

# **California Public Utilities Commission**

## **ADMINISTRATIVE MANUAL**

**for the**

## **Tribal Technical Assistance Grant Program**

Sept 2024, v.5

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To all Tribal Technical Assistance Applicants and Grant Recipients:

The California Public Utilities Commission (Commission or CPUC) thanks you for your interest in Tribal Technical Assistance grants to support Tribes on their reservations, trust lands, and surrounding areas. We welcome you to the California Advanced Service Fund (CASF) Program and look forward to working with you.

Respectfully,

CPUC Communications Division

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## I. Introduction

The purpose of this Administrative Manual is to provide guidance when applying for Tribal Technical Assistance (TTA) grants, submitting project completion reports, and requesting reimbursements from the TTA grant program,<sup>1</sup> and for the Communications Division's (CD) oversight of the operations applicable to grant recipients

This manual describes the requirements, processes, and necessary documentation for submitting applications and requesting reimbursements for approved TTA grants projects. The TTA Application Requirements and Guidelines were modified in Decision 24-03-041

[Attachment 2](#). The Commission originally adopted the TTA program in Decision (D.) 20-08-005, Appendix 1. For more information, please visit the [Tribal Technical Assistance](#) grant program website, or send an email to [Tribal\\_Tech\\_Assist@cpuc.ca.gov](mailto:Tribal_Tech_Assist@cpuc.ca.gov).

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<sup>1</sup> This Administrative Manual was prepared by California Public Utilities Commission (CPUC) CD staff. It does not change, replace, or waive any of the rules or guidelines adopted in D.24-03-041 nor has the CPUC passed upon the accuracy or adequacy of the information in it. The contents of the manual are for informational proposed only.

## II. CASF Program & Contacts

The [California Advanced Services Fund \(CASF\)](#) provides funding to five programs including the Tribal Technical Assistance program. We encourage TTA grant recipients to familiarize themselves with CASF programs including:

- [Tribal Technical Assistance Program](#)
- [Broadband Infrastructure Grant Account](#)
- [Broadband Public Housing Account](#)
- [Broadband Adoption Account](#)
- [Broadband Consortia Account](#)

For questions related to all five CASF programs, please send an email to:

- **Tribal Technical Assistance:** [Tribal\\_Tech\\_Assist@cpuc.ca.gov](mailto:Tribal_Tech_Assist@cpuc.ca.gov)
- **Infrastructure Grant Account:** [CASF\\_Application\\_Questions@cpuc.ca.gov](mailto:CASF_Application_Questions@cpuc.ca.gov)
- **Public Housing Account:** [CPUC\\_Housing@cpuc.ca.gov](mailto:CPUC_Housing@cpuc.ca.gov)
- **Adoption Account:** [CASF\\_Adoption@cpuc.ca.gov](mailto:CASF_Adoption@cpuc.ca.gov)
- **Consortia Account:** [CASF\\_Consortia\\_Grant\\_Administrator@cpuc.ca.gov](mailto:CASF_Consortia_Grant_Administrator@cpuc.ca.gov)

For questions related to the CPUC's broadband mapping efforts, please send an email to: [broadbandmapping@cpuc.ca.gov](mailto:broadbandmapping@cpuc.ca.gov)

### III. Applying for a Grant

Tribal Technical Assistance grants help Tribes and Tribal consortia in developing market studies, feasibility studies, needs assessments, broadband deployment-related grant writing, and/or business plans which support Tribes in their pursuit of improving communications.

Grants are available up to \$250,000 per Tribe per fiscal year. The grants may subsidize up to 100% of the cost of technical assistance for Tribes in California.

Tribes are deemed eligible applicants for TTA Grants. An eligible Tribe is a California Tribe, with or without federal recognition, that demonstrates tribal leadership support. Tribal support is established, for example, by the furnishing of a letter or a resolution from the Tribal administrator, chair, or council.

Tribal consortia<sup>2</sup> are also eligible for TTA Grants.<sup>3</sup>

In addition to this TTA Administrative Manual on how to apply for TTA grants, please review [Decision 24-03-041](#), [Attachment 2](#), and the [TTA Webpage](#).

