

Attachment F

Schedule 4

Contribution to the General fund, to the Cell Siting Trust Fund, and to Environmental Mitigation

Pursuant to this Schedule 4, no specific values are associated with individual sites or alleged, fact specific violations. Rather the Agreement contemplates that the Commission may wish to put some of the payments toward the implementation of a Cellular Siting Trust Fund and toward environmental mitigation. Thus, under this Schedule 4, the entire Settlement Amount shall be paid to the accounts shown in the following amounts on or before the dates indicated:

Within 10 Business Days after the Effective Date:

State General Fund	\$ 1,019,666.00
Cellular Siting Trust Fund	\$ 218,500.00
State Dept. of Fish and Game	\$ 218,500.00

One Year from the Effective Date:

State General Fund	\$ 1,238,167.00
State Dept. of Fish and Game	\$ 218,500.00

The "Effective Date" is defined as the date the Commission's decision approving this Agreement becomes final and nonappealable.

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Two Years from the Effective Date:

State General Fund \$ 1,238,167.00

State Dept. of Fish and Game \$ 218,500.00

Total Settlement Amount \$ 4,370,000.00

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Attachment F

Prospective Obligations

By this Attachment F, incorporated in the Investigation Settlement Agreement (the "Agreement") by reference, the Parties intend to specify and define LACTC's Prospective Obligations to improve and to document its compliance with G.O. 159, and with all permit and approval requirements of other public agencies. LACTC's Prospective Obligations can be classified in three categories: First, to verify compliance, or lack thereof, of all sites subject to this Agreement; second, to document with specificity the details of compliance or lack thereof; and third, to bring all sites subject to this Agreement into compliance with all requisite permits and approvals.

The Parties do not intend to seek - and do not seek - to diminish in any way LACTC's duty to abide by the law generally or to comply with local regulations, ordinances or other authorized instructions of public agencies as expeditiously as possible. Rather, the Parties hereby agree to a remedial action plan designed not to compromise cellular service, but which balances all of the rights and obligations in the Agreement. If LACTC fully performs its Prospective Obligations all of its remaining sites - excluding any LACTC is instructed to remove and which have not been removed, and excluding any non-compliant sites that would have been within the Scope of the Investigation but were not discovered until after the date of the Last Prospective Obligation - shall be deemed compliant with G.O. 159 as of the date of LACTC's Last Prospective Obligation, defined herein.

Reporting Guidelines

In an effort to establish its own internal controls or procedures designed to avoid the imposition of penalties pursuant to Public Utilities Code and the

Commissions Rules of Practice and Procedure, LACTC agrees to undertake a site-by-site audit of all its cellular Facilities (the "Audit") to determine whether they are compliant with all requisite permits and approvals. LACTC further agrees, pursuant to its Prospective Obligations set forth herein, to report the results of the Audit with respect to the sites set forth in Attachments A through C ("Audit Report")¹ to the Manager of the Environmental and Energy Advisory Branch of the Commission Advisory and Compliance Division ("CACD-MEEAB"), or its functional equivalent as determined by the Commission or CACD.

Should the Audit reveal that a cellular site or Facility is not compliant with all requisite permits or approvals, LACTC agrees to make every reasonable effort to bring it into compliance with all such laws within the time period provided herein. If LACTC is unable to bring any cell site or Facility into compliance, or finds that to do so is commercially impracticable, within the time periods set forth herein, LACTC agrees to remove any non-compliant site without further action by the Commission.

Pursuant to the deadlines set forth herein, LACTC will have one year from the date it submits the Audit Report to CACD-MEEAB in which to cure any compliance deficiency identified in the Audit Report ("Cure Period"), or discovered prior to the end of the Cure Period. Shortly before or on the date of expiration of the Cure Period, LACTC shall prepare and file a report detailing all remaining compliance deficiencies at any of its cell sites, and all efforts expended during the Cure Period to bring its cellular Facilities into compliance, including removal of any Facilities and restoration of any site to its original condition ("Cure Report").²

¹ LACTC agrees to submit an original and one copy of the Audit Report, the Cure Report identified below, and the supporting documentation to the CACD-MEEAB. Both the Audit and Cure Reports shall be submitted under penalty of perjury and counter-signed by the General Manager of LACTC.

