

APPENDIX 1

Broadband Infrastructure Account Requirements,
Guidelines and Application Materials

CASF - Broadband Infrastructure Account
---Requirements Guidelines and Application Materials---
Date: December 2018

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1. Background

On October 15, 2017, the Governor signed AB 1665 (Garcia)¹ into law. This urgency legislation amended the statutes governing the CASF program, Pub. Util. Code §§ 281, 912.2, and 914.7. On February 14, 2018, assigned Commissioner Martha Guzman Aceves issued an Amended Scoping Memo and Ruling (Amended Scoping Ruling) which set forth the amended procedural schedule and scope of this proceeding. In summary, AB 1665 makes the following specific changes to the Broadband Infrastructure Grant Account:

- Extends the date of the CASF goal from 2015 to 2022 and modifies the goal to approve funding for broadband infrastructure projects that will provide broadband access to no less than 98 percent of California households in each consortia region, as identified by the Commission as of January 1, 2017, instead of 98 percent statewide. Pub. Util. Code § 281(b)(1)(A)
- Requires the Commission to approve projects that provide last-mile broadband access to households that are unserved by an existing facility-based broadband provider. Pub. Util. Code § 281(b)(2)(A)
- Specifies that projects that only deploy middle-mile infrastructure are not eligible for grant funding. For a project that includes funding for middle-mile infrastructure, the Commission is required to verify that the proposed middle-mile infrastructure is indispensable for accessing the last-mile infrastructure. Pub. Util. Code § 281(f)(5)(B)
- Requires the Commission to give preference to projects in areas where Internet connectivity is available only through dial-up service that are not served by any form of wireline or wireless facility-based broadband service or areas with no Internet connectivity. Pub. Util. Code § 281(b)(2)(B)(i) However, the Commission is not prohibited from approving funding for projects outside of the areas that are designated as prioritized.
- Requires the Commission to recognize that broadband advanced communication services include both wireline and wireless technologies. Pub. Util. Code § 281(f)(1)

¹ Ch. 851, Stats. 2017.

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- Requires the Commission to annually offer existing facility-based providers the opportunity to demonstrate that they will provide broadband access to delineated unserved areas within 180 days and prohibits the Commission from approving funding for a project in those areas also known as right of first refusal (ROFR), provided the existing provider demonstrates that it will deploy broadband or upgrade existing broadband service throughout the project area. Pub. Util. Code § 281(f)(4)(A)(i)
- Specifies that Connect America Fund Phase II (CAF II) areas are ineligible for CASF funding until July 1, 2020, unless the existing facility-based broadband provider has notified the Commission before July 1, 2020 that it has completed its CAF deployment in the census block, however, an existing facility-based broadband provider is eligible to apply for CASF funding pursuant to the CAF II fund to expand broadband service within identified census blocks, as needed. Pub. Util. Code § 281(f)(5)(C)(i)
- Requires the provider to provide the Commission with information to demonstrate what progress has been made or challenges faced in completing the deployment if the existing facility-based broadband provider is unable to complete the deployment of broadband within the delineated unserved area within 180 days and allows the Commission to extend the time to complete the project beyond the 180 days if the Commission finds that the provider is making progress towards completing deployment. If the Commission finds that the provider is not making progress towards completing the deployment, the delineated unserved area shall be eligible for CASF funding. Pub. Util. Code § 281(f)(4)(A)(iii)
- Requires the Commission to not disclose public information submitted by the facility-based broadband provider that includes plans for future deployment but allows the Commission to disclose publicly information regarding the area designated for broadband deployment, the number of households or locations to be served, and the estimated date the deployment will be completed. Pub. Util. Code § 281(f)(4)(B)(i)
- Requires projects eligible for grant awards to meet the following requirements: (a) deploy infrastructure capable of providing broadband access at speeds of a minimum of 10 megabits per second (Mbps) downstream and 1 Mbps upstream to unserved households in census

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- blocks where no provider offers access at speeds of 6 Mbps downstream and 1 Mbps upstream; and (b) all or a significant portion of the project deploys last-mile infrastructure to provide service to unserved households. Pub. Util. Code § 281(f)(5)(A)
- Prohibits the Commission from granting projects that are already funded by the Connect America Fund program or other similar federal public program that funds that infrastructure, except for funding from the federal high-cost support programs that support operations, including High Cost Loop Support, Connect America Fund-Broadband Loop Support (CAF-BLS), or the Alternative Connect America Cost Model (A-CAM). Pub. Util. Code § 281(f)(12)
 - Specifies that the Commission may award grants to fund all or a portion of the project, and the Commission shall determine funding on a case-by-case basis. Pub. Util. Code § 281(f)(13)
 - Specifies that the Commission may require each infrastructure grant applicant to indicate steps taken to first obtain any available funding from the CAF program or similar federal public programs. Pub. Util. Code § 281(f)(14)
 - Allocates \$30 million remaining in the Infrastructure Grant account for projects that provide last-mile broadband access to households at speeds of at least 10/1. Pub. Util. Code § 281(f)(15)
 - Requires the Commission to post on the homepage of the CASF on its Internet website a list of all pending applications, application challenge deadlines, and notices of amendments to pending applications. Pub. Util. Code § 281(k)
 - Requires the Commission to establish a service list of interested parties to be notified of any CASF applications. Any application and any amendment to an application for project funding will be served to those on the service list and posted on the Commission's Internet website at least 30 days before publishing the corresponding draft resolution. Pub. Util. Code § 281(f)(10)

2. Amount Available for Grants

2.1. Background

AB 1665, approved by the Governor on October 15, 2017, authorizes the Commission to collect an additional \$300 million to the Broadband Infrastructure Grant Account.² As of July 1, 2018, \$331 million remains in the Infrastructure Account's budget balance.³ Upon the accomplishment of the program goal, AB 1665 also directs the Commission to reserve not more than \$30 million of Infrastructure grant funds for infrastructure projects that provide last-mile broadband access to households to which no facility-based broadband provider offers broadband service at speeds of at least 10/1.

2.2. Funding Criteria

PU Code Sec 281 (f)(13) allows the Commission to fund all or a portion of a project, on a case-by-case basis. The Commission must consider "the location and accessibility of the area, the existence of communication facilities that may be upgraded to deploy broadband, and whether the project makes a significant contribution to achieving the program goal." The Commission may also consider any other factors it deems appropriate. Additionally, Pub. Util. Code Section (b)(2)(B)(i) requires the Commission to, "give preference to projects in areas where Internet connectivity is available only through dial-up service that are not served by any form of wireline or wireless facility-based broadband service or areas with no Internet connectivity."

To determine the funding level for a project, the Commission will consider the following factors:

- Areas with only dial-up or no Internet connectivity (Pub. Util. Code Section (b)(2)(B)(i) – project areas with no Internet connectivity are eligible for up to 100 percent funding. [Projects requesting funding for dial-up-only areas must identify in their application the households that are and are not eligible, so that Staff may calculate the appropriate funding level.](#) Although the Commission does not consider mobile data

² This includes \$5 million set aside for the Line Extension program.

³ The \$3.2 million remaining in the Broadband Infrastructure Revolving Loan Account unencumbered as of January 1, 2018, will be transferred to the Broadband Infrastructure Grant Account.

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services to be a substitute for broadband, for the purposes of this definition, they are considered a form of Internet connectivity.