### IV. Technical Assistance/Eligible Projects

For the purposes of TTA grants, technical assistance means reimbursement for work product resulting from activities such as:

- Preparation of environmental, feasibility and engineering design studies or reports in the development of needs assessments, market studies, broadband strategic plans, or business plans by or for Tribes in their pursuit of the provision of service to unserved communities.
- Costs incurred for broadband deployment-related grant writing for the purpose of the

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<sup>2</sup> For the purpose of TTA, Tribal consortia refer to any multi-Tribal organization such as the Southern California Tribal Chairmen's Association and any future Tribal Consortia that may be established pursuant to Public Utilities (Pub. Util.) Code section 281, subdivision(g)(1).

<sup>3</sup> Tribal consortia cannot get duplicative funding for same activities from the CASF Rural and Urban Regional Broadband Consortia Grant Account. Specifically, to be eligible for TTA, Tribal consortia are required to produce work product resulting from activities in Section 2, Definition of Technical Assistance/Eligible Projects.

provision of broadband service to unserved communities.

- Consultant services secured to complete reimbursable work product(s).
- Tribal staff hours dedicated to reimbursable activities are eligible for reimbursement, provided that such work is incremental to a Tribe’s pre-grant award scope of activities.
- Separately, up to 15 percent of the total requested for reimbursement may be used to reimburse the Tribe for administrative costs<sup>4</sup> associated with securing or completing the reimbursable work product(s).<sup>5</sup>

For the purposes of TTA, a reimbursable work product is the final report, broadband deployment grant proposal, study or agreement resulting from any of the eligible activities listed above. Tribes may propose multiple reimbursable work products per application, with a total requested for reimbursement not to exceed \$250,000 per Tribe per fiscal year.

Proposals for reimbursable work products that are reasonably expected to result in broadband infrastructure projects that will be designed to provide service to unserved households and businesses and that are designed to, upon completion, reliably meet or exceed 25 megabits per second download and 3 megabits per second upload are eligible for TTA grants.

## V. Application Checklist and Requirements

- **Required Application Documents**

1. **Grant Application Package** ([Excel doc with three tabs](#)):

Tab 1: Application Checklist

Tab 2: Tribal Technical Assistance Summary:

Tab 3: Budget Plan

2. **Consultant Proposed Contract or Written Estimate with Scope of Work, Detailed Cost Estimate, and Proposed Timeline for Completion.**

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<sup>4</sup> 4 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 Commission approval via draft resolution.

<sup>5</sup> These activities are not intended to constitute the entirety of activities eligible for technical assistance.



The Tribal applicant must provide a proposed contract (“the contract”) or written estimate with scope of work from the Tribe’s approved contractor for the purpose of the Technical Assistance.

This contract or estimate must state details of the proposed work, including a statement of work, detailed cost estimate and proposed timeline for completion.

**3. Consultant Personnel**

Names, titles, qualifications, and position descriptions, resumes and company background

**4. Support Letter or Resolution from Tribal Administrator, Chair or Council**

**5. Notarized Affidavit ([Link to form](#)):**

Tribal applicants must submit an affidavit under penalty of perjury, containing at minimum the qualifications contained in the attached Affidavit form. Applications that do not include each item listed in the Affidavit form will not be considered for approval.

• **Grant Application Package** ([Excel doc with three tabs](#))

**Appendix A-1**

**Item - 1** – Name and Details of Tribal Applicant

**Item - 2** – Contact Information for Tribal Person Managing the Consulting Contract

**Item - 3** – Proposed Tribal Technical Project Description

**Item - 4** – Endorsement Letter(s) or Resolution from Tribal Administrator, Chair, or Council Support

**Item - 5** – Proposed Contract or Written Estimate

**Item - 6** – Proposed Total Project Budget

**Item - 7** – Name of Tribal Entity or Organization to Receive Payment

**Item - 8** – Certification and Affidavit

**Item - 9** – Electronic Signature

**Appendix A-2 - PROPOSED TRIBAL TECHNICAL ASSISTANCE SUMMARY**

**Appendix A-3 - PROPOSED BUDGET PLAN**

The Tribal Technical Assistance Grant Application Checklist lists the required information items, with references to [Decision 24-03-041](#), [Attachment 2](#).

## VI. Submission and Timeline

To be considered, applicants must submit the CPUC-provided application form. Applicants may electronically file their completed application, along with required documentation including a signed and notarized Affidavit by email or file hardcopies by mail.