² See note 1 above.

CACD-MEEAB may comment upon LACTC's Audit or Cure Reports, and the status of LACTC's compliance or non-compliance with the requisite permits and approvals of other public agencies. If CACD-MEEAB believes that any sites in the Cure Report are not in compliance, it may so inform LACTC, and identify the site and compliance issue.

Upon being informed of any site identified by CACD-MEEAB as non-compliant, LACTC will have 10 days in which to submit any additional information to CACD MEEAB to show: (1) the identified site is in compliance with all requisite permits or approvals; or (2) any non-compliance should be excused. CACD-MEEAB may in his or her Sole Judgment determine whether such identified sites are in compliance with all requisite permits and approvals; whether any such non-compliance shall be excused; or whether LACTC should voluntarily remove any non-compliant cellular Facilities. CACD-MEEAB will have four months from the date LACTC submits the Cure Report in which to inform LACTC of any alleged compliance deficiency, to receive any additional information LACTC might submit in response to notice of such deficiencies, and to exercise his or her Sole Judgment regarding any additional action to be taken pursuant to this Agreement ("Review Period").

Upon expiration of the Review Period, LACTC will file an advice letter pursuant to G.O. 96-A seeking a Commission resolution to include all remaining and unremoved LACTC sites in LACTC's California tariffs, to the extent such tariffs are incomplete. Said advice letter filing shall constitute LACTC's Last Prospective Obligation under this Agreement.

Removal Obligations

At the end of the Review Period, all remaining sites, excluding any CACD-MEEAB instructs LACTC to voluntarily remove which have not been removed, and

excluding those discovered after the date of the Last Prospective Obligation set forth herein,³ shall be deemed compliant with G.O. 159 pursuant to the Commission decision approving this Agreement. If any public agency finds that LACTC failed to promptly remove any Facilities which CACD-MEEAB has instructed to be removed, LACTC shall pay \$15,000 per day for each day the site is not removed, any costs associated with the removal and restoration of a non-compliant site, and reasonable attorneys fees resulting from any legal action brought to secure the removal of Facilities and restoration of the site.

If a site is removed prior to the expiration of the Cure Period, LACTC may subsequently construct a new Facility at that site, but may do so only after the original Facilities are removed and the site restored to the best of LACTC's ability, and only after LACTC has secured all necessary permits and approvals and has complied with G.O. 159 for the new replacement site prior to constructing the new Facility.

Compliance Deadlines

The following chronology sets forth the reporting and submission deadlines contemplated by the Parties to this Agreement:

Effective Date	The date upon which the Commission's decision approving this Agreement becomes final and nonappealable.
One Year	<u>The Audit Period.</u> LACTC shall have one year from the Effective Date in which to complete the Audit and submit the Audit Report to CACD-MEEAB.

³ See paragraph 3.8(b) of the Agreement.

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Two Years

The Cure Period. LACTC shall have one year from the end of the Audit Period in which to cure any compliance deficiencies identified in the Audit Report or discovered prior to the end of the Cure Period. LACTC shall prepare and file the Cure Report by the expiration of the Cure Period.

Upon expiration of the Cure Period, LACTC shall cease filing any advice letters for modification of sites within the Scope, and may not file for further modifications of said sites until expiration of the Review Period.

Two Years and Four Months

The Review Period. CACD-MFEAB will have four months from the expiration of the Cure Period in which to exercise its discretion and Sole Judgment concerning the Cure Report as described above.

Last Prospective Obligation. Upon expiration of the Review Period, LACTC will file an advice letter seeking a Commission resolution to include all remaining and unremoved compliant Facilities and modifications thereto in LACTC's California tariff, to the extent they are not already included. The advice letter filing shall constitute LACTC's final Prospective Obligation hereunder.