- Location and accessibility of the area – Project areas meeting two of the following five characteristics:
 1. The proposed project area contains rugged or difficult terrain (e.g., mountains, desert, national or state forest);
 2. The proposed project area is an unincorporated community;
 3. The proposed project area is more than 10 miles from the nearest hospital;
 4. The proposed project area is more than 10 miles from the nearest state or federal highway; and/or
 5. The proposed project area is located in a rural census block, as defined by the U.S. Census Bureau.
- Existence of communication facilities that may be upgraded to deploy broadband – project areas in which the applicant relies primarily on existing infrastructure, including poles and conduit, and thus will be less expensive to build.
- Whether the project makes a significant contribution to achieving the program goal – project areas within a Broadband Consortium region that has not yet reached the goal of deploying broadband Internet service at speeds of 6 mbps download and 1 mbps upload to 98 percent of households are eligible for an additional 10 percent funding.
- Low-income service – project areas for which Staff determines that the latest Census Bureau American Community Survey (ACS) 5-year median household income falls below the California Alternate Rates for Energy (CARE) income eligibility limit for a family of four, shall be eligible for an additional 30 percent funding. The effective definition of a low-income area, through May 31, 2019, is a median household income no greater than \$50,200. Projects with low-income households that offer service to low-income customers at less than \$15/month shall be eligible for an additional 10 percent funding.

Summary of Funding Criteria

Maximum Funding Level: 100%

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Baseline for Eligible Project: 60% of total construction costs
Presence of Dial-up Only: <u>Up to</u> + 40% ⁴
Low Income: Up to + 40%
<ul style="list-style-type: none"> • Median Household Income for community is less than CARE standard for a family of 4, which is currently \$50,200 (30%). • Applicant serves low-income customers for no more than \$15/month (10%).⁵
PU Code Sec 281 (f)(13) Criteria: + 10% per criterion, up to + 20%
<ul style="list-style-type: none"> • Inaccessible Location (10%) • Uses Existing Infrastructure (10%) • Makes a Significant Contribution to the Program Goal (10%)

2.3. Prioritization

In the event that Staff receives more applications for CASF projects than can be adequately analyzed within the time constraints defined in this document, applications will be considered on a lowest-income-first basis.

3. Definitions

“Baseline Data” means the reported served status of broadband at or above 6 Mbps downstream and 1 Mbps upstream in California by Consortium as of December 31, 2016, published by the Commission.

www.cpuc.ca.gov/General.aspx?id=6442455975

“Broadband Map” means the California Interactive Broadband Map showing served status and eligibility, maintained by the Commission.

<http://www.broadbandmap.ca.gov/>

“Consortium Map” means a static (pdf) map showing eligible areas in a Consortium’s region published by the Commission.

www.cpuc.ca.gov/General.aspx?id=6442455975

⁴ [The percentage of additional funding will be proportional to the percentage of households in the project area that have access to dial-up only at best.](#)

⁵ [The low-income service offering must be offered throughout the entire project area and must meet all of the CASF performance criteria.](#)

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“Eligible Project” means an area containing unserved households and that is not within a CAF II, ROFR or existing CASF project area. CAF II areas remain project eligible to the corresponding existing facilities-based provider to extend service within its CAF II area. Eligible projects must be capable of offering broadband service at or above 10/1 Mbps, irrespective of the project’s technology.

“Low-income areas” means areas identified by the median income within a Census Block Group having median income less than the CARE standard for a household of 4, which will be updated annually. Through May 31, 2019, this value is \$50,200.⁴⁶

An “unserved” area means a census block for which no fixed facility-based broadband provider offers broadband service at speeds of at least 6 mbps downstream and 1 mbps upstream.⁵⁷ If a Consortia Region has met the goal 98 percent broadband deployment at served speeds of 6 mbps downstream and one mbps upstream, an unserved area will be a census block where no facility-based broadband provider offers broadband service at speeds of at least 10 mbps downstream and one mbps upstream.

“Unserved households with slow-service” means households’ having service at speeds greater than 768 Kbps down or 200 Kbps up but less than 6 Mbps down or 1 Mbps up.

“Unserved households with no-service” means households’ having speeds less than 768 Kbps down or 200 Kbps up, no service, or dial-up service.

4. Who May Apply

The following entities are eligible for a CASF Infrastructure Account grant:

⁴⁶ The Commission’s CARE program standard applies per household. We assume a household size of four persons. <http://www.cpuc.ca.gov/General.aspx?id=976>

⁵⁷ Pub. Util. Code section 281(b)(1)(B). To determine if an area is unserved, the Commission will rely on both broadband deployment data and subscriber data submitted to the Communications Division as part of the annual broadband data collection efforts. Staff will use subscriber data to validate a provider’s deployment data. For a census block to be served by a provider, the provider must submit deployment data indicating that it offers serves speeds to at least one household in that census block AND subscriber data indicating that it has one subscriber in that census block.

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- Entities with a Certificate of Public Convenience and Necessity (CPCN) that qualify as a “telephone corporation” as defined under Public Utilities (Pub. Util.) Code section 234; or
- Wireless carriers who are registered with the Commission (i.e., hold a Wireless Identification Registration (WIR))— wireless carriers need not obtain a CPCN to qualify for CASF funding; or
- Non-telephone corporations that are facilities-based broadband service providers—the Commission uses the National Telecommunications and Information Administration’s (NTIA) definition of a facilities-based broadband service provider, which is generally defined as any entity providing internet access service or middle mile transport, over its own fixed or wireless facilities to residence, businesses, or other institution—must also meet the CASF eligibility requirements and comply with program requirements. (See D.14-02-018, T-17443 and _____[insert decision number of the PD]_____)
- A local governmental agency if no other eligible entity applied.⁶⁸

In addition, the Commission will consider applications from satellite service providers able to meet the minimum performance criteria. A local governmental agency may be eligible for an infrastructure grant only if the infrastructure project is for an unserved household or business, the Commission has conducted an open application process, and no other eligible entity applied.

The statute allows a Publicly Supported Community (PSC) eligible for funding via the Public Housing Account to submit an application for funding from the Infrastructure Account only after all funds available for the Public Housing Account have been awarded.⁷⁹ Those applications will continue to be reviewed subject to the rules and guidelines established for the Public Housing Account.

⁶⁸ For the purposes of this program, tribal governmental entities may also apply for CASF grants. Because the statute does not address specifically tribal governmental entities, which are sovereign, and distinctly different, we will provide them with the same treatment as local government agencies.

⁷⁹ Pub. Util. Code section 281(i)(2), (3).

5. Eligible Projects

In addition to serving an area defined as unserved, including “unserved households with slow service” and “unserved households with no service,” the following items also impact project eligibility.

5.1. Treatment of CAF II Areas

Pub. Util. Code Sec. 281(f)(5)(C) specifies that the CAF II areas are ineligible for CASF until July 1, 2020, unless the existing facility-based broadband provider has notified the Commission before July 1, 2020, that it has either completed or elected not to build its CAF II deployment in the census block. Providers wishing to inform the Commission of their CAF deployment plans must submit a letter by January 15th of each year to the Communications Division Director with a copy to the CASF distribution service list, detailing the CAF II areas that have been completed and those that the provider is expressing its intent not to upgrade. The letter also must include the following information:

- Areas with CAF accepted locations by census block designated for planned broadband deployment in 2019, either in Excel or geospatial file format (.kmz, shapefile, etc.);
- Areas with CAF accepted locations by census block where broadband deployment has been completed as of December 31, 2018, either in Excel or geospatial file format (.kmz, shapefile, etc.); and
- Areas with CAF accepted locations by census block that the provider does not intend to build to and therefore releases as CASF eligible, either in Excel or geospatial file format (.kmz, shapefile, etc.).

5.2. Right of First Refusal

Any provider wishing to exercise its Right of First Refusal must submit a letter by January 15th of each year to the Communications Division Director with a copy to the CASF distribution service list, expressing its intent to upgrade services within 180 days. The letter also must include the following information:

- Area designated for broadband deployment by census block in Excel or census block geospatial file, such as .kmz or shapefile;
- The number of households or locations to be served;

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- A commitment to ensure that all households within the area will have the capability to receive minimum speeds;
- An estimate of the date (within the 180-day statutory requirement) by which the deployment will be completed with service available to the public;
- Proof that the provider is an existing facility-based provider in the census block(s) for which it claims ROFR. This proof may come in the following forms:
 - The company submitted data during the most recent broadband data collection, or the most recent FCC Form 477 data submission that is publicly available, and its footprint includes the area in its ROFR claim;
 - The company claiming ROFR has a video franchise under DIVCA, the area it claims in the ROFR submission is part of its DIVCA footprint, and it already offers video service in that area;
 - The company claiming ROFR is an ILEC and the area it claims in the ROFR is an unserved area within its wire center region;
 - If the company is a wireless internet service provider (WISP) and it has a subscriber in the claimed census block(s).