- Tribal Technical Assistance program email address at [Tribal\\_Tech\\_Assist@cpuc.ca.gov](mailto:Tribal_Tech_Assist@cpuc.ca.gov) or
- Mail a hard copy to: Communications Division, Attn: California Advanced Services Fund, Technical Assistance Grant, 505 Van Ness Avenue, San Francisco, CA 94102
- Emails must be Dated, and Mail must be Postmarked by the quarterly application deadline:

Applications may be submitted at any time. However, CD will consider applications submitted on or before each application deadline listed below as a batch on a quarterly basis, until the funding is exhausted.

- January 1
- April 1
- July 1
- October 1

Any deadline which falls on a holiday or a weekend will be extended to the following business day.

## VII. Consent Form and Payee Data Record

Upon an application's approval, the grantee will receive an email from the CPUC requesting the grantee to complete and submit a Consent Form and a [Payee Data Record \(STD 204\)](#).

All grantees are required to sign the Consent Form binding the grant recipient to the terms, conditions, and requirements of both D. 20-08-005, Appendix 1, D. 24-03-041, Attachment 2, and the Award Letter or Resolution that awards the grant. A Consent Form will be provided with the Approval Letter and/or Resolution. The Consent Form must be signed and submitted within 30 days from the date of the Award Letter or Resolution's adoption. Failure to submit the Consent Form within the 30 days from the date of the Award Letter or Resolution will deem the grant null and void.

A completed Payee Data Request is required when receiving payment from the State of California and information provided in this form will be used by the CPUC to prepare Information Returns, i.e., Internal Revenue Service, Form 1099. The CPUC will not process payment requests for the Tribes or Tribal consortia until Communications Division Staff (Staff) receives the Consent Form and Payee Data Record (if applicable).

## **VIII. Electronic Claims and Applications Portal (eCAP)**

After the CPUC receives the Consent Form and Payee Data Record from the Tribe, Staff will create an account for the Tribal contact in the CPUC's Electronic Claims and Applications Portal (eCAP). The Tribal contact will receive an email from eCAP and will need to verify their eCAP account using the link in the email. Tribal grantees will use eCAP to submit payment requests upon completion of work. eCAP allows Tribal grantees to submit, track, review and resolve Tribal Technical Assistance payment requests.

The eCAP is available at <https://ecap.cpuc.ca.gov/s/> and the following webpage provides helpful guides and FAQs for eCAP: <https://ecap.cpuc.ca.gov/s/help-faqs>

If a Tribe needs to update the contact in eCAP, set up a new account, or encounters issues using eCAP, please email: [Tribal\\_Tech\\_Assist@cpuc.ca.gov](mailto:Tribal_Tech_Assist@cpuc.ca.gov).

## **IX. Performance**

All tasks and performances specified under the terms of an award shall be completed on or before the completion date of the project. The grant recipient must complete the project within the 24-month required timeframe. If the Tribal grantee is unable to complete the proposed project with the 24-month required timeframe, it must notify the Commission or the Director of CD as soon as it becomes aware of this prospect. The CPUC may reduce or withhold payment or terminate the grant failure to satisfy this requirement. In the event that the grantee fails to complete the project, in accordance with the terms of approval ordered by the CPUC, as set forth in its application and as described in the contract, the grantee must reimburse some or all of the funds that it has received.

## **X. Project Completion Reporting – Completion Report**

Upon completion of the project and before reimbursement, Grantees must provide Staff via eCAP (described above) a signed completion form stating that the technical assistance work has been completed along with a copy of the final report(s), plan(s), studies, etc. The CPUC [Project Completion and Payment Reimbursement Form](#) is available on the CPUC's TTA web page titled grantees will report on the completion of the overall project, a short description of work, including the activities and reimbursable work product(s) performed pursuant to the TTA grant suitable for posting on the commission's webpage.

### **Required Payment Reimbursement Documents include:**

**1. [Project Completion and Payment Reimbursement Form](#)**

**2. Consultant Contract signed and dated by Tribe and Consultant**

This contract must state details of the proposed work, including a statement of work, detailed cost estimate and proposed timeline for completion.

Contract must be signed and dated by Contractor and Tribe representatives.

**3. Project Report**

Report must fulfill requirements outlined in the Scope of Work submitted in the TTA application.

**4. Invoices**

Invoices must support the payment amount requested.

## **XI. Payment Requests and Disbursement of Funds**

Grantees must submit payment requests using the Completion Report to the CPUC's Electronic Claims and Applications Portal (eCAP) available at <https://ecap.cpuc.ca.gov/s/>. (See Section VII above for information on account setup in eCAP).

