

# Appendix 2

**APPENDIX 2**  
**Broadband Public Housing Account**  
**Revised Application Requirements and Guidelines**

**I. Background**

AB 1299 (Bradford) was signed into law on October 3, 2013. AB 1299 expanded the CASF Program by adding a fourth account, the Broadband Public Housing Account (BPHA), dedicated to broadband access and adoption in publicly supported communities (PSCs).

In 2016 the Legislature passed SB 745 (Hueso). SB 745 extended the date when remaining funds from the BPHA are transferred back to other CASF Accounts from December 31, 2016, to December 31, 2020. SB 745 further limited the Commission's awarding of grants for BPHA infrastructure projects to only unserved housing developments.

In 2017, the Legislature passed AB 1665 (Garcia) that authorized PSCs eligible for funding via the BPHA, only after all funds available for the BPHA have been awarded, to submit a CASF application for funding from the Broadband Infrastructure Account and/or Broadband Adoption Account.

**II. Amount Available for Grants**

The BPHA provides \$20 million for grants and loans to finance infrastructure projects connecting PSCs with broadband Internet. The Account provides \$5 million for adoption projects for residents in PSCs. To date, the \$5 million allocated for grants for PSCs has been fully committed. Therefore, the Commission can no longer accept applications for these projects unless the statutory cap is raised. However, eligible PSCs can apply for funds for broadband adoption projects from the CASF Broadband Adoption Account.

The Commission will award grants to finance up to 100 percent of the costs to install inside wiring<sup>1</sup> and broadband network equipment but will not finance operations and maintenance costs.

The Commission will reimburse the following project-related expenses after a

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<sup>1</sup>Telephone wiring inside a residential unit or multi-dwelling unit (MDU) building.

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review of the project progress or completion reports and supporting documentation:

- All broadband networking equipment (hardware and software), wireless access points, wireless bridge(s), modem(s), switches, router(s), and firewall(s) for network security but not personal computers, laptops, handheld or human interface devices.
- Low voltage contracting work including the installation of inside wiring, network cabinets, NEMA boxes<sup>2</sup>, conduits, patch panels, cable tray or ladders, and other cabling requirements to provide power and connectivity for the broadband network equipment funded as part of the project. Major rehabilitation, demolition or construction work will not be funded.
- Broadband network engineering and designing documentation.
- Hardware warranty of broadband network equipment as needed.
- Installation, provisioning, and configuration labor costs at the Minimum Point of Entry (MPOE), MDFs (Main Distribution Frame), IDFs (Intermediate Distribution Frame), WAPs (Wireless Access Point), Wireless Bridges such as P2P and P2MP (Point to Point and Point to Multi-point) Radios, Switched Ethernet, and xDSL (Digital Subscriber Line) modems.
- Taxes, shipping and insurance costs (if applicable) that are directly related to broadband network equipment deployed under the BPHA.

For wireless networking projects, equipment must meet at least the 802.11n standard<sup>3</sup>. For wireline networking projects, equipment must meet at least

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<sup>2</sup> The National Electrical Manufacturers Association defines standards used in North America for various grades of electrical enclosures typically used in industrial applications.

<sup>3</sup> A widely used wireless computer networking protocol standard by IEEE (The Institute of Electrical and Electronics Engineers) for Wi-Fi communication that operates on 2.4 GHz and 5 GHz frequency bands.

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ADSL2+ standard<sup>4</sup> or the 10BASE-X standard<sup>5</sup>.

### **III. Definitions**

“Project” is a publicly subsidized multifamily housing development that is requesting funds under one application from the BPHA.

“Publicly subsidized” means either that the housing development receives financial assistance from the United States Department of Housing and Urban Development (HUD) pursuant to an annual contribution contract or is financed with low-income housing tax credits, tax-exempt mortgage revenue bonds, general obligation bonds, or local, state, or federal loans or grants and the rents of the occupants, who are lower-income households, do not exceed those prescribed by deed restrictions or regulatory agreements pursuant to the terms of the financing or financial assistance.