The Commission has delegated to Communications Division Staff the responsibility to approve or deny each ROFR filing. Staff will post determinations by January 31 of each year. Letters containing incomplete information or not filed in a timely manner will be denied.

As provided in Pub. Util. Code Sec. 281(f)(4)(A)(iii), if the existing facility-based broadband provider (“existing provider”) is unable to complete the deployment of broadband within the delineated unserved area within 180 days, the provider shall provide the Commission with information to demonstrate what progress has been made or challenges faced in completing the deployment. A ROFR may be extended for 180 days if deployment is held up due to permitting issues and environmental review, weather or other acts of God. If the Commission finds that the provider is not making progress towards completing the deployment, the delineated unserved area will be eligible for CASF funding.

5.3. Middle Mile Funding

Pub. Util. Code Section 281 (f)(5)(B) states that projects that only deploy middle-mile infrastructure are not eligible for grant funding. For a project that includes funding for middle-mile infrastructure, the Commission is required to verify that the proposed middle-mile infrastructure is indispensable for accessing the last-mile infrastructure.

If Staff finds existing middle-mile infrastructure in a proposed project area where an applicant proposes to construct new infrastructure, Staff will ask the applicant to justify its request and explain why the existing middle-mile facilities cannot meet the needs of the last-mile infrastructure or the needs of the community. A project requesting middle mile funding may also be challenged by owners of middle mile facilities in the area. If an application proposing to build middle-mile infrastructure to offer last-mile service is not challenged, that is a strong indication that the middle mile funding applied for is indispensable to the project.

In the event that there are relevant middle mile facilities in the area, but the applicant and the owner of the middle mile facilities are unable to agree to terms for wholesale services that will enable delivery of last-mile service at reasonable quality and price levels, the Commission will have to make a discretionary decision. Staff will draft a resolution for Commission approval on a case-by-case basis. Finally, in a situation where a provider is unwilling to offer service, or only offers service at exorbitant prices, the Commission will find that the proposed middle-mile build is indispensable to the project.

Regarding whether leasing or purchasing of middle-mile facilities and services for terms beyond five years (e.g., Indefeasible Right to Use (IRU) for 20 years) are allowable or even preferred over building new infrastructure, the Commission adopts rules to reimburse these services.

5.4. Previous CASF Areas

In areas where the Commission has already awarded a CASF grant, new CASF grant funding for broadband projects in the same area will be available only after three years from the start of broadband service of the first CASF- funded project in order to ensure that existing grantee(s) are able to realize returns on their investment.

6. Performance Criteria

At a minimum, all CASF Infrastructure projects must meet the performance criteria outlined below:

- **Project Completion:** All CEQA-exempt projects must be completed within 12 months, and all other projects shall be completed within 24 months after receiving authorization to construct.
- **Pricing:** All applicants shall commit to serve customers in the project area at the prices provided in the application for two years after completion of the project.
- **Speeds:** All households in the proposed project areas must be offered a broadband Internet service plan with speeds of at least 10 Mbps download and 1 Mbps upload.
- **Latency:** All projects shall provide service at a maximum of 100 ms of latency.
- **Data Caps:** All projects implementing data caps shall provide a minimum of 190 GBs per month.
- **Affordability:** All projects shall provide an affordable broadband plan for low-income customers.

7. Reimbursable Expenses

Pub. Util. Code section 281(f)(11)(A-C) define the costs the Commission may reimburse as follows:

- Costs directly related to the deployment of infrastructure;
- Costs to lease access to property or for Internet backhaul services for a period not to exceed five years; and
- Costs incurred by an existing facility-based broadband provider to upgrade its existing facilities to provide for interconnection.

Additionally, administrative expenses directly related to the project shall be capped at 15 percent of the grant amount.⁸¹⁰

⁸¹⁰ We define administrative costs as “indirect overhead costs attributable to a project, per generally accepted accounting principles (GAAP), and the direct cost of complying with Commission administrative and regulatory requirements related to the grant itself.” Applicants seeking additional funds will require a Commission exemption included in a draft resolution.

8. Information Required from Applicants

A single CASF Grant Application is to be submitted by each applicant for any eligible project areas. Non-contiguous project areas may be considered as a single project. Project applications can include either or both wireline and wireless technologies. Projects with middle-mile infrastructure must show that it is indispensable for accessing the last-mile infrastructure. In order to be reviewed, all applications must include the items listed below.

8.1. Application Item 1 – Project Summary (Distributed Publicly)

The applicant must submit a Project Summary, which Communications Division Staff will post on the CASF webpage. The applicant also must submit the Project Summary to the CASF Distribution List. The summary must include the following information:

- Company/Applicant's name.
- CPCN/U-Number or WIR or pending CPCN/WIR application number.⁹¹¹
- Contact person.
- Project title.
- Named project location (Community/County).
- Project type (Last-mile or Hybrid Last-mile/Middle-mile).
- Amount of CASF grant funding requested and project cost.
- Map of the proposed project area.
- The number of unserved households with no-service and the number of unserved households with slow-service for which the project will provide service.
- If the project is requesting dial-up-only funding, it must state the number of households with dial-up-only service and the number of other CASF-eligible households.
- The maximum Mbps downstream and upstream speed currently offered to households.
- Median Household Income of the project area.

⁹¹¹ A CPCN or WIR authority is not necessary to apply or be awarded a CASF grant. CPCN/WIR information is available at www.cpuc.ca.gov/General.aspx?id=1019

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- The number of businesses, anchor institutions and public safety locations in the project area that will receive new or improved service.
- A description of the major infrastructure to be deployed: miles of planned fiber, Central Offices used, number of remote terminals/fiber huts/wireless towers to be built, and if an IRU is used.
- Estimated breakdown of aerial and underground installation.
- Major equipment expenses (e.g., number of DSLAMs, multiplexers, etc.).
- Estimated construction timeline.
- Description of proposed broadband project plan for which CASF funding is being requested, including the type of technology to be provided in the proposed service areas:
 - Download speed capabilities of proposed facilities.
 - Upload speed capabilities of proposed facilities.
 - The project description will provide enough construction detail to enable a preliminary indication of the need for a California Environmental Quality Act (CEQA) review and if proposed project areas contains any environmentally sensitive areas. For example, when trenching is required, the applicant will state and describe the manner in which the site is to be restored, post-trenching.
 - Identification of the leveraging of existing available facilities (e.g., interconnection in lieu of overbuilding existing facilities of another provider).

The applicant may also use this summary information in its adoption and outreach efforts, i.e., in soliciting local government and community support for the proposed project, in disseminating information to their proposed communities/areas.

8.2. Application Item 2 – Applicant Entity Information

The applicant must provide the following information, as necessary:

- Information Sheet (Attachment A to this document) with a Certificate of Good Standing issued by the Secretary of State;
- Organizational Chart, Company History, and Statement of Readiness to Build, Manage, and Operate Broadband;

- Key Contact Information (Name, Title, Address, Email Address, and Phone number);
- Key Company Officers.

8.3. Application Item 3 – Description of the Applicant’s Current Broadband Infrastructure and Existing Infrastructure in the Area

The applicant must provide:

- A description of the provider’s current broadband infrastructure and service within five miles of the proposed project;
- A description of other providers’ infrastructure within the project area which can be leased, purchased or accessed via interconnection.