LACTC's advice letter filing for resolution will constitute the final event setting the Term of this Agreement. The termination of this Agreement shall not mitigate in any way LACTC's obligations, if any, for the penalties, fines, costs and attorneys fees that may be incurred in enforcing the obligations under this Agreement.

Report Requirements

By this Agreement, LACTC agrees to prepare and file an Audit Report and a Cure Report as described above. These reports shall include, at a minimum, the following information.

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Audit Report:

The Audit Report shall include a site-by-site breakdown of the sites set forth in Attachments A through C detailing the following information:

A. Use Permits.

- (1) Whether the site received a Conditional Use Permit ("CUP"), or an equivalent permit or approval;
- (2) Whether any statutory provision exempts the site from CUP requirements or from other equivalent permits or approvals, and, if so, provide a copy of any documents showing an exemption was granted; or . . .
- (3) Whether a city or county Planning Director, or the equivalent thereto, has issued a letter or other directive finding the specific site to be in full compliance with that agency's pertinent laws, regulations, or requirements.

B. Certificates of Occupancy.

The Audit Report should detail, for each operational site, whether a Certificate of Occupancy has been issued, and, if not, whether a Certificate of Occupancy is required at that location.

C. Site Leases.

- (1) Identify the owner of the land for each site, and provide the basis on which such ownership was determined starting with the County Assessor's Office, and any other basis upon which such ownership was determined; and . . .
- (2) Detail the chain of leases for each site and all rights-of-way or use permits that constitute LACTC's authority to construct Facilities on the land, and supply a copy of each.

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D. Building Permit Valuation.

(1) LACTC must send a letter to each city and county Building and Planning Department and provide them with copies of the original building permits and a list of the actual costs of Construction.

(2) Where the full cost of Construction exceeds the valuation on the building permit, LACTC must do one of the following:

(a) If the site has yet to receive its final inspection, LACTC shall inform the assigned inspector in writing, that the valuation of the Construction costs must be increased, and shall pay any additional fees.

(b) If the site has received its final inspection, LACTC shall submit a copy of the original permit and a written statement detailing the full valuation of the Construction costs to the city or county Building Department, and shall pay any additional fees.

(c) If, after LACTC notifies a city or county Building Department of the increased valuation, the agency instructs LACTC to follow another procedure for paying the required fees, LACTC shall follow that agency's procedures.

(3) LACTC must report in the Audit Report that it has disclosed to the city and county Building and Planning Departments the "full cost"⁴ of the Construction at each site, and how the "full cost" was determined including an itemization of the equipment in "full cost."

(4) LACTC must supply any record of additional fees paid pursuant to the application revising the cost of work.

⁴ "Full cost" as used herein shall be defined as the actual or estimated value of all equipment and facilities requiring permit or approval. The Uniform Building Code shall be referenced to determine which equipment and facilities require permits and approvals.

E. School Sites

(1) LACTC must secure approval for all modifications on school sites from the Office of the State Architect ("OSA"), where the OSA determines such approval is necessary. If OSA has determined that a permit or approval was not required for a school site within the Scope of the Investigation, LACTC must independently verify all facts, regarding Construction of existing Facilities at those sites, that are relevant and material to OSA's determination of exemption. LACTC shall submit such independent verification to OSA for its review. If OSA determines that LACTC's existing Facilities are exempt from permit or approval requirements, LACTC shall provide to the CACU-MEEAB written evidence of:

- (a) OSA's determination of exemption;
- (b) any representations made by LACTC, its agents or contractors to OSA regarding OSA's review of the exemption;
- (c) any correspondence to or from OSA; and . . .
- (d) the independent verification of facts regarding Construction of existing Facilities submitted to OSA for its review.

If, after reviewing LACTC's submission, OSA determines that its approval is required for Facilities Constructed at the site, LACTC shall obtain such approval prior to the expiration of the Cure Period. Such approval must cover all Facilities within the jurisdiction of OSA.