“Publicly supported community” (PSC) is a publicly subsidized multifamily housing development that is wholly owned by either of the following:

(i) A public housing agency that has been chartered by the state, or by any city or county in the state, and has been determined to be an eligible public housing agency by the United States Department of Housing and Urban Development.

(ii) An incorporated nonprofit organization as described in Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)) that is exempt from taxation under Section 501(a) of that code (16 U.S.C. Sec. 501(a)) and that has received public funding to subsidize the construction or maintenance of housing occupied by residents whose annual income qualifies as “low” or “very low” income according to federal poverty guidelines.

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<sup>4</sup> G.992.5 is an ITU-T (International Telecommunication Union - Telecommunication) standard for asymmetric digital subscriber line (ADSL) broadband Internet access with a maximum theoretical download speed of 24 Mbit/s and an upload speeds of 3.3 Mbit/s can be achieved.

<sup>5</sup> Classic Ethernet is a family of first generation 10 Mbit/s Ethernet standards. 10 represents its maximum throughput of 10 Mbit/s, BASE indicates its use of baseband transmission, and X indicates the type of medium used.

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A “minimum point of entry” (MPOE) is either the closest practicable point to where the wiring crosses a property line or the closest practicable point to where the wiring enters a multiunit building or buildings.

An “unserved” housing development is a housing development where at least one housing unit within the housing development is not offered broadband Internet service.<sup>6</sup> All units within a housing development are offered broadband internet service if an ISP already provides access to all units.<sup>7</sup>

#### **IV. Eligible Applicants**

CASF Broadband Public Housing Account funding is limited to an eligible publicly supported community (PSCs) owned by either of the following two entities:

- A public housing agency that has been chartered by the State, or by city or by county in the State, and has been determined to be an eligible public housing agency by the United States Department of Housing and Urban Development.
- An incorporated nonprofit organization as described in Section 501 (c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)) that is exempt from taxation under Section 501 (a) of that code (16 U.S.C. Sec. 501(a)) and that has received public funding to subsidize the construction or maintenance of housing occupied by residents whose annual income qualifies as “low”-or “very low” income according to federal poverty guidelines.

Non-profit housing developers involved in limited partnerships with for-profit entities participating may also be eligible since the IRS considers an exempt organization's participation as a general partner in a limited partnership with for-profit limited partners as consistent with the organization's exempt status under Internal Revenue Code Section 501(c)(3).

For PSCs applying for infrastructure funds, a PSC may be eligible for funding only if the PSC can verify to the Commission that the PSC has not denied a right

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<sup>6</sup> Pub. Util. Code, § 281(i)(3)(B)(i) and (ii).

<sup>7</sup> The applicant must attest that the project meets this definition and the ISP must demonstrate, in the challenge process, that the ISP already provides access to all units on the property in question.

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of access to any broadband provider that is willing to connect to a broadband network to the facility for which the grant or loan is sought<sup>8</sup> and the publicly supported community is unserved as defined in Section III.

## **V. Information Required from Applicants**

In order to be reviewed, Applicants must submit the following information to the Commission for each proposed project. Application forms can be found on the CASF BPHA webpage. Applications and supporting material must be submitted online with a hard copy mailed to the CASF Housing Account Coordinator and one sent to the Office of Ratepayer Advocates. Staff will post a list of applications submitted by the deadline on the CASF webpage.

### **A. Infrastructure Project Application**

Applicants must complete and submit a project application form. Staff will post all project summaries on its website after the date of application submission and will notify the CASF Distribution List<sup>9</sup> of the submission(s), allowing ISPs three weeks from the date of posting the application to challenge an application as discussed in Section VIII.

A public housing agency applying for BPHA funds must include in its submission the Annual HUD Contributions Contract and HA Code, allowing staff to verify its certification along with its most recent HUD Public Housing Assessment System (PHAS) score.