Disbursements of grant funds will be made directly to the grantee. All requested payments must be allocated to activities/goals approved in the Work Plan, and showing expenditures incurred and work done in accordance with the approved Budget in the Tribal grantees application and be supported by attaching relevant invoices. Please note the following additional requirements:

- Payment requests must be submitted with the Completion Report and a copy of the final report prior to final payment.
- Payment will be based upon receipt and approval of invoices and other supporting documents showing the expenditures incurred for the project are in accordance with their application and approved CASF Budget.
- Grantees must notify the CPUC as soon as they become aware that they may not be able to meet project deadlines.
- Payment will be made in accordance with, and within the time specified in California Government Code § 927 et seq.
- The CPUC has the right to conduct any necessary audit, verification, and discovery during project implementation to ensure that funds are spent in accordance with the terms of approval granted by the CPUC.

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

## **XII. Submission of the Completion Report and Payment Request**

The Payment Request, Completion Report, and any supporting documents are to be submitted electronically using the CPUC's eCAP available at: <https://ecap.cpuc.ca.gov/s/>. The following webpage provides helpful guides and FAQs for eCAP: <https://ecap.cpuc.ca.gov/s/help-faqs>. If grantees experience issues using eCAP or need to set up an account in eCAP, contact Staff via email at [Tribal\\_Tech\\_Assist@cpuc.ca.gov](mailto:Tribal_Tech_Assist@cpuc.ca.gov).

## **XIII. Administrative Cost**

Tribal staff hours dedicated to reimbursable activities are eligible for reimbursement, provided that such work is incremental to a Tribe's pre-grant award scope of activities. Up to 15 percent of the total requested for reimbursement may be used to reimburse the Tribe for administrative costs associated with securing or completing the reimbursable work product(s).

Tribal staff hours mean the specific task performed during the hours for which reimbursement is requested would not be performed by the Tribal staff absent the grant award.

Administrative costs are defined 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 Commission approval via draft resolution.

#### **XIV. Travel Reimbursement Limits and Criteria**

**Travel Reimbursement:** Grantees may claim reimbursement for travel expenses related to performing work for the specific project if it is included in the approved grant. Travel expenses are limited to mileage, parking, tolls, and public transportation. Non-Reimbursable expenses include, but are not limited to meals, food and travel related to working on proposed state legislation, lobbying, etc.

**Travel Guidelines:** Grantees must complete a Travel Expense Claim Form STD-262A when requesting travel reimbursement and follow the instructions and reimbursement guidelines therein. The allowable rates/costs are those negotiated and approved under the collective bargaining agreements that are in use by State employees.

#### **XV. Payment Processing**

The Grant Administrator will review the payment requests in eCAP (see Section X), as compared to the grantee’s approved budgets, as well as the deliverables received. Additional information may be requested regarding the report, expenses, and/or supporting documentation if needed.

Upon approval, eCAP will send an email to the Grantee/Tribe advising that payment voucher documents are being submitted to the CPUC’s Fiscal Office. The Fiscal Office will review all payment voucher submissions in accordance with the State Administrative Manual (SAM); and upon satisfactory review, will schedule payment with the State Controller’s Office (SCO), which is responsible for issuing and distributing the check to the Grantee/Tribe.

#### **XVI. Record Retention and Audits**

Tribal grantees must maintain records, such as files, invoices, and other related documentation for five years after final payment. Grantees shall make these records available to

the Commission upon request and agree that these records are subject to audit, verification and discovery by the Commission at any time within five years of completion of the work to ensure that CASF funds are spent in accordance with Commission rules and with the terms of approval granted by the Commission.

## **XVII. Publicity and Acknowledgment**

Upon completion of the Technical Assistance and before payment, the applicant must provide a signed completion form stating the Technical Assistance work has been completed. This form should include a short description of the work suitable for posting on the CPUC's web page. Staff recommends 2 to 3 sentences briefly describing the overall work that was done.

Any publications, studies, or reports made possible or derived in whole or in part from the project, and any news articles, brochures, seminars, or other promotional materials or media through which the grantee publicizes the Project will acknowledge the program in the following manner:

“Funding for this project has been provided in part through a grant for Tribal Technical Assistance from a program administered by the California Public Utilities Commission.”

# Tribal Technical Assistance Application Requirements and Guidelines

## 1. Background

To advance the California Advanced Services Fund (CASF) goal of increasing broadband access pursuant to Public Utilities (Pub. Util.) Code section 281(b)(1)(A), the Commission makes available technical assistance grants to support Tribal broadband needs and to increase access. The Commission authorizes Communications Division Staff (Staff) to approve applications for CASF funds to provide technical assistance for Tribes.