8.4. Application Item 4 – Project Location Data

The applicant must provide the following:

- The geographic location of all households and housing units. This information will be provided in a plain-text, comma-separated values (CSV format) file, that contains geo-located street address information, including latitude and longitude coordinates.⁴⁰¹² Additional information about how to format this item is available on the CASF webpage;
- The geographic location of the project related key network equipment, such as; DSLAMs, wireless towers, router facilities, remote terminals, network interconnection, etcetera. Additional information about how to format this item is available on the CASF webpage.

8.5. Application Item 5 - Median Income

The applicant must report the median household income for each Census Block Group (CBG) that intersects the project area. The California Broadband Map (<http://www.broadbandmap.ca.gov/>) includes census derived population and income data and information regarding existing service providers and their reported service speeds. Using the census block group layer data return, the

⁴⁰¹² There are a several possibilities for acquiring geolocated street address level data. This document from USAC provides an overview of geolocation methods:
http://www.usac.org/_res/documents/hc/pdf/tools/HUBBGeolocationMethods.pdf

medium income and CBG code can be obtained. For reference, CBG codes are formatted as follows:

- CBG(s) must be based on the latest decennial census. CBG(s) must be in a twelve digit format, as follows:⁴¹³

<u>State CA</u>	<u>County</u>	<u>Tract</u>	<u>Block Group</u>
2 digits	3 digits	6 digits	1 digit

8.6. Application Item 6 – Project Eligibility

The applicant must rely on the Broadband Map to identify project eligibility and that the project reported households (CSV file referenced in Application Item 4) are within eligible census blocks (unserved blocks that are not within a CAF II, ROFR or existing CASF project area). Eligible projects must offer broadband service at or above 10 Mbps downstream and 1 Mbps upstream, irrespective of the project’s technology. The applicant must:

- Provide an assertion that the applicant reviewed the wireline, fixed-wireless and mobile served status on the Broadband Map and determined that the broadband project area proposed is eligible.
- The applicant may provide CalSPEED tests to show actual speeds or denials of service or other public feedback as evidence on unserved status. The Commission’s public feedback tools are available on the CASF website: www.cpuc.ca.gov/General.aspx?id=5868. Such evidence may be used to dispute the Broadband Map depictions of served status.

8.7. Application Item 7 - Deployment Schedule

The applicant must provide:

- A schedule for obtaining necessary permits prior to construction. The schedule must include the timeline required for the California Environmental Quality Act (CEQA) review, as applicable.
- A schedule for project construction following receipt of permits, to complete the project within 24 months, or within 12 months if the project is categorically exempt from CEQA. The schedule needs to identify and describe construction milestones and include start and end dates for each milestone.

⁴¹³ For example, a census block in the town of Fort Bidwell in Modoc County is 060490040001.

- If the applicant is unable to construct and complete the proposed project within the approved timeline, it must notify CASF staff as soon as it becomes aware and explain reasons for the delay and when the project will be completed.

8.8. Application Item 8 - Proposed Project Expenditures

The applicant must provide:

- Identification of expense categories; direct and or indirect expenses;
- Identification of direct expenses; equipment/materials, labor/construction wages and permitting/CEQA review;
- Identification of individual cost elements and their cost amount. The applicant must identify all the equipment to be funded by the CASF by category, (buildings, towers and poles, network and access equipment, operating equipment, customer premise equipment, materials), and the type of equipment (new building, prefabricated building, rehab of existing building, new towers or poles, modification towers and poles, broadband switching equipment, cable, etc.);
- Identification of allocated indirect costs; General and Administrative expenses, such as; repair & maintenance expenses for equipment and facilities, utilities, rent of equipment and facilities, administrative costs, indirect materials and supplies, insurance on equipment & machinery, indirect labor and contract supervisory wages, production period interest expense;
- Administrative expenses, including executive salaries, are limited to 15 percent of the total grant amount. We define administrative costs as indirect overhead costs attributable to a project, per generally accepted accounting principles (GAAP), and the direct cost of complying with Commission administrative and regulatory requirements related to the grant itself.

8.9. Application Item 9 – Economic Life of All Assets to be Funded

The applicant must identify all the equipment to be funded by the CASF by category (buildings, outside plant, towers and poles, network and access equipment, operating equipment, customer premise equipment), the type of

equipment (new building, prefabricated building, rehab of existing building, new towers or poles, modification of existing towers and poles, broadband switching equipment, office furniture and fixture, etc.), and the estimated useful life (10, 15, 20, etc. years).

8.10. Application Item 10 – Letter of Credit Requirement

An eligible applicant that does not hold a CPCN issued by the Commission is required to submit a Letter of Credit. The Letter of Credit must be irrevocable and will permit the Commission to immediately reclaim any funds provided in the event of non-compliance with the Commission’s rules or requirements. [The applicant must provide a letter of credit covering the full CASF grant amount issued to the applicant. The letter of credit must be valid throughout its entire 24-month project construction period.](#)

8.11. Application Item 11 – Pricing Commitment

Applicants must submit the fixed monthly service subscription rates that it will offer to all consumers during a 24-month period following completion of the project. To encourage adoption, installation charges must be waived during the commitment period. After this 24-month period, the service provider may revise their generally applicable service rates and reinstate installation/connection charges for new service connections. The applicant shall identify in its application:

- Fixed monthly service level subscription rates.
- Waived installation/service connection charges.
- Specify any commitments and/or requirements that the customer must accept in order to receive equipment during the commitment period, such as return of equipment.
- [Low-income broadband plan detailing prices and speeds to be offered. At minimum, the low-income broadband plan must meet all CASF performance criteria.](#)

8.12. Application Item 12 – Marketing/Outreach Plan

The applicant must provide a plan to encourage subscription of the broadband service in the project location. The submission shall explain the marketing and

outreach plans the applicant will employ to attract residents to sign up for service during the pricing commitment period.

8.13. Application Item 13 – Government and Community Support

The applicant may submit endorsements or letters of support from state and local government, community groups, and anchor institutions supporting the deployment of the broadband infrastructure.

8.14. Application Item 14 – Funding Sources

The applicant must identify each applicable project funding source, such as; loans, financial contributions from the service provider, public or private broadband adoption or deployment program funds, and federal and state grants or loans.

8.15. Application Item 15 - Financial Qualifications

The following must be submitted by applicant regarding the company:

- CPA Audited/Attested Financial Statements for the last three years:
 - Balance Sheet
 - Income Statement
 - Statement of Cash Flows
- Pro Forma Financial Forecast for a five-year period, including a list of assumptions supporting the forecast. Projections must include:
 - Balance Sheet
 - Income Statement
 - Statement of Cash Flows
- Five-year annual EBIT (Earnings Before Income and Tax) projection for the company.

CPA Audited or Attested Financial Statements will be accepted from parent companies in lieu of financial statements from subsidiaries that have no audited or attested financial statements. If applicant has been in existence for less than three years, financial statements for as long as applicant has been in existence, e.g. one or two years, will be accepted.

8.16. Application Item 16 – Project Viability

The applicant must provide a five-year projected project business plan showing project profitability, revenues, and expenses. Include an EBIT for the project overall. The project viability forecast must include projected revenue from customers, showing changes in subscriptions and service rates and charges through the pricing commitment period and the period thereafter, years three through five, as applicable.

8.17. Application Item 17 – Providing Voice Service

The applicant must provide information about the following:

- Availability of voice service that meets FCC standards for E-911 service and battery back-up;
- Listing of types of voice services offered; and
- Timeframe of voice offering(s).

8.18. Application Item 18 – CEQA Attestation

The applicant must provide information about their project demonstrating how CEQA compliance is to be obtained. The applicant shall attest that they have contacted the Commission’s Energy Division CEQA section in advance of the filing and have consulted with CEQA Staff regarding the process of developing and filing a Proponent’s Environmental Assessment (PEA) or other CEQA documents and are aware of their responsibilities if their proposed project is not exempt from CEQA. Information on PEA and CEQA requirements is available on the Commission’s website at: www.cpuc.ca.gov/ceqa.