Non-profit applicants must submit an IRS letter approving the applicant's status as a 501(c)(3) entity incorporated for the purposes of providing affordable housing, which must include the applicant's Tax Identification Number, along with an award letter from a public agency such as the California Tax Credit Allocation Committee (TCAC), proving its receipt of public funding for affordable housing purposes.

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<sup>8</sup> Pub. Util. Code, § 281(i)(3)(A).

<sup>9</sup> The CASF Distribution List is maintained by Staff and is generally used for informal CASF matters (e.g. draft resolutions, notice of applications/project summaries.) The CASF Distribution List is available at <http://www.cpuc.ca.gov/General.aspx?id=8246>.

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For PSCs applying for infrastructure funds, the Commission shall award grants only to housing developments that are unserved as defined in Section III.

Applications must contain the following information.

**1. Funds Requested**

The applicant must indicate the amount of funding requested.

**2. Project Location**

The applicant must include a physical address for each project location along with an image of the location on the map. The Commission will accept a screenshot image from online maps or similar images.

**3. Key Contact Information**

- First name
- Last name
- Physical mailing address
- Email ID
- Phone number(s)

**4. Key PSC Management**

- Position title
- First name
- Last name
- Email ID
- Phone number(s)

**5. Key Vendor Contact Information (if the applicant already has identified its vendor)**

- First name
- Last name
- Company name
- Physical mailing address
- Email ID
- Phone number(s)

## **6. Assertion of Unserved**

The applicant must attest to whether or not the housing development that will be connected through the proposed project is unserved, as defined in Section III. The applicant also must verify that it has not denied an ISP access to its property in order to provide broadband service to any unit. An applicant's previous denial of access for cause (e.g., the ISP's service cost to the resident or the applicant were unreasonably high) does not constitute a denial of a right of access.

## **7. Proposed Project Description**

An applicant must provide a detailed description of the broadband project that will be funded under the CASF BPHA program, including but not limited to the elements listed below.

Detailed broadband project plan proposal that includes:

- The type of technology that will be used on the project with all technical specifications, network topology, schematic diagram, engineering, and design documentation.
- Project plan showing the number of residential units in the PSC to be connected.
- Entities that will provide broadband Internet service on the project site (E.g., The type of Internet service and the bandwidth offered by a named ISP)
- Download and upload data rate/speed capabilities for an average user within the property at a given time of peak and off-peak hours must meet at least 6 Mbps downstream and 1 Mbps upstream.
- Project budget outlining all the budget costs, both actual line items and the matching funds.

Actual budget cost line items funded by the grant that includes:

- The cost for all eligible equipment as listed in Section II.
- The cost for low voltage contracting work as described in Section II.
- Broadband network engineering and designing cost with required supporting documentation.
- The cost of any required hardware warranty of broadband network equipment.



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- The cost of installation, provisioning, and configuration labor as described in Section II.
- Any applicable taxes, shipping, and insurance costs that are directly related to broadband network equipment deployed under the BPHA.

Matching funds to be provided by the applicant that includes:

- Monthly recurring Internet bandwidth cost for the five-year project period, post-project completion.
- Operations and Maintenance (O&M) cost to ensure the network and broadband services are operational for at least five years post completion of the project.

Project milestones with a delineated deployment schedule that includes:

- A commitment timeline to complete the project within 12 months of Commission approval of the application.
- The schedule identifying major prerequisites such as a detailed project plan with a timeline including low voltage construction, network installation, provisioning and configuration, testing, submission of closeout package with project completion report, and any other milestones that can be verified by the Commission staff.
- While developing the schedule, the applicant must include the timeline required for California Environmental Quality Act (CEQA) or other relevant government agency permit review, if needed.

**8. Organizational Chart and Background**

The applicant must submit an organizational chart showing the parent organization, subsidiaries, and affiliates.

**9. Economic Useful Life of Assets to be Funded**

The applicant must identify the expected economic useful life of the assets funded by the BPHA grant.

