

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 17, 2022

Ewiiapaayp Band of Kumeyaay Indians
William Micklin, CEO
4054 Willows Rd
Alpine, CA 91901

Email Address: ceo@ebki-nsn.gov

Dear Mr. Micklin:

SUBJECT: Tribal Technical Assistance Grant
APPLICATION SUBMITTED: September 3, 2021
TRIBE: Ewiiapaayp Band of Kumeyaay Indians
PROJECT NAME: EBKI Broadband Deployment Studies Project

This letter serves to inform the Ewiiapaayp Band of Kumeyaay Indians that the California Public Utilities Commission (CPUC) Communications Division (CD) approves the application of the Ewiiapaayp Band of Kumeyaay Indians for Tribal Technical Assistance grant funding. In your application, the tribe requested \$134,400. The CPUC has approved your application for funding of up to \$134,400 for the EBKI Broadband Deployment Studies Project.

Requirements

The grant award is predicated on the Tribe's agreement to obtain technical assistance as detailed in its application. In its application, the Tribe agreed and attested to comply with the specified Ministerial Review criteria as well as fulfilling the requirements per Decision (D.) 20-05-008. Key requirements of the Tribal Technical Assistance grant include, among others:

- Application specifies that the technical assistance will advance the California Advance Services Fund (CASF) program goal. This change is made pursuant to SB 156 which became effective July 2021 and will be formally adopted through a decision in the CASF proceeding R.20-08-021.
- Tribe must sign a consent form agreeing to the terms stated in the award letter.
- Tribe must provide a signed completion form stating the Technical Assistance work has been completed and a short description of the work suitable for posting on the Commission's web page.
- Tribe will provide Staff a copy of the final report(s), plan(s), studies, etc.
- Tribe must complete the technical assistance project within 24 months from date of this letter is signed.

Reporting

Tribes must maintain files, invoices, and other related documentation for three years after final payment. The Tribe shall make these records available to the CPUC upon request and agree that these records are subject to audit and review by the CPUC at any time within three years after the Tribe has incurred the expense being audited. If applicable, the Tribe must fulfill the monthly reporting requirements set forth in Public Utilities Code, § 281(l)(1) if it is using a licensed contractor or subcontractor to undertake a contract or subcontract in excess of twenty-five thousand dollars (\$25,000) to perform work on the funded project funded or financed by CASF.

Payment

Payment will be based upon receipt and approval of invoices and other supporting documents showing that expenditures incurred for the project are in accordance with the Tribe's proposed contract and workplan, approved application, and budget.

The CPUC has the right to conduct any necessary audit, verification, and discovery during project implementation to ensure that CASF funds are spent in accordance with the terms of approval the CPUC grants. Please refer to the Administrative Manual posted on the CASF page on the CPUC's website for the final completion report and payment reimbursement request template.

Execution and Performance

Tribes must complete the technical assistance within 24 months after the CPUC grant's approval. Tribes must complete all performance under the award on or before the termination date of the award. The CPUC may withhold or terminate grant payment if the Tribe does not comply with any of the requirements set forth in its application and compliance with the CPUC. Please note that the award, and all reimbursements, are contingent upon the Tribe fulfilling its obligation to complete technical assistance work as described in its application.

By receiving a Tribal Technical Assistance grant, the Tribe agrees to comply with the terms, conditions, and requirements of the grant award, and submit to the jurisdiction of the CPUC regarding disbursement and administration of the grant and the CPUC's enforcement authority under Public Utilities Code, §§ 2108 and 2111. In the event Tribe fails to complete the project in accordance with the terms of the approval granted by the CPUC as set forth in D.20-08-005 and this award letter, the Tribe must reimburse some or all the CASF funds it has received.

The Tribe must report any material changes in the entries for the application, such as discontinuing operation or bankruptcy, or change of name (DBA), change of address, telephone, fax number or E-mail address, by letter to the California Public Utilities Commission, Director of the Communications Division, 505 Van Ness Avenue, San Francisco, CA 94102 and CDCompliance@cpuc.ca.gov. Grantee must also notify the CPUC as soon as they become aware that they may not be able to meet project deadlines.

Award Acceptance

Should Grantee agree to the terms set herein, please sign and email the Consent form and acceptance letter (see Attachment 1). A completed and executed Consent form should be emailed to Tribal_Tech_Assist@cpuc.ca.gov within 30 calendar days from the date of this letter. Should the Grantee not accept the award, through failure to submit the Consent Form within 30 calendar days from the date of this letter, the CPUC will deem the Grant or award to be null and void.

Attachment 2 contains a link to the Payee Record Form which is required to process your payments. Please complete Attachment 2 and email it along with Attachment 1 to Tribal_Tech_Assist@cpuc.ca.gov within 30 calendar days from the date of this letter.

Thank you for your application and we look forward to your response. Please contact Tribal_Tech_Assist@cpuc.ca.gov if you have any questions about the Tribal Technical Assistance grant.

Sincerely,



Robert Osborn
Director
Communications Division