8.19. Application Item 19 – Application Checklist

An applicant must complete the CASF Application Checklist Form and attach it to each project proposal. (See Attachment B to this document.)

8.20. Application Item 20 – Affidavit

Applicants must submit an affidavit, under penalty of perjury, that to the best of their knowledge all the statements and representations made in the application information submitted is true and correct. (See Attachment C to this document.)

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9. Submission and Timelines

Applications are due annually on April 1. Staff then has six months to process all applications. If by October 1 an application has not been approved by Staff under its Ministerial Review authority, nor has Staff published a Draft Resolution recommending Commission approval, the application is deemed denied, though it may be eligible for approval the next year.

In the event the Commission receives a small number of applications, the Commission delegates to Communications Division Staff the option, but not the obligation, of opening a second shortened application round in a year. Applications during this round must meet the criteria outlined in the Ministerial Review Section. Any applications submitted during this special round receiving a complete and timely challenge are automatically denied.

CASF Infrastructure Account Timeline

Event	Date¹²¹⁴
Broadband Availability Map Published	November/December
Right of First Refusal Submission Deadline	January 15
Filing Deadline for CAF Providers to indicate blocks that will not be served using CAF support, blocks that will be served using CAF support and blocks that have not yet been determined	January 15
Communications Division Staff Publishes ROFR Determination and Updates to Broadband Availability Map	January 31
CASF Infrastructure Account Application Deadline	April 1
<u>Deadline for CD Staff to post Application Summaries and Maps to CPUC website and notify CASF Distribution List</u>	<u>April 15</u>
Deadline for Challenge Submissions	April <u>May 226</u>
Deadline for Communications Division Staff to Announce if it will offer a second application round	May 15
Deadline for Application Approvals Under Ministerial Review	October 1

¹²¹⁴ In the event any date falls on a weekend or holiday, the deadline is the next business day.

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Deadline for publishing Draft Resolutions recommending Project Approval	October 1
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Applicants should electronically file their completed applications at <http://www.cpuc.ca.gov/puc/> and mail a separate hard copy to the Communications Division, Attn: California Advanced Services Fund, and mail another hard copy to the Public Advocates Office at the CPUC. Since applications are not filed with the Commission’s Docket Office, they will not be assigned proceeding number(s).

Communications Division Staff may create subsequent filing periods if applications do not exceed the available funds. After considering all of the applications for unserved areas received by the initial deadline for the first application window and if funds are still available, Communications Division Staff will consider applications for underserved areas subject to the availability of remaining CASF funds.

Any party that challenges a proposed area or CBG as already served or not underserved must provide documentation that the area or CBG is in fact already served and not underserved (e.g., maps or a copy of a customer bill). Communications Division Staff will then investigate this information, along with the applicant’s documentation supporting its assertion that the CBG is unserved or underserved. Communications Division Staff will inform the applicant of the challenges filed on its application and provide the challenger’s name and all information submitted. Once Communications Division Staff makes a final determination, it will notify the applicant of its determination.

If the challenged CBG is determined to be “served” or not underserved, the application cannot be considered and will be rejected. The applicant, however, has the option to submit a modified application in subsequent rounds of proposals, either for the same area (provided that the parts of the CBG that are not “unserved” are omitted from project cost and budget considerations) or for only those parts of the CBG that are unserved

Entities who challenged applications submitted must submit maps of their service area(s) and addresses of households in their service area(s) to enable staff to verify the challengers’ allegation that the area(s) are already served and not underserved.

10. Posting of Applications

The Commission will post a list of all pending applications, challenge deadlines, and notices of amendments to pending applications on the CASF webpage. The Commission already has a CASF distribution list of interested parties, and will continue to notify the distribution list of interested parties for any CASF applications. The Commission will serve applications and any amendments to an application for project funding to those on the service list and post on the CASF webpage at least 30 days before publishing the corresponding draft resolution.

11. Project Challenges

Pursuant to Public Util. Code Sec. 281(f)(8), the Commission shall provide each applicant, and any party challenging an application, the opportunity to demonstrate actual levels of broadband service in the project area, which the Commission will consider in reviewing the application.

An entity challenging a CASF Infrastructure Grant application must submit its complete challenge no later than 21 calendar days from the [filing notice](#) of the application [being served on the CASF Distribution List](#). Challengers must provide a public notice of the challenge to the CASF Distribution List and submit the confidential challenge report to the Communications Division Director, inclusive of the following:

- The geographic location of all households it serves in the challenged area(s). This information must be provided in a plain-text, comma-separated values (CSV) file, that contains geo-located street address information, including latitude and longitude coordinates.
- Customer billing from one subscriber in each census block of the challenge indicating that the customer received served speeds at least one day prior to the application filing. Additionally, the billing statement must contain sufficient information so that Staff can verify it with the customer.
- An attestation that the households identified in (a) are offered service and have the capability to receive minimum speeds of 6 Mbps download and 1 Mbps upload.

The Commission has delegated to Communications Division Staff the authority to uphold or deny a challenge. Staff will inform the applicant of its determination of the challenge based on the confidential challenge report. Incomplete challenges or challenges filed after the deadline will be deemed denied.

In the unlikely event that an applicant proposes to expand its proposed project area after the challenge period has passed, and staff decides to consider this revision, the revised application must be served on the CASF Distribution List to allow interested parties the opportunity to challenge only the expanded areas of the project.

12. Ministerial Review

The Commission delegates to Communications Division Staff the authority to approve applications, including determinations of funding, that meet all of the following criteria:

1. Applicant meets the program eligibility requirements ~~herein and pursuant to Pub. Util. Code section 281.~~
2. The application is not challenged, or Staff has ~~dispensed with the challenge.~~
3. ~~The~~ determined that the project ~~meets the following cost thresholds:~~¹³
 - a. ~~For projects building fiber to the home, proposed project costs \$6,000 per household or less.~~
 - b. ~~For fixed wireless projects, proposed project costs \$1,500 per household or less.~~ area is unserved.
3. ~~4-~~ The total grant does not exceed ~~\$5,000,000.~~ 10,000,000.
4. ~~5-~~ The project must be ~~CEQA~~ California Environmental Quality Act (CEQA)-exempt, or ~~the~~ approval letter ~~from Staff~~ must state that authorization to construct and release funds will be provided in a forthcoming resolution.
5. There must be no competing applications for the same project area in the same application period.
6. Costs per household are low:

¹³ ~~CASF Workshop on Reform Report May 25, 2017, presented average project cost per household by technology type, Page 72, Table 11. <http://www.cpuc.ca.gov/General.aspx?id=9226>~~

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- a. For projects building wireline connections, proposed project costs \$9,300 per household or less.
- b. For fixed wireless projects, proposed project costs \$1,500 per household or less.

Applications not meeting these criteria may only be approved by the Commission via resolution. All applications shall be approved, denied, or marked for further review by the Commission (through a Resolution) within three months. If an application is neither approved nor marked for further review by the Commission, it shall be presumed denied.

Ministerial Process	Resolution Process
Maximum Cost / HH <ul style="list-style-type: none"> • \$6,000<u>\$9,300</u> for wireline • \$1,500 for fixed wireless 	Does not meet all criteria under Ministerial Process
Maximum Grant Amount: \$5,000,000 <u>\$10,000,000</u>	
Must be CEQA-exempt, or approval letter must state that authorization to construct and release funds will be provided in a forthcoming resolution.	

13. Semi-Annual and Completion Reporting

Grantees are required to file progress reports on a bi-annual basis. Progress reports are due on March 1 and September 1 of each year. In the event either date falls on a weekend or holiday, the reports are due the following business day. Progress reports shall contain the following:

- Description of project accomplishments during this period.
- Identification of project milestones and the percent complete to date. If the percent completed is different from the estimated target milestones from the CASF application, it is necessary to provide a narrative description explaining what occurred.