(2) Where required, LACTC must obtain CUP's for its school sites.

B. Hospital Sites

LACTC must secure approval for all modifications on hospital sites from the Office of Statewide Health Planning Department ("OSHPD"), where OSHPD determines such approval is necessary. If OSHPD has determined that a permit or approval was not required for a hospital site within the Scope of the Investigation, LACTC must independently verify all facts, regarding Construction of existing Facilities at those sites, that are relevant and material to OSHPD's determination of exemption. LACTC shall submit such independent verification to OSHPD for its review. If OSHPD determines that LACTC's existing Facilities are exempt from permit and approval requirements, LACTC shall provide to the CACD-MEEAB written evidence of:

- (1) OSHPD's determination of exemption;
- (2) any representations made by LACTC, its agents or employees to OSHPD regarding OSHPD's review of the exemption;
- (3) any correspondence to or from OSHPD; and . . .
- (4) the independent verification of facts regarding Construction of existing Facilities submitted to OSHPD for its review.

If, after reviewing LACTC's submission, OSHPD determines that its approval is required for Facilities Constructed at the site, LACTC shall obtain such approval prior to the expiration of the Cure Period. Such approval must cover all Facilities within the jurisdiction of OSHPD.

C. Other Permits.

LACTC must disclose whether each site requires permits and approvals from any other public agency, including but not limited to the Federal Communications Commission, the Federal Aviation Administration, the

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California Coastal Commission, any Department of Air Quality Control (for storage of hazardous chemicals), city and county Health Departments, city and county Building and Planning Departments, California Department of Transportation ("CALTRANS"), and any department which may require hazardous materials permits or filings.

H. Attachments.

LACTC shall attach to its Audit Report copies of all permits, applications, and correspondence to or from any of LACTC's employees, contractors or agents to any public agency official regarding any site-specific Facilities Construction.

Cure Report:⁵

The Cure Report filed by LACTC shall supplement all of the information described above for each and every site within the Scope of the Investigation. In addition, the Cure Report shall contain a statement of full compliance with all requisite permits and approvals of all other public agencies, and with the terms of this Agreement. In addition, LACTC shall file along with the Cure Report any additional copies of permits, applications, and correspondence to or from any of LACTC's employees, contractors or agents to any public agency official regarding any site-specific Facilities Construction performed during the Cure Period regarding sites within the Scope of the Investigation.

⁵ See, note 3 above.

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Exhibit 5

Interim Status Report, Cellular Siting Investigation
by Advocacy Staff,
California Public Utilities Commission ("CPUC"),
Commission Advisory and Compliance Division, November 25, 1992
Pertaining to File: I.92-01-002, filed January 10, 1992

This exhibit documents in detail the interim findings of the CPUC and which document hundreds of instances of violations of governmental regulations which occurred among 16 different cellular phone companies in California. In particular, it documents 148 instances of "Sites for which conflicting or inaccurate information was given to one or more governmental agencies. There is no obvious reason that appears to suggest that cellular phone companies in California are reacting any differently to market forces in their rush to construct and maintain their facilities. Rather, it seems prudent to assume that it was the diligence of the CPUC which brought to light practices that may likely be happening throughout the nation - as least this would be a reasonable assumption among agencies seeking to protect the public health, safety, and public interest.

This investigation result provides very strong evidence that Commission licensees should not be presumed to be in compliance, but rather the above reports suggest that the opposite, namely that Commission licensees should not be presumed to be relied upon. Therefore, due diligence on the part of the Commission, and State and local governments is needed to monitor and verify company assertions of compliance.

Indeed, this is the reason the Department of Agriculture inspects meat, the Department of the Treasury inspects banks, and local departments of health inspect food service and other appropriate locations. The sad fact is that unless checked many industries in whose hands the public health or welfare may be at risk, do not comply with regulations. The Commission must do likewise, and based upon the above and similar results change its approach and not presume compliance.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into all facilities-based)
cellular carriers and their practices,)
operations and conduct in connection)
with their siting of towers, and)
compliance with the Commission's)
General Order No. 159.)