**10. Proposed Billing**

An applicant must commit to charging residents no more than \$20 per month per residential unit for broadband Internet service.

### **11. Financials**

Applicants must submit the most recently prepared annual reports and audits that it submitted to the HUD, in the case of chartered public housing authorities, or another government entity, in the case of non-profits submitted to the HUD, California Tax Credit Allocation Committee, etc.

### **12. Permitting Compliance**

The applicant should state whether the project is statutorily or categorically exempt from CEQA requirements and cite the relevant authority, as applicable. If a project does require review under CEQA, the grantee must provide the Proponent's Environmental Assessment (PEA) prior to the first 25 percent payment. The PEA submission should include information on any land crossing sites requiring discretionary or mandatory permits or environmental review pursuant to CEQA (include the type of permit required, the name of the permitting agency/agencies and the Lead Agency if an environmental review is required). Additionally, applicants must include any applicable permit review timeline in its construction schedule, with a reference to the government agencies that will issue the permits. Grantees must provide staff with proof of permit approvals before seeking reimbursement.

### **13. Affidavit**

An applicant 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 (Attachment A). Additionally, an applicant must also agree to abide by the CASF program rules established by the Commission, Commission's Rules of Practice and Procedure and statues, be subject to Public Utilities Code sections 2108 and 2111 and to submit quarterly reports and annual recertification or audit documents.

### **B. Adoption Project Application**

To date, the \$5 million allocated for grants for PSCs has been fully committed. Therefore, the Commission can no longer accept applications for these projects

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unless the statutory cap is raised. However, eligible PSCs can apply for funds for broadband adoption projects from the Broadband Adoption Account.

## **VI. Submission and Timelines**

Applicants must electronically file their completed applications using the Commission's FTP file server (<https://kwftp.cpuc.ca.gov>) and mail hard copies to:

1. California Public Utilities Commission  
Communications Division  
Attn: California Advanced Services Fund, Housing Coordinator
2. California Public Utilities Commission  
Office of Ratepayers Advocates  
Re: California Advanced Services Fund

Since applications are not filed with the Commission's Docket Office, they will not be assigned proceeding number(s).

Applications may be submitted at any time until all funds available for BPHA infrastructure projects have been awarded. However, staff will consider applications submitted on or before each deadline listed below as a batch.

Staff shall notify an applicant by a letter specifying reasons for rejection should an application fails to meet the BPHA eligibility criteria.

Deadlines:

- September 1, 2020
- October 1, 2020

Any deadline falling on a holiday or a weekend will be extended to the following business day. Staff will notify the CASF Distribution List when all funds available for BPHA infrastructure projects have been awarded, and an eligible PSC may submit an application for funding from the Infrastructure account using the same criteria set forth here.

Additionally, after each deadline, staff will post all applications on its website to

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give ISPs three weeks from the date of posting to challenge the application (See Section VIII).

## **VII Expedited Review**

The Commission assigns staff the task of approving applications that meet all of the following criteria:

### Infrastructure Projects

- Applicant meets the eligibility requirements under Pub. Util. Code, § 281(i)(1), § 281(i)(2) and (i)(3).
- Applicant attests that the housing development is “unserved” as defined in Section III, which is a housing development where at least one housing unit within the housing development is not offered broadband Internet service.<sup>10</sup>
- Applicant declares that it has not denied an ISP access to its property to provide broadband Internet service and no ISP challenged this statement.
- The application is not challenged.
- Applicant requests a grant of less than \$75,000 in BPHA infrastructure grant funds per project.
- For projects connecting 50 PSC units or less, the proposed project costs \$600 per unit or less.
- For projects connecting 51-100 PSC units, the proposed project costs \$450 per unit or less.
- For projects connecting 101 PSC units or more, the proposed project costs \$300 per unit or less.
- The buildings included in the application meet standards for acceptable basic living conditions as determined under HUD’s Uniform Physical Condition Standards or similar guidelines provided by other housing funding agencies in the State.
- Applicant must attest that it expects the property to be in residential use as public housing for at least the next 10 years.
- The property qualifies for an exemption pursuant to CEQA Guidelines.