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- Major construction milestones (including a reporting on all CEQA mitigation implementation and monitoring activities, if CEQA review was required), date of completion of each task/milestone as well as problems/issues encountered, and actions taken to resolve these issues/problems during construction (including CEQA compliance, if applicable).
- Description of any challenges or issues and any risks faced during this past quarter in achieving planned progress on the project, including environmental compliance and permitting challenges if applicable.
- Description of significant project milestones or accomplishments planned for next quarter.
- Subscribership information to date.
- Certification that each progress report is true and correct, under penalty of perjury.

Grantees also must submit completion reports prior to receiving the final payment. These reports shall contain the following:

- Comparison of approved versus actual costs of construction.
- Description of the project, including any changes in the project construction and alignment, if applicable.
- Milestones and completion dates for each milestone.
- Final date of completion of the project, problems/issues encountered since last semi-annual report and actions taken to resolve these issues/problems during construction (and comprehensive reporting on CEQA mitigation compliance, if applicable).
- Speed test data for the Census Block, including:
 - Test results for download and upload speeds;
 - Samples at dispersed locations in the project area; number of tests will vary based on project;
 - An attestation that all households within the project area are offered service at minimum speeds of 10 Mbps download and 1 Mbps upload or higher;

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- A screenshot of results of CalSPEED speed tests, which can be accessed at <http://calspeed.org/index.html>;
- Maps of the areas covered;
- The geographic location of all households that are served. This information will be provided in a plain-text, comma-separated values (CSV) file, that contains geo-located street address information, including latitude and longitude coordinates;
- Documentation of advertisements, billing inserts and marketing information, by speed tier and prices;
- Projected subscribers versus actual subscribers, as of the date of the completion report;
- Identification of the number of served households in the project area that have broadband availability at or above the aforementioned minimum speeds;
- A copy of the FCC Form 477 data submitted directly to the Commission.

14. Payment

Requests for payments may be submitted as the project is progressively deployed. The prerequisite for first payment is the submittal of a progress report to the Commission showing that at least 10 percent of the project has been completed. Subsequent payments are made at the following deadlines: 35 percent completion, 60 percent completion, 85 percent completion and 100 percent completion. The final 15 percent payment request (from 85 to 100 percent) will not be paid without an approved completion report. Payments are based on submitted receipts, invoices and other supporting documentation showing expenditures incurred for the project in accordance with the approved CASF funding budget included in the CASF grantee's application.

If an application also meets the ministerial review criteria, a provider with a CPCN that wishes to front the full costs of a project in exchange for reduced reporting burdens may request an alternative payment structure. The one-time payment request must include a project completion report and receipts/invoices of major equipment and materials purchased, with labor costs and other items being line

items reflecting the remaining total amounts charged to CASF. CASF Staff must conduct a site visit to confirm project completion prior to authorizing payment and these reimbursements are still submit to audit.

Grantees shall submit the final request for payment within 90 days after completion of the project. If the grantee cannot complete the project within the 24-month timeline, the grantee shall notify the Commission as soon as they become aware that they may not be able to meet the timeline and provide a new project completion date.

In the event that the recipient fails to notify the Communications Division of any delays in the project completion and the project fails to meet the approved completion date, the Commission may impose penalties to be adopted in a Commission resolution. Invoices submitted will be subject to a financial audit by the Commission at any time within 3 years of completion of project. If portions of reimbursements are found to be out of compliance, Grantees will be responsible for refunding any disallowed amounts along with appropriate interest at rates determined in accordance with applicable Commission decisions.

15. CEQA Payment

CEQA consultant costs shall be paid directly by the Commission to the contractor. Following award of a grant the Energy Division CEQA Section Staff will obtain a contractor to review the CEQA documents for the project. The CASF will pay directly the project's CEQA PEA preparation costs, but those costs will be identified as costs associated with the grant and will have no effect on the applicable shares of grantee assigned and program supported total project costs.

The applicant may file with the Energy Division's CEQA Section a completed CEQA review conducted by another agency acting as the Lead Agency pursuant to CEQA. Should this occur, grantees may request funds to pay for preparation of a PEA.

16. Execution and Performance

Staff and the CASF grant recipient shall determine a project start date after the CASF grant recipient has obtained all approvals, commonly 30 days after approval of the resolution or ministerial review approval. Should the recipient

or Contractor fail to commence work at the agreed upon time, the Commission, upon five days written notice to the CASF recipient, reserves the right to terminate the award.

In the event that the CASF recipient fails to complete the project, in accordance with the terms of approval granted by the Commission, the CASF recipient must reimburse some or all of the CASF funds that it has received. The CASF grant recipient must complete all performance under the award on or before the termination date of the award.

16.1. Construction Phase

A grantee must notify the Commission within five days of determining that the grantee is planning to sell or transfer its assets. The grantee shall notify the Director of the Commission's Communications Division in writing of its intent to sell or transfer company assets within five days of becoming aware of these plans. The grantee shall also provide documentation, including an affidavit, stating that the new entity will take full responsibility and ownership to comply with the requirements of the CASF award. The new entity shall agree in writing to such. The grantee shall provide the Commission with any necessary documents requested in its review of the transfer. This will include all documents that are generally required of all entities applying for the CASF grants. The grantee shall not transfer CASF funds or the built portion of the project to the new entity prior to Commission approval via a resolution/order. If the Commission does not provide approval, it will rescind the grant.

16.2. Post-Construction Phase

For three years after project completion, a grantee must notify the Commission within five days of determining that the grantee is planning to sell or transfer its assets. The grantee shall notify the Director of the Commission's Communications Division in writing of their intent to sell or transfer company assets within five days of becoming aware of these plans. The grantee shall also provide documentation, including an affidavit, stating that the new entity will take full responsibility and ownership to comply with the requirements of the CASF grant. The new entity shall agree in writing to such.

17. Compliance Changes Pursuant to CASF Performance Audit

All applicants are required to sign a consent form agreeing to the terms ~~stated in the resolution authorizing the CASF award~~ and conditions of the CASF Infrastructure Grant Account. These will be stated either in the Resolution approving the project, or in a letter sent by Staff to the successful applicant. The agreement will provide the name of the applicant, names of officers and members, and must be signed by the applicant. The proposed wording of the consent form is in Attachment D to this document.

18. Penalties

Non-telephone corporations, grantees must agree to the following language in the affidavit found in Attachment C to this document.

If [Grantee Name] violates the terms and conditions of a CASF award or other program and project compliance requirements, it shall be subject to Public Utilities Code Sections 2108 and 2111. The Commission may impose the maximum penalties allowed under Public Utilities Code Sections 2108 and 2111 for failure to meet the program and project compliance requirements, as determined by the Commission.

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ATTACHMENT A

**Information Sheet to be submitted by Applicants Requesting for CASF Funding
 BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

1 Application of:

Name of Applicant

xfor CASF Funding pursuant to Decision _____

<p>(Insert the full legal name of applicant in blank above; see instruction 1; attach fictitious names, if any)</p> <p>Street address:</p> <p>Telephone: () Fax No.: ()</p> <p>E-Mail:</p>
--

2 Applicant is: (Check only one; see instruction 2.)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">A corporation (attach good standing certificate)</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">A general partnership (attach good standing certificate)</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">A limited liability partnership (attach good standing certificate)</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">A limited liability company (attach good standing certificate)</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">A general partnership</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">A sole proprietor</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">A trust</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">Other (describe)</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	A corporation (attach good standing certificate)	<input type="checkbox"/>	A general partnership (attach good standing certificate)	<input type="checkbox"/>	A limited liability partnership (attach good standing certificate)	<input type="checkbox"/>	A limited liability company (attach good standing certificate)	<input type="checkbox"/>	A general partnership	<input type="checkbox"/>	A sole proprietor	<input type="checkbox"/>	A trust	<input type="checkbox"/>	Other (describe)	<input type="checkbox"/>
A corporation (attach good standing certificate)	<input type="checkbox"/>																
A general partnership (attach good standing certificate)	<input type="checkbox"/>																
A limited liability partnership (attach good standing certificate)	<input type="checkbox"/>																
A limited liability company (attach good standing certificate)	<input type="checkbox"/>																
A general partnership	<input type="checkbox"/>																
A sole proprietor	<input type="checkbox"/>																
A trust	<input type="checkbox"/>																
Other (describe)	<input type="checkbox"/>																
<p>Attach name, street address, and telephone number of applicant's registered agent for service of process</p> <p>Attach list of the names, titles, and street addresses of all officers and directors, general partners, trustees, members, or other persons authorized to conduct the business of applicant at a similar level</p> <p style="text-align: center;"><i>Attach list of all affiliated entities (see instruction 2)</i></p>																	