The following sections provide the process and guidelines for requesting, reviewing, and approving Tribal Technical Assistance (TTA) Grants.

### a. Amount Available for Grants

CASF funds<sup>6</sup> will be available for communications technical assistance, including but not limited to feasibility studies, market studies, needs assessments, broadband deployment-related grant writing, and/or business plans, not to exceed \$250,000 per Tribe, per fiscal year.<sup>7</sup>

## 2. Definition of Technical Assistance/Eligible Projects

For the purpose of TTA Grants, technical assistance means reimbursement for work product resulting from activities such as:

- The preparation of environmental, feasibility, and engineering design studies or reports in the development of needs assessments, market studies, broadband strategic plans, or business plans by or for tribes in their pursuit of the provision of service to unserved communities.
- Costs incurred for broadband deployment-related grant writing for the purpose of the provision of broadband service to unserved communities.
- Consultant services secured to complete reimbursable work product(s).

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<sup>6</sup> CASF Local Assistance.

<sup>7</sup> Tribes that have already applied for Tribal Technical Assistance funding under the previous program guidelines for Fiscal Year 2023-2024 may apply again under the program guidelines herein for Fiscal Year 2023-2024 for different Technical Assistance/Eligible Projects under Section 2, Definition of Technical Assistance/Eligible Projects.



- Tribal staff hours dedicated to reimbursable activities are eligible for reimbursement, provided that such work is incremental to a Tribe’s pre-grant award scope of activities.<sup>8</sup>
- Separately, up to 15 percent of the total requested for reimbursement may be used to reimburse the Tribe for administrative costs<sup>9</sup> associated with securing or completing the reimbursable work product(s).

The activities listed above are not intended to constitute the entirety of activities eligible for technical assistance. (Section 8, Resolution Review). Grant requests that do not meet the ministerial review criteria in Section 7 (Ministerial Review) or exceed \$250,000 per Tribe per fiscal year may be approved by Commission Resolution. TTA funds shall not be used to engage entities that have a financial interest in the work product(s) for which funds are granted.<sup>10</sup>

For the purposes of the TTA, a reimbursable work product is the final report, broadband deployment grant proposal, study or agreement resulting from any of the eligible activities listed as reimbursable technical assistance above (Section 2, Definition of Technical Assistance/Eligible Projects).

Tribes may propose multiple reimbursable work products per application, with a total requested reimbursement not to exceed \$250,000 per Tribe per fiscal year.

Proposals for reimbursable work products that are reasonably expected to result in broadband infrastructure projects that will be designed to provide service to unserved households and businesses and that are designed to, upon completion, reliably meet or exceed 25 megabits per second download and 3 megabits per second upload are eligible for TTA Grants.

#### a. Eligible Applicants/Eligibility for Technical Assistance

Tribes are deemed eligible applicants for TTA Grants. An eligible Tribe is a California Tribe, with or without federal recognition, that demonstrates tribal leadership support. Staff

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<sup>8</sup> Tribal staff hours mean the specific task performed during the hours for which reimbursement is requested would not be performed by the Tribal staff absent the grant award.

<sup>9</sup> 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 Commission approval via draft resolution.

<sup>10</sup> Wholly-owned Tribal entities are exempt from this prohibition.

shall consider Tribal support to be established, for example, by the furnishing of an official letter from the tribal administrator, chair, or council.

Tribal consortia<sup>11</sup> are also eligible for TTA Grants.<sup>12</sup>

### 3. **Subsidy Level**

For projects that meet Ministerial Review criteria (see Section 7 below), the Commission may subsidize 100 percent of the cost of technical assistance, not to exceed \$250,000 per Tribe, in any one fiscal year.

Projects that do not meet Ministerial Review criteria may only be approved by the Commission via the Resolution process (see Section 8 below).

### 4. **Information Required from Applicants**

The Tribal applicant/consortia (applicant) must provide a proposed contract (the contract) or written estimate with scope of work from the Tribe's contractor for the purpose of the technical assistance.

This contract or estimate must state details of the proposed work, including a statement of work, detailed cost estimate, and proposed timeline for completion.

Applications will be evaluated based on satisfying all the requirements in Sections 2, 3, 4, 5, and 6. A Tribal applicant will receive notification by letter or email specifying the reasons for rejection should an application fail to meet the TTA criteria set forth in these rules.