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<sup>10</sup> Pub. Util. Code, § 281(i)(3)(B)(i) and (B)(ii).

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- For wireless networking projects, the equipment must meet at least 802.11n standard.
- For wireline networking projects, the equipment must meet at least ADSL2+ or 10BASE-X standard.
- Applicant attests it will operate and maintain project equipment, broadband technology, and internet services for at least five years after successful completion of the project and that it has sufficient funds to do so. In addition, the Applicant attests that it will acquire the necessary hardware warranty and service agreement to support the operation of the proposed network for the five-year period.
- The proposed project network is capable of providing broadband internet service speeds of at least 6 Mbps downstream and 1 Mbps upstream (supported by submitted documentation).
- Applicant will charge residents no more than \$20 per month per residential unit for broadband internet services.
- Applicant has signed an affidavit agreeing that the statements and representations made in the application are true and correct, to abide by the CASF program rules established by the Commission, Commission rules of practice and procedure and statutes, and Pub. Util. Codes, §§ 2111 and 2108.
- Applicant agrees to complete the project within 12 months from the date of the Commission approval.
- Applicant has an identified ISP source and its required internet bandwidth capacity at the MPOE (Minimum Point of Entry).
- Applicant agrees to secure project funded hardware to prevent theft and vandalism.

Applications not meeting the above expedited review 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.

### **VIII. Challenge Process**

ISPs have three weeks from the date of the posting the application to the BPHA website to challenge the application. An ISP who challenges an application on the grounds that it already provides broadband internet ~~service~~ **access** to 100 percent of the residents at the property or it was denied a right of access in

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question must submit documentation evidence no later than three weeks from posting of the application. To the extent that any information submitted is claimed to be confidential, the submitter must provide a public redacted version, in addition to the confidential version, and comply with the confidentiality requirements in G.O. 66-D including providing the requisite confidentiality declaration to the Communication Division (CD). The challenger must also provide public notice of the challenge to the CASF Distribution list.

The ISP must provide the following information to justify their challenge:

For 100 percent residents already served

- The number of customers living on the property that subscribed to its service, billing documents and speed tests to prove that it provides broadband Internet service at speeds of at least 6 Mbps downstream and 1 Mbps upstream to each residential unit.
- A backhaul capacity test report(s)<sup>11</sup> proving that it has an adequate capacity to serve all the residents with broadband internet service with a minimum speed of 6 Mbps downstream and 1 Mbps of upstream to all residential units.

For denial of right of access

- Written documentation showing who made the denial, the date of the denial, and the reason for the denial. i.e., letters, e-mails or other written documentation.

CD will investigate all submitted challenges. Incomplete challenges or challenges submitted after the deadline will be deemed denied. CD will inform the applicant of the challenges submitted on its application and provide the challenger's name and information submitted. Applicants may rebut the challenge by providing sufficient documentation showing that services are not available to 100 percent of the residents. CD will base its decision on the material submitted. If it is found that the ISP who is challenging the application cannot prove it can serve 100 percent of the residents, then the challenge will be rejected,

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<sup>11</sup> Reports showing capacity test results of backhaul network (SONET/SDH, T1, T3, OC3, OC12, IP and Ethernet backhaul over Fiber, Microwave, and Satellite) to ensure that the ISP transmission network is capable of serving a reliable and committed data rate/internet speed in the served area to a growing number of residential units.

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and the application may be considered by resolution. If it is found that the ISP can serve 100 percent of the residents, then the application will be denied. CD will inform the applicant and the challenger of the outcome of its decision.