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3 Legal domicile of applicant is:	California <input type="checkbox"/> Other (identify): <input type="checkbox"/> <i>(Check only one; see instruction 3.)</i>	<input type="checkbox"/> <input type="checkbox"/>
-----------------------------------	--	--

4 Applicant will provide service:	In specific portions only (attach description and map) <input type="checkbox"/> <i>(Check only one; see instruction 5.)</i>	<input type="checkbox"/>
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5. Applicant will provide: broadband service only	True <input type="checkbox"/> Not true <input type="checkbox"/> <i>(Check only one; see instruction 6.)</i>	<input type="checkbox"/> <input type="checkbox"/>
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6. For the past 10 years, no affiliate, officer, director, general partner, or	True <input type="checkbox"/> Not true <input type="checkbox"/> person owning more than 10% of applicant, or anyone acting in such a capacity whether or not formally appointed, held one of these positions with any company that filed for bankruptcy or has been found either criminally or civilly liable by a court of appropriate jurisdiction for a violation of § 17000 et seq. of the California Business and Professions Code or for any actions which involved misrepresentations to consumers, and to the best of applicant's knowledge, is not currently under investigation for similar violations. <i>(Check only one; see instruction 2.)</i>	<input type="checkbox"/> <input type="checkbox"/>
--	--	--

7. To the best of applicant's knowledge, neither	True <input type="checkbox"/> Not true <input type="checkbox"/> applicant, any affiliate, officer, director, partner, nor owner of more than 10% of applicant, or any person acting in such capacity whether or not formally appointed, has been sanctioned by the Federal Communications Commission, or any state regulatory agency for failure to comply with any regulatory statute, rule or order, or convicted by any court for any criminal activity for the past 10 years.	<input type="checkbox"/> <input type="checkbox"/>
--	---	--

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8. Applicant has the required financial capability and technical expertise to build a broadband infrastructure and operate and maintain a broadband service.	True <input type="checkbox"/>
	Not true <input type="checkbox"/>

I hereby declare under penalty of perjury under the laws of the State of California that the forgoing information, and all attachments, are true, correct, and complete to the best of my knowledge and belief after due inquiry, and that I am authorized to make this application on behalf of the applicant named above.

Signed: _____

Name (Print): _____

Title: _____

Dated: _____

Street Address:

Telephone Number:

Fax Number:

Email:

Principal Place of Business (if different from address on page 1).

Street Address:

City:

State:

ZIP Code:

Telephone Number:

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Instructions:

1. Enter the legal name of applicant exactly as it appears on its articles or certificate of corporation or similar charter document.
2. Specify the type of applicant's organization. Applicant must provide a Good Standing Certificate which is available from the office of the Secretary of State of the State of California and should be dated of a date not more than 60 days prior to the date of filing the application. An original certificate must be attached to the manually signed copy of the application. An affiliated entity is any entity under common control with applicant. Common control exists if the same individuals or entities have the direct or indirect power to determine the action of applicant and such entity through the right to vote shares, by contract or agreement, or otherwise. Note whether any such entity is a reporting company for purposes of the Securities Exchange Act of 1934, as amended.
3. For individuals, domicile is the place of legal residence; for entities, it is the state of incorporation or organization.
4. Specify the exact area for which authority is requested, i.e., Community and County.
5. Indicate whether the applicant will be providing broadband service only.

Items 2, 6 and 7 are subject to confirmation by the Commission through the conduct of background check(s). For numbers 6 and 7, attach detailed description, if applicable.

6. Detailed information should be provided for the past 10 years, if applicable.
7. Detailed Information should be provided for the past 10 years, if applicable.
8. Attach audited balance sheet for the most recent fiscal year and an unaudited balance sheet as of the most recent fiscal quarter, a bank statement as of the month prior to the date of filing the application, or a third-party undertaking to provide the required amounts on behalf of applicant. If the balance sheet shows current liabilities in excess of current assets or negative equity, explain how applicant will be able to maintain sufficient liquidity for its first year of operations. Attach detailed summary, if applicable.

Material changes in the entries for this application, such as discontinuing operation or

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bankruptcy, or change of name (DBA), change of address, telephone, fax number or E-mail address should be reported by a letter to the CPUC, Director of the Communications Division, 505 Van Ness Avenue, San Francisco, CA 94102.

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ATTACHMENT B

CASF APPLICATION CHECKLIST
 (Required for EACH proposed project)

To assist the Commission in verifying the completeness of your proposal, mark the box to the left of each item submitted.

	1. Project Summary
	2. Amount of Funds Requested:
<input type="checkbox"/>	Grant Amount: _____
	3. Area Applied for
<input type="checkbox"/>	Whether the area is unserved with no service or unserved with speeds below 6/1 Mbps
<input type="checkbox"/>	Whether the area contains any CAF II areas
	4. CPCN / U-Number / CPUC Registration Proof (As a single document)(if applicable)
<input type="checkbox"/>	Applicant's U-Number and/or Proof of applicant's Certificate of Public Convenience and Necessity (CPCN)
<input type="checkbox"/>	Proof of CPCN application pending approval, or CPCN Application Number (in the absence of a CPCN)
<input type="checkbox"/>	CPUC registration Number (wireless carriers)
	5. Information Sheet with a Certificate of Good Standing issued by the CA Secretary of State attached
	6. Organizational Chart, Company History and Readiness to Build, Manage and Operate Broadband
<input type="checkbox"/>	Organizational Chart
<input type="checkbox"/>	Company History
<input type="checkbox"/>	Readiness to Build, Manage and Operate Broadband
	7. CASF Key Contact Information
<input type="checkbox"/>	First Name
<input type="checkbox"/>	Last Name
<input type="checkbox"/>	Address Line1
<input type="checkbox"/>	Address Line2
<input type="checkbox"/>	City
<input type="checkbox"/>	State
<input type="checkbox"/>	Zip

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	Email
	Phone
8. Key Company Officers (list up to 5)	
	Title
	First Name
	Last Name
	Email
	Phone Number
	Resumes of key officers and management personnel
9. Current Broadband Infrastructure Description	
	Description of the provider's current broadband infrastructure within 5 miles of the proposed project, if applicable.
	List showing number of households per CBG and Zip Code
10. Current Broadband Infrastructure	
	Shapefile (.shp) of current service area.
11. Proposed Broadband Project Description	
	Description of proposed broadband project plan for which CASF funding is being requested, including the type of technology to be deployed
	Project size (in square miles)
	Download speed capabilities of proposed facilities
	Upload speed capabilities of proposed facilities
12. Proposed Broadband Project Location	
	Geographic locations by CBG(s) where broadband facilities will be deployed:
	List of CBG(s) and,
	ZIP Codes that intersect the proposed project.
13. Proposed Broadband Project Location Shapefile	
	Shapefile (.shp) showing boundaries of the specific area to be served by the project.
14. Assertion that area being proposed is Unserved or Underserved Area. This includes figures, in mbps, of the current:	
	(a) average download speed by CBG(s);
	(b) average download speed by ZIP Code(s);
	(c) average upload speed by CBG(s) and;
	(d) average upload speed by ZIP Code(s).
15. Estimated Potential Subscriber Size	
	Estimated number of potential broadband households in proposed project location.