I.92-01-002
(Filed January 10, 1992

INTERIM STATUS REPORT
CELLULAR SITING INVESTIGATION

Advocacy Staff
Commission Advisory
and Compliance Division
November 25, 1992

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GLOSSARY

A.L.	Advice Letter
APN	Assessor's Parcel Number
EACTC	Bay Area Cellular Telephone Company
BCTC	Bakersfield Cellular Telephone Company
CACDA	Advocacy Staff of the Commission Advisory and Compliance Division
BLM	Bureau of Land Management
CUP	Conditional Use Permit
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
G.O.	General Order
LACTC	Los Angeles Cellular Telephone Company
LASLP	Los Angeles SMSA Limited Partnership
OSA	Office of the State Architect
OSHPD	Office of the State Health and Planning Department
TUP	Temporary Use Permit
USFS	United States Forest Service

RELEVANT STATUTES AND REGULATIONS

California

California Health and Safety Code § 15,000 et. seq.
California Education Code § 39,154

Federal

10 U.S.C. § 2665
40 U.S.C. § 303b
43 U.S.C. § 1732 (Federal Land Policy and Management & Retention
Act of 1976)
36 Code of Federal Regulations § 251.55(d)
47 Code of Federal Regulations, Chapter 1, part 22

Other

Uniform Building Code

SUMMARY

This is an interim status report in the Cellular Siting Investigation, OII 92-01-002. The Advocacy Staff of the Commission Advisory and Compliance Division (CACDA) intends to use this report in several ways. First, it is intended to assure other regulatory agencies with delegated environmental review authority that the California Public Utilities Commission (CPUC or Commission) is taking its oversight obligations and its lead role in cellular siting seriously. This investigation has been making progress, despite the large number of sites covered. Second, having initially identified the extent of the violations it considers probable, staff is now prepared to begin some site specific discovery,¹ and address a procedural course. If this investigation assesses a site in greater detail, this status report will be superseded by a final report before hearings begin. Third, it is hoped that this report, which is based primarily on written evidence, will assist those working toward General Order (G.O.) 159 revisions in another proceeding. CACDA welcomes letter responses response to this status report, and the future participation of the public, permitting agencies, public safety officials, and cellular companies.

CACDA is very disheartened to find that the apparent violations of G. O. 159 are far more pervasive and extensive than suspected at the beginning of this investigation. For almost all sites, and based upon written evidence submitted to date, construction began days, weeks, or sometimes months prior to the effective date of the CPUC resolution authorizing construction. Only 34 sites within the scope of this partial report of 391 sites are today "clean" in that they have no apparent G.O. 159 violations.² Many other types of statutory, regulatory, ordinance, and general order discrepancies, as well as possible misrepresentations (in addition to those stemming from submittal of incorrect facts in advice letters under G.O. 159), have been detected. In some cases advice letters for sites were finally filed in response to the CPUC's investigation. Some of these sites had been in operation for months or years. Additional sites within the scope of the investigation have not filed any information in this investigation.

Perhaps most serious and troubling is the discovery of companies that have operated sites without the mandated regard for public

¹ This would entail a deeper investigation into some sites, as well as pressing the companies for data already requested, but not submitted.

² Approximately 632 sites have filed information and are within the scope of this investigation.

safety. They have constructed sites on public school grounds without the required Office of State Architect approvals, which are designed to protect children and teachers. They have constructed sites on hospital grounds without the required Office of State Health & Planning Department approval, which insures the safety of crucial emergency facilities. They have frequently operated sites without the final building inspection approval or Certificate of Occupancy, which verifies that the building is safe and has met the local building requirements.