### 5. **Affidavit**

In addition to the grant application form, supporting documents, letter of Tribal support, consultant(s) scope of work or contract(s), consultant(s) resumes and company background, Tribal applicants must submit an affidavit, under penalty of perjury, containing at minimum the following attestations, the final form of which will be made available on the Commission's website:

- Applicant must attest that the individual completing the application has the authority to do so on behalf of the Tribe and personal knowledge of the facts

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<sup>11</sup> For the purpose of TTA, Tribal consortia refer to any multi-Tribal organization such as the Southern California Tribal Chairmen's Association and any future Tribal Consortia that may be established pursuant to PU Code § 281(g)(1).

<sup>12</sup> Tribal consortia cannot get duplicative funding for same activities from the CASF Rural and Urban Regional Broadband Consortia Grant Account. Specifically, to be eligible for TTA, Tribal consortia are required to produce work product resulting from activities in Section 2, Definition of Technical Assistance/Eligible Projects.

contained in the application.

- Applicant agrees that by receiving a CASF grant, the grantee 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.
- Applicant agrees to abide by the CASF program rules the Commission established as well as all other applicable state and federal rules and regulations concerning broadband services.
- Applicant agrees to abide by the Commission's Rules of Practice and Procedure and applicable statutes, and to be subject to Pub. Util. Code sections 2108 and 2111.
- Applicant agrees to comply with Commission's Rules of Practice and Procedure, Rules 1, 1.11 and 2.2 and to be subject to Pub. Util. Code sections 2108 and 2111 for failure to meet the program and project compliance requirements as the Commission determines.
- Affirmation under penalty of perjury that, to the best of their knowledge, all statements and representations made in the application are true and correct with the accompanying appropriate signature of a person authorized to act on behalf of the Tribe.

Applications that do not include each item listed above will not be considered for approval.

## 6. **Submission Requirements and Timelines**

To be considered, Tribal applicants must submit the Commission-staff provided application form (to be made available on the Commission's website). Applicants may electronically submit their completed application, along with required documentation, using the Commission's email address at [Tribal\\_tech\\_assist@cpuc.ca.gov](mailto:Tribal_tech_assist@cpuc.ca.gov) or mail a separate hard copy to (postmarked by the quarterly application due dates):

Communications Division

Attn: California Advanced Services Fund, Technical Assistance Grant  
505 Van Ness Avenue San Francisco, CA 94102

Applications may be submitted at any time. However, the Communications Division will consider applications submitted on or before each deadline listed below, on a quarterly basis, until the funding is exhausted.

- January 1
- April 1
- July 1
- October 1 and so on.

Any deadline that falls on a holiday or a weekend will be extended to the close of the following business day.

Notice of applications received will be published on the Commission’s website on a quarterly basis.

The Commission delegates to staff the option to set additional application windows and review timelines for the CASF TTA Program. Revisions to the application window and review timelines will be issued via Communications Division Director letter through the CASF Distribution List.

## 7. Ministerial Review

The Commission authorizes Communications Division Staff to approve applications that meet all of the following criteria:

- The requested amount per technical assistance does not exceed \$250,000 per Tribe and/or Tribal consortia per fiscal year.<sup>13</sup>
- The application specifies that the technical assistance will advance the CASF program goal to “provide broadband access to no less than 98 percent of California households in each consortia region” where broadband access is defined as service at 25 megabits per second download and 3 megabits per second upload.<sup>14 9</sup>
- Applicant agrees that the technical assistance must be completed within 24 months from the date listed on the Award Letter.
- The application meets all the other requirements of a TTA grant included in Sections 2, 3, 4, 5, and 6 of these Rules.

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<sup>13</sup> Tribes that have already applied for Tribal Technical Assistance funding under the previous program guidelines for Fiscal Year 2023-2024 and apply again under the program guidelines herein for Fiscal Year 2023-2024 may still be eligible for Ministerial Review if the requested amount under the new rules does not exceed \$250,000.

<sup>14</sup> Pub. Util. Code sections 281(b)(1)(A) and (b)(1)(B)(ii)(I).

When the application meets all of the criteria for Ministerial Review, staff is authorized to approve via ministerial approval. The Commission may also consider such applications for approval via Resolution.

## 8. **Resolution Review**

Staff may refer applications that do not meet the ministerial review criteria to the Commission for review and approval via the Resolution process.