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 --- Revised Application Requirements and Guidelines---
 Date: December 2018*

	Estimated number of potential broadband subscribers in proposed project location.
	Documentation of assumptions and data sources used to compile estimates.
	Adoption Plan
16. Deployment Schedule	
	Milestone Start and Ending Date
	Milestone Description
	Milestone Comments
	Milestone Risks
17. Proposed Project Expenditures	
	a detailed breakdown of cost elements;
	the source of cost elements;
	amount of cost elements;
	availability of matching funds to be supplied by applicant; and
	the CASF funds requested.
18. Economic Life of All Assets to be Funded	
19. Local Government and Community Support (optional)	
20. Letter of Credit Documentation (to be submitted after project award)	
21. Proposed Pricing (with a 24-month commitment)	
	Proposed recurring retail price per MBPS for applicant's proposed broadband service(s).
	Initial service connection charges, if any and any bundling of equipment in the proposed pricing.
	Other recurring costs
	Other non-recurring costs
22. Financials	
	a) CPA Audited / Attested Financial Statements for the last three years (if applicant has been in existence for less than three years, provide financial statements for as long as applicant has been in existence, e.g. one or two years). The statements must include: Balance Sheet, Income Statement, and Statement of Cash Flows.
	Balance Sheet
	Income Statement
	Statement of Cash Flows
	b) Pro Forma Financial Forecast over 5 years
	Balance Sheet
	Income Statement
	Statement of Cash Flows

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	c) Annual EBIT (Earnings Before Income and Tax) projection over 5 years
	23. Proof of Voice Service
	Availability of basic voice service that meets FCC standards for E-911 service and battery, including:
	Listing of types of services offered;
	Timeframe of offering.
	24. CEQA Attestation
	Proponent's Environmental Assessment (PEA)
	25. Notarized Affidavit

Applications are due annually on April 1st.
Submit completed applications online at <http://www.cpuc.ca.gov/puc/>
with hard copies mailed separately to:

Communications Division
Attn: California Advanced Services Fund
California Public Utilities Commission
505 Van Ness Ave.
San Francisco, CA 94102

Public Advocates Office at the CPUC
Re: California Advanced Services Fund
California Public Utilities Commission
505 Van Ness Ave.
San Francisco, CA 94102

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Date: December 2018*

**ATTACHMENT C
Telephone Corporations
NOTARIZED AFFIDAVIT**

Name of Carrier/Company _____
Utility Identification Number _____ or _____ check here if Application for
CPCN is pending and the CPUC assigned application no., if available.

My name is _____. I am _____ (Title) of
_____ (Company). My personal knowledge of the facts stated
herein has been derived from my employment with _____
(Company)

I swear or affirm that I have personal knowledge of the facts stated in this Application for
the California Advanced Services Fund, I am competent to testify to them, and I have the
authority to make this Application on behalf of and to bind the Company.

I further swear or affirm that _____ [Name of Carrier/Company]
agrees to comply with all federal and state statutes, rules, and regulations, covering
broadband services and state contractual rules and regulations, if granted funding from
the California Advanced Services Fund.

I swear and affirm that I agree to comply with Rules 1.11 and 2.2 of the California Public
Utilities Commission's rules of practice and Procedure.

I swear or affirm, under penalty of perjury, and under Rule 1.1 of the California Public
Utilities Commission's Rules of Practice and Procedure, that, to the best of my knowledge,
all of the statements and representations made in this Application are true and correct.

Signature and title

Type or print name and title

SUBSCRIBED AND SWORN to before me on the ____ day of ____, 20____.

Notary Public In and For the State of _____

My Commission expires: _____

CASF - The Broadband Infrastructure Grant Account
--- Revised Application Requirements and Guidelines---
Date: December 2018

ATTACHMENT C
Non - Telephone Corporations
NOTARIZED AFFIDAVIT

Name of Carrier/Company _____
Utility Identification Number _____ or _____ check here if Application for CPCN is pending and the CPUC assigned application no., if available.
My name is _____. I am _____ (Title) of _____ (Company). My personal knowledge of the facts stated herein has been derived from my employment with _____ (Company)

I swear or affirm that I have personal knowledge of the facts stated in this Application for the California Advanced Services Fund, I am competent to testify to them, and I have the authority to make this Application on behalf of and to bind the Company.

I further swear or affirm that _____ [Name of Carrier/Company] agrees to comply with all federal and state statutes, rules, and regulations, covering broadband services and state contractual rules and regulations, if granted funding from the California Advanced Services Fund.

I swear and affirm that I agree to comply with Rules 1.11 and 2.2 of the California Public Utilities Commission's rules of practice and Procedure.

I swear or affirm, under penalty of perjury, and under Rule 1.1 of the California Public Utilities Commission's Rules of Practice and Procedure, that, to the best of my knowledge, all of the statements and representations made in this Application are true and correct.

If [Grantee Name] violates the terms and conditions of a CASF award or other program and project compliance requirements, it shall be subject to Public Utilities Code Sections 2108 and 2111. The Commission may impose the maximum penalties allowed under Public Utilities Code Sections 2108 and 2111 for failure to meet the program and project compliance requirements, as determined by the Commission.

Signature and title

Type or print name and title

SUBSCRIBED AND SWORN to before me on the ____ day of ____, 20____.

Notary Public In and For the State of _____

My Commission expires: _____

~~ATTACHMENT D~~ ATTACHMENT D
CONSENT FORM

~~STATE OF CALIFORNIA~~ STATE OF CALIFORNIA
~~G. BROWN JR.~~ BROWN, GOVERNOR

~~EDMUND~~ EDMUND

~~PUBLIC UTILITIES COMMISSION~~
~~CONSUMER PROTECTION & ENFORCEMENT DIVISION~~

PUBLIC UTILITIES COMMISSION

COMMUNICATIONS DIVISION

505 VAN NESS AVENUE VAN NESS AVENUE

SAN FRANCISCO SAN FRANCISCO, CA 94102-3298



CONSENT FORM
CONSENT FORM

Name of Grantee: _____

The California Advanced Services Fund (CASF) Grantee identified above acknowledges receipt of ~~the California Public Utilities Commission Resolution T-_____~~ and either a Resolution or a letter from Commission Staff approving a grant under the Ministerial Review process. The Grantee agrees to comply with all grant terms, conditions, and requirements set forth in the Resolution and CASF rules Resolution T-_____ or letter _____, as well as all CASF rules, including those in the Broadband Infrastructure Accounts Requirements, Guidelines and Application Materials.

Undersigned representative of _____ [Name of Grantee] is duly authorized to execute this Consent Form on behalf of the Grantee and to bind the Grantee to the terms, conditions, and requirements set forth in California Public Utilities Commission Resolution T-_____ or the letter referenced above.

Dated this _____ day of _____, 20____.

Signature

Printed Name

Title: _____

Organization or Name of Company: _____

Business Address (include street address, suite/apt. number, city, state, and ZIP Code): _____

Telephone Number (include area code): (_____) _____

Email Address: _____

(END OF APPENDIX 1)

Document comparison by Workshare Compare on Monday, December 10, 2018
12:06:34 PM

Input:	
Document 1 ID	file:///d:/jt2/Desktop/wsc-i-R1210012 Guzman Aceves Appendix 1 10-31-18.docx
Description	wsc-i-R1210012 Guzman Aceves Appendix 1 10-31-18
Document 2 ID	file:///d:/jt2/Desktop/wsc-i-R1210012 Guzman Aceves Agenda Dec Appendix 1 Rev. 1 10-31-18.docx
Description	wsc-i-R1210012 Guzman Aceves Agenda Dec Appendix 1 Rev. 1 10-31-18
Rendering set	Standard with font changes

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	76
Deletions	61
Moved from	3
Moved to	3
Style change	0
Format changed	14
Total changes	157