Even if the utilities can explain some of the apparent discrepancies in this interim status report, it is evident from the prevailing practice of cellular companies that they often neglect or delay obtaining pre-construction permits or approvals. This practice initially led the CPUC to adopt G.O. 159 and has continued. As discussed below, G.O. 159 was adopted in large part to ameliorate concerns of cellular utilities.

On January 9, 1990, the Commission instituted a rulemaking (R.90-01-012) to determine the need for rules for the siting and environmental review of cellular radiotelephone facilities. This rulemaking stated that immediate action was needed to require proper environmental review prior to the construction of additional cellular facilities. According to the rulemaking, the need for environmental review outweighed the need for immediate construction of additional cellular facilities that might be constructed without such review.

This need became apparent because the cellular radiotelephone industry was expanding much faster than projected. Formal complaints were filed with the Commission alleging inadequate environmental review and requesting the removal of certain inappropriately sited cellular facilities. Cellular companies were concerned that the proposed rules superimposed two separate regulatory processes for approving cell sites: one before local authorities and one before this Commission, and that this was a wasteful and duplicative procedure that should be avoided.

According to D.90-03-080, the four objectives of G.O. 159 are for the Commission to ensure that:

1. the potential environmental impacts of all cellular sites are reviewed and considered in a manner consistent with the California Environmental Quality Act (CEQA);
2. affected local citizens, organizations, and jurisdictions are given reasonable notice and opportunities for input into the review process;
3. the public health and welfare, and zoning concerns of local jurisdiction are addressed;

4. cellular companies are not unnecessarily delayed by site review.

Under the revised rules of G.O. 159, once the Commission authorizes a utility's initial system, the Commission delegates its authority to local agencies to regulate the location and construction of additional cellular sites. The cellular companies requested and received protection from local agencies. If a cellular company cannot reach a timely agreement with the local jurisdiction, it can appeal to the Commission.

In short, G.O. 159, the ministerial mechanism by which this Commission exercises environmental and safety oversight under CEQA, is meaningless unless its timing requirements are observed or enforced. Neither has occurred. The industry does not comply. In part, matters progressed to where they are today, with massive discrepancies in submissions by cellular companies, because CACDA relied on sworn information to control the quality of advice letters. The reluctance or inability of most permitting agencies to require site removal, and the magnitude of revenues that render cellular companies relatively indifferent to local jurisdictions' available fine levels, contributes to lax or contradictory local enforcement.

The timing of obtaining permits is important. Cellular companies that get necessary permits or approvals after building are establishing a form of "squatter's rights" across California. The environmental impact, even if often de minimus or subject to ministerial local review, cannot legally be evaluated after construction occurs. Notice requirements are bypassed, reducing the potential objections of local residents. Mitigation measures, possible before construction begins, become problematic to enforce after highly localized damage has occurred. The first priority of the cellular companies seems to be expansion, and a corresponding growth in earnings. Observing siting processes is less important: cellular companies are often unwilling to wait even a few days to start building a site in order to satisfy G.O. 159. Their enthusiasm to provide cellular service for Californians is laudable, but many carriers' intra-company efforts towards building and permitting appear disjointed. The sense of permitting breakdown perceived is confirmed by companies' difficulties providing basic information about sites' dates of service, construction, location, and relevant permitting records.

CACDA has prepared a chart at the end of this Summary to tabulate the general extent of partial violations known today. Several qualifications apply.

First, not all sites are analyzed yet: this status report covers 391 sites of 632 in the investigation to date. Some 157 of these sites appear to violate G.O. 159, based on the written evidence

submitted. Yet the information cellular companies have submitted is, in many instances, quite incomplete. CACDA anticipates that cellular companies will provide satisfactory explanations or additional written evidence of compliance for some fraction of these sites. Additionally, this status report excludes the numerous sites within the scope of the investigation for which no Appendix A or B information was submitted. CACDA is still working to quantify and identify such sites. CACDA intends to assist cellular companies in identifying sites subject to this investigation and may request late filed Appendix A or B information.

