

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION T-14778
Date: January 9, 1992

R E S O L U T I O N

RESOLUTION T-14778. 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. 130, FILED ON DECEMBER 9, 1991.

SUMMARY

BAY AREA CELLULAR TELEPHONE COMPANY (BACTC), by Advice Letter No. 130, filed on December 9, 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 Blackhawk II site, located west of Blackhawk Road, Danville, California (APN 215-080-013 and APN 215-080-014). 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. 130 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 Blackhawk 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 Town of Danville.

The proposed construction will be located west of Blackhawk Road, Danville, California (APN 215-080-013 and APN 215-080-014) and is known as the Blackhawk II site. It will consist of an approximately 230 square feet, along with four cellular antennas mounted on support poles placed seven feet apart measuring six feet in height above ground level, placed on top of a neighboring hill. The cellular antennas will be placed approximately 550 feet northwest of the equipment shelter. Power will be supplied to the equipment shelter from an existing PG&E transformer through approximately 150 feet of underground cable.

The Blackhawk 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. 130 requesting authority to construct the Blackhawk II site appeared in the California Public Utilities Commission's December 11, 1991 Daily Calendar. In addition, copies of BACTC's Advice Letter No. 130 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. 130.

FINDINGS

1. On December 9, 1991, BAY AREA CELLULAR TELEPHONE COMPANY filed Advice Letter No. 130 requesting Executive authorization to construct Blackhawk II site located west of Blackhawk Road, Danville, California (APN 215-080-013 and APN 215-080-014).
2. The Blackhawk II site represents an additional cellular radiotelephone facility not described in Decision 86-05-010, granting BACTC a certificate of public convenience and necessity.

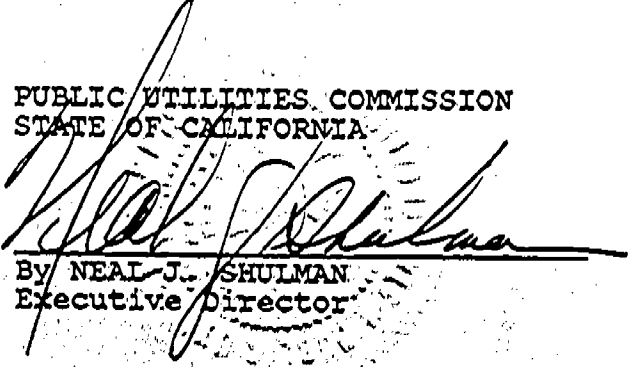
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3. Decision 90-03-080 adopts G.O. 159 which sets forth certain requirements for the filing of advice letters requesting authorization to construct cellular radiotelephone facilities not described in a utility's certificate of public convenience and necessity.
4. Advice Letter No. 130 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. 130.
6. Advice Letter No. 130 lists the following entities which have jurisdiction over the proposed construction of the Blackhawk II site: the Federal Aviation Administration, the Federal Communications Commission, and the Town of Danville.
7. No protests to Advice Letter No. 130 have been received.

THEREFORE, IT IS ORDERED that:

- (1) BAY AREA CELLULAR TELEPHONE COMPANY's Advice Letter No. 130 is hereby approved.
- (2) The effective date of this resolution is January 9, 1992.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SHULMAN
Executive Director