## **IX. Project Status and Reporting**

Infrastructure project grantees are required to submit a project status report within six months of the project award date if the project has not been completed, irrespective of whether the grantee requests reimbursement or payment. The project status report must include the following:

- Project Plan and deployment schedule showing major milestones with planned and actual completion dates.
- Any variance between planned and actual dates need to support with proper reasoning.
- Project Risk Mitigation plan.<sup>12</sup>
- Budget Plan with a cost line item matched with the application.

Grantees must certify that each project status report submitted is true and correct under penalty of perjury.

Infrastructure project grantees must submit a project completion report with all required supporting documentation in order to receive final payment. The project completion report contains, total project cost, project cost summary breakdown, project milestone deployment details, CalSPEED<sup>13</sup> test results, bill of materials (BOM), invoices supporting BOM, network and low-voltage engineering and design documentation, installation and commissioning checklist, provisioning and configuration files, as-built documentation with pictures showing labels and annotations, and project expenses summary. The project completion report template can be found on the BPHA website.

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<sup>12</sup> Plan that identifies, evaluates, selects, and implements options in order to balance the BPHA project cost and schedule implications associated with risk response or mitigation plan by setting risk at acceptable levels given program constraints and objectives.

<sup>13</sup> CalSPEED is an open source, non-proprietary, network performance measurement tool and methodology created for the Commission, funded originally via a grant from the National Telecommunications and Information Administration

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Infrastructure project grantees are required to maintain the broadband network for a period of five years after the network is installed and internet services turned on for residential use. From the date broadband network and internet services are turned on the grantees are required to submit a KPI (Key Performance Indicator) report<sup>14</sup> every quarter for a period of five years. The KPI report and its supporting system data can be submitted through an online portal that can be found on the Commission website under the CASF BPHA hyperlink.

The KPI report includes the following:

1. Monthly Percentage Uptime of network and internet services
2. Monthly Bandwidth Utilization by the residents (the amount of internet data transferred or the usage in gigabytes on the network)
3. Monthly Number of Unique User Devices Logged-in by the residents to access the broadband network for internet services

To support the above KPI report information, the grantee must submit the system data obtained from the network.

#### **X. Sale or Transfer of Assets**

Infrastructure project grantees must notify the Commission about any proposed sale or transfer of ownership of the project property that occurs prior to the completion of the five-year requirement. The grantee must require the new owner to assume grant obligations of operating and maintaining the broadband internet services for the remaining period of the five years term. The grantee shall notify the Director of the Communication's Division in writing of its intent to sell or transfer its assets within five days of becoming aware of these plans. The grantee shall also provide documentation, including an affidavit, stating that the new entity or owner will take full responsibility and ownership to comply with the terms of the CASF grant award. The new entity shall agree in writing to such.

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<sup>14</sup> KPI report is to measure the broadband network service performance and to keep proper checks and balances on the BPHA program goals and objectives.



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**XI. Payment Terms**

Infrastructure project grantees are eligible to request the payment for the expenditures incurred during the first six months if the grantee submits a six-month project status report and certifies that the status report is true and correct under penalty of perjury.

Grantees shall submit final requests for payment no later than 90 days after completion of the project. If the grantee cannot complete the project within the 12-month timeline, the grantee must notify the Commission or Director of Communications Division as soon as they become aware that they may not meet the project timeline. In the event the grantee fails to notify the Commission or Director of Communications Division, the Commission may withhold or reduce payment.

Grantees must submit the project status and completion reports with all required supporting documentation for the staff to review in order to receive payment.

Payments are based on submitted receipts, invoices and other supporting documentation showing expenditures incurred and work done on the project in accordance with the approved CASF funding budget included in the grantee's application.

Payment in full can be made for the entire project upon review of the submitted project completion report and supporting documentation and after staff approvals.

The payments will be made in accordance with, and within the time specified in California Government Code § 927 et seq.

Grantees are required to maintain records such as files, invoices, and other related documentation for three years after final payment. Grantee shall make these records and invoices available to the Commission upon request and agrees that these records are subject to a financial audit by the Commission at any time within three years after the final payment made to the Grantee.

