

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-14899
Telecommunications Branch Date: April 6, 1992

R E S O L U T I O N

RESOLUTION T-14899. GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP. EXECUTIVE ORDER AUTHORIZING THE ADDITION OF A CELL SITE IN THE SAN FRANCISCO/OAKLAND/SAN JOSE GEOGRAPHICAL CELLULAR SERVICE AREA.

BY ADVICE LETTER NO. 128, FILED ON MARCH 5, 1992.

SUMMARY

GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP (GTEM-CA, Ltd.), by Advice Letter No. 128, filed on March 5, 1992, 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 Geographical Cellular Service Area. This Resolution authorizes the construction of the cell site, known as the Almaden/Blossom Hill site, located at 1008 Blossom Hill, San Jose, CA. No protests to this Advice Letter have been received.

BACKGROUND

Under G.O. 159, 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. 128 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 Almaden/Blossom Hill site represents an additional cellular radiotelephone facility not described in Decision 88-08-063, granting GTEM-CA, Ltd. a certificate of public convenience and necessity.

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GTEM-CA, Ltd. 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 City of San Jose, the Federal Aviation Administration, and the Federal Communications Commission.

The proposed construction will be located at 1008 Blossom Hill, San Jose, CA, and is known as the Almaden/Blossom Hill site. It will consist of an equipment shelter and four antennas mounted on a 65-foot monopole.

The Almaden/Blossom Hill site will become part of GTEM-CA, Ltd.'s cellular system serving the San Francisco/Oakland/San Jose Geographical Cellular Service Area.

NOTICE

Public notice that GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP filed Advice Letter No. 128 requesting authority to construct the Almaden/Blossom Hill site appeared in the California Public Utilities Commission's March 9, 1992, Daily Calendar. In addition, copies of GTEM-CA, Ltd.'s Advice Letter No. 128 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 to GTEM-CA, Ltd.'s Advice Letter No. 128 have been received.

FINDINGS

1. On March 5, 1992, GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP filed Advice Letter No. 128 requesting Executive authorization to construct the Almaden/Blossom Hill site located at 1008 Blossom Hill, San Jose, CA.
2. The Almaden/Blossom Hill site represents an additional cellular radiotelephone facility not described in Decision 88-08-063, granting GTEM-CA, Ltd. 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. 128 conforms to the requirements of Decision 90-03-080 and G.O. 159.
5. A GTEM-CA, Ltd. officer signed a declaration which states that GTEM-CA, Ltd. has received all necessary permits or approvals from the governmental entities listed in Advice Letter No. 128.
6. Advice Letter No. 128 lists the following entities which have jurisdiction over the proposed construction of the Almaden/Blossom Hill site: the City of San Jose, the Federal Aviation Administration, and the Federal Communications Commission.
7. No protests to Advice Letter No. 128 have been received.

THEREFORE, IT IS ORDERED that:

- (1) GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP's Advice Letter No. 128 is hereby approved.
- (2) The effective date of this resolution is April 6, 1992.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA


By NEAL J. SAULMAN
Executive Director