The Commission assigns staff the task to propose administrative changes to the Tribal Technical Assistance program via Resolution for Commission review and approval of those changes.

## 9. **Reporting and Public Posting**

Upon completion of the technical assistance and before payment, the Tribal grantee must provide a signed completion form stating that the technical assistance work has been completed. This form includes a short description of the work, including the activities and reimbursable work product(s) performed pursuant to the TTA grant, in a format amenable to posting on the Commission's webpage. Upon completion of the work, and before final payment, Tribal grantees shall provide Staff a copy of the final report(s) (e.g., plans, studies, etc.).

Notifications of awards will be made by letter from the Communications Division Director. Award information and letters will be regularly posted to the Commission's website.

All CASF grantees that use a licensed contractor or subcontractor with a contract in excess of \$25,000 must comply with the contractor reporting requirements required by Senate Bill 156.<sup>1510</sup> Licensed contractor or subcontractor means any contractor that holds a California state license through the contractor's state license board (<https://www.cslb.ca.gov/>). For information on reporting instructions and templates please refer to "CASF Grantee Monthly Contractor Reporting" on the CASF website.

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<sup>15</sup> Pub. Util. Code section 281(l)(1).

## 10. Payment

Payment will be made directly to the Tribal grantee. Payment will be based upon receipt of the completion form and final report and approval of the invoice(s) submitted by the Tribal grantee showing the expenditures incurred for the technical assistance along with the documents detailed in Section 9 "Reporting."

The invoice(s) must be supported by documentation such as cost of labor, travel expense claim form(s), receipts, monthly subcontractor reports, design documents, and any other expense that will be recovered by the grant. Staff will provide forms for all necessary reporting in the Administrative Manual, which will be posted on the CPUC TTA website, along with TTA instructions and application forms.

Tribal grantees must submit itemized accounting of any portions of an award used to reimburse for administrative costs associated with securing or completing a reimbursable work product; the itemized accounting must demonstrate that the total requested for reimbursement does not exceed 15 percent of the total authorized award.

Payments are based on submitted invoices, forms, completion form, final report, and supporting documentation showing expenditures incurred and work done on the project is in accordance with the approved CASF funding budget included in the application.

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

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

Tribal grantees are required to maintain records such as files, invoices, and other related documentation for five years after final payment.

Tribal grantees shall make these records and invoices available to the Commission upon request and agree that these records are subject to a financial audit by the Commission at any time within five years after the final payment is made to the grantee.

## 11. Execution and Performance

The Commission has the right to conduct any necessary audit, verification, and discovery for work proposed or completed under the technical assistance for Tribes/Tribal consortia to ensure that CASF funds are spent in accordance with Commission rules and with the terms of approval granted by the Commission.

The CASF grant recipient must complete the project within the 24-month timeframe. If the Tribal grantee is unable to complete the proposed project within the 24-month required timeframe, it must notify the Commission or Director of Communications Division as soon as it becomes aware of this prospect. The Commission reserves the right to reduce or withhold payment or terminate the grant for failure to satisfy this requirement.

Invoices from the Tribe/Tribal consortia or its approved contractor will be subject to financial audit by the Commission at any time within five years of completion of the work.

In the event that the grantee or contractor fails to complete the work in accordance with the approval granted by the Commission, as set forth in its application and as described in the contract, the grantee must reimburse some or all of the funds that it has received.

## 12. Consent Form

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 person who is managing the consulting contract and must be signed by the grantee.

Failure to submit the Consent Form within 30 days from the date of the Award Letter or Resolution's adoption will deem the grant null and void.

Material changes in the entries for the TTA application, such as discontinuing operation or bankruptcy, or change of scope of work or consultant, or change of name (DBA), change of address, telephone, fax number or E-mail address, must be reported in writing to the California Public Utilities Commission, Director of Communications Division, 505 Van Ness Ave, San Francisco, CA 94102 or using the Commission's email address at [Tribal\\_tech\\_assist@cpuc.ca.gov](mailto:Tribal_tech_assist@cpuc.ca.gov).

Further, all grantees must communicate in writing to the Communications Division

Director any changes to the substantive terms and conditions underlying Commission approval of the grant (such as changes to a reimbursable work product contract, work plan, or budget) at least 30 days before the anticipated change is to be effective.

Substantive changes may require approval by either the Communications Division Director or by Commission Resolution before becoming effective.

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