CACDA cautions against drawing comparisons today between cellular companies because, with the exception of U.S. West, information submitted could be more complete for one company than another, and from subject to subject. (U.S. West made a commendable effort to respond with all the information the Commission requested.) Also, in nearly all instances involving a potential violation of a non-Commission rule relevant to G.O. 159 compliance, CACDA reports that the conduct "can be" a violation of such rules. Due to largely incomplete information, and to provide cellular companies the opportunity to present additional evidence that the rule was met or an exception or exemption granted, CACDA stops short of concluding a violation of other agencies' rules. However, CACDA has not been dilatory in its investigation. All federal, state, and local agencies have been contacted, and their interpretation of their own rules sought.

The first layer of detail reflected in the chart below relates to "pure" G.O. 159 violations: (1) premature construction,³ (2) premature operation, (3) complete absence of an advice letter, (4) delayed or wholly lacking permits or approvals (of any kind), and (5) temporary sites not within the general order's definition of temporary. Other types of G.O. 159 violations have occurred but in smaller amounts.

A second layer of detail is reported for potential violations concerning the "necessary permits or approvals" referenced in G.O. 159: Federal Communications Commission regulations, Federal Aviation Administration regulations, Bureau of Land Management requirements, Office of the State Architect approvals, and local controls (ordinances, conditional or temporary use permits, building permits and fees).

A third layer of major concern is potential misrepresentation, both to this Commission and other agencies. In every instance involving

³ Staff has in all instances excluded as "premature" those sites for which (1) construction began during the pendency of an advice letter, and (2) a letter of undertaking was filed. (G.O. 159, V(E)(3).)

a G.O. 159 violation, a misrepresentation has occurred, because all advice letters under G.O. 159 are signed under penalty of perjury. This interim report contains, with only a few noted exceptions, misrepresentations shown in written evidence. Additional misrepresentations in oral statements to this Commission or CACDA may have occurred, but are more appropriately the subject of hearings.

A fourth, miscellaneous category of discovered activities that are not G.O. 159 violations, but are excluded from this report, include: (1) failure to maintain an office with tariffs for public inspection (G.O. 96-A, VIII), (2) failure to report sub-tariff discounts to state agencies, particularly those with permitting authority (G.O. 96-A, X.D.), (3) misrepresentations in the Certificate of Public Convenience and Necessity process, and (4) potential violation of Rule 1 of the Commission's Rules of Practice and Procedure.

CHART

Name of Cellular Company	1. Construction prior to CPUC authorization	2. Operation prior to CPUC authorization	3. Existing sites for which no advice letter had been filed prior to the issuance of the OII	4. Sites without a required permit or approval required by G.O. 159, at the time of advice letter filing	5. Sites in operation without one or more required permits or approvals	6. Sites for which conflicting or inaccurate information was given to one or more government agencies	7. Number of sites reviewed for this report.
Bay Area Cellular Telephone Company (BACTC)	56	20	1	3	40	20	72
Los Angeles Cellular Telephone Company (LACTC)	41	39	2	15	13	41	41
GTE Mobilnet (GTE)	49	22	14		28	47	49
Los Angeles SMSA Limited Partnership (Pactel, LASLP)	96	5	14	22	47	10	127

Name of Cellular Company	1. Construction prior to CPUC authorization	2. Operation prior to CPUC authorization	3. Existing sites for which no advice letter had been filed prior to the issuance of the OII	4. Sites without a required permit or approval required by G.O. 159, at the time of advice letter filing	5. Sites in operation without one or more required permits or approvals	6. Sites for which conflicting or inaccurate information was given to one or more government agencies	7. Number of sites reviewed for this report.
Fresno Cellular Telephone Company (FCTC) - McCaw	14	8		3	6	5	15
Redding Cellular Partnership - McCaw	5	3			3		5
Stockton Cellular Telephone Company - McCaw	13	1			7	4	17
Santa Barbara Cellular Systems, Limited - McCaw	2					1	2