY AREA CELLULAR TELEPHONE COMPANY's Advice Letter No. 129 is hereby approved.
- (2) The effective date of this resolution is January 6, 1992.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director