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The Commission has the right to conduct any necessary audit, quality check, verification, and discovery during project implementation and post-project completion to ensure that CASF funds are spent in accordance with the terms of approval granted by the Commission. Invoices submitted will be subject to financial audit by the Commission at any time within 5 years of the release of the final payment.

If any portion of reimbursement is found to be out of compliance, grantees will be responsible for refunding any disallowed amount along with appropriate interest rates determined in accordance with applicable Commission decisions.

**XII. Execution and Performance**

The infrastructure project grantee shall start the project within 30 days upon grant approval and complete the project execution within a 12-month timeframe. Should the grantee or Contractor fail to commence work within 30 days of grant approval, the Commission or Director of Communications Division, upon five (5) days written notice to the CASF recipient, reserves the right to terminate the award. If the grantee is unable to complete the proposed project within the required 12-month timeframe, it must notify the Commission as soon as it becomes aware of this prospect. The Commission reserves the right to reduce or withhold payment failure to satisfy this requirement. Grantees must operate and maintain the network for a minimum of five years after it has been installed.

The grantee must complete all the performance on the project before the termination date in accordance with the terms of approval granted by the Commission. In the event that the grantee fails to complete the project or subsequently operate and maintain the network service in accordance with the terms of approval granted by the Commission and compliance with CASF program guidelines, the grantee must reimburse some or all of the CASF BPHA funds that it has received.

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

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operation or bankruptcy, or change of name (DBA<sup>15</sup>), change of address, telephone, fax number or email address must be reported immediately by a letter to the CPUC, Director of the Communications Division, 505 Van Ness Avenue, San Francisco, CA 94102.

**XIII. Consent form or Compliance Changes  
Pursuant to CASF Performance Audit**

All grantees are required to sign a consent form agreeing to the terms stated in the resolution or award letter authorizing the CASF award. The agreement will provide the name of the grantee, names of officers, and must be signed by the grantee. The proposed wording of the consent form is in Attachment B to this document.

**XIV. Penalties**

Grantees must agree to the following language in the affidavit found in Attachment A to this Decision.

*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.*

Submit completed applications online at <https://kwftp.cpuc.ca.gov>  
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

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<sup>15</sup> A DBA "Do Business As" is also known as a "fictitious business name," "trade name," or "assumed name."

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

# **Attachment A**

**ATTACHMENT A**  
**NOTARIZED AFFIDAVIT**

Name of Publicly Supported Community  
(PSC) \_\_\_\_\_

My name is \_\_\_\_\_. I am \_\_\_\_\_ [Title] of  
\_\_\_\_\_ [PSC]. 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 (CASF), 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 \_\_\_\_\_ [Grantee Name] 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 or 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 and CASF program requirements.

I swear or affirm that by receiving a CASF grant, [Grantee Name] agrees to comply with the terms, conditions, and requirements of the grant and thus submits to the jurisdiction of the Commission with respect to the disbursement and administration of the grant.

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.

Adoption project applicants **only**: I attest that the \_\_\_\_\_ [PSC] is wired and broadband Internet service is available to all PSC units on the property.

\_\_\_\_\_  
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 \_\_\_\_\_

**(END OF ATTACHMENT A)**

# **Attachment B**



**ATTACHMENT B**  
**Consent Form**

Name of Grantee:

\_\_\_\_\_

The Grantee identified above hereby acknowledges receipt of the California Public Utilities Commission Resolution T-\_\_\_\_\_ or Approval Letter dated \_\_\_\_\_ and agrees to comply with all grant terms, conditions, and requirements set forth in the Resolution or Approval Letter.

The 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 Approval Letter.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature:

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Name of Organization or Company:

\_\_\_\_\_

Business Address (street address, suite or apt number, city, state and zip code)

\_\_\_\_\_

Telephone Number (include area code): \_\_\_\_\_

Email Address: \_\_\_\_\_

**(END OF ATTACHMENT B)**