

APPENDIX B

CASF Broadband Public Housing Account
Proposed Guidelines

*CASF Broadband Public Housing Account
--- Application Requirements and Guidelines---*

Date: December 2014

Version 3.0

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I. Background

Assemblymember Steven Bradford introduced AB 1299 on February 22, 2013. Governor Jerry Brown signed it into law on October 03, 2013. AB 1299 expands the CASF Program by adding a fourth account, the Public Housing Account (The Account), dedicated to broadband access and adoption in publicly supported communities (PSCs).

II. Amount Available for Grants

The Account provides \$20 million for grants and loans to finance projects connecting PSCs with broadband Internet, and \$5 million for adoption projects for residents in PSCs. The Commission reserves 15 percent of funds for projects in rural areas. If the Commission has not awarded all of the funds reserved for projects in rural areas by December 31, 2015, these funds will be available for all eligible entities located in both rural and urban areas.

The Commission will award grants and loans to finance up to 100 percent of the costs to install inside wiring and equipment, but will not finance maintenance or operation costs. Grantees must maintain and operate the network for a minimum five years after receiving Commission funding. The Commission will reimburse for the following expenses:

- All networking equipment, both hardware and software, including wireless access points;
- Low voltage contracting (including the installation of conduit, panels and cabling required to provide power for the equipment funded as part of the project) , provided it does not include major rehabilitation, demolition or construction;
- Modems or routers, but not computers or human interface devices;
- Engineering & design;
- Hardware warranty;
- Installation labor from the Minimum Point of Entry (MPOE) to the individual unit; and
- Taxes, shipping and insurance costs directly related to broadband equipment deployed under the CASF Public Housing Account.

The Commission will fund up to 85 percent of the costs for adoption projects for residents in PSCs and will reimburse the following expenses:

- Education and outreach efforts and materials;
- Desks and chairs to furnish a designated space for digital literacy;
- Acceptable computers and devices (excluding smartphones) and software intended for use either in a computer lab or their household;
- Digital literacy instructors;
- Printers for a computer lab or other designated space for digital literacy;
- Routers; and
- Provision of residential (not network) technical support.

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III. Definitions

“Project” is a publicly subsidized multifamily housing development which is requesting funds under one application from the CASF Public Housing Account

“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 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.

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.¹

For purposes of this Account, a project is located in a “rural area” if it meets one of the following criteria: 1) it is in area that is eligible for federal program under the United States Department of Agriculture (USDA) Section 515 program; 2) it is in a city with a population of 40,000 or less or in a non-urbanized area; and 3) it is in an unincorporated area of a county and is not in an urbanized area.²

A unit is “wired” for broadband Internet if it is possible to subscribe to a commercially available broadband Internet service, such as via Digital Subscriber Line (DSL), cable modem or another protocol, utilizing the existing “wired” facilities. A unit having such wiring is considered as having broadband service “available”. An “unwired property” has at least one unit that is not “wired.”

IV. Eligible Applicants

¹ 47 CFR 68.105(b)

² Cal. Health and Safety Code §§ 50199.20 and 50199.21

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California Public Utilities Code § 281(f)(2) limits CASF Broadband Public Housing Account funding to a publicly subsidized multifamily housing developments owned by either of the following two entities:

- 1) A public housing agency that has been chartered by the state, or by any city or county in the state, and has been determined an eligible public housing agency by the United States Department of Housing and Urban Development.
- 2) 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.³

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).⁴

V. Information Required From Applicants

Applicants must submit the following information to the Commission for each proposed project. 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.

1. Infrastructure Project Application

Applicants must complete and submit a project application form, which will be available on the Commission’s website. CD will post all applications submitted by the quarterly deadline on the CASF webpage, allowing ISPs two weeks to challenge the applications. Additional supporting documentation will not be posted online.

A housing authority applying for CASF Broadband Public Housing Account funds must include in its submission its Annual HUD Contributions Contract and HA Code, allowing CD 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

³ California Public Utilities Code §281 (f)(2)

⁴ See *Plumstead Theater Society v. Commissioner*, 74 T.C. 1324 (1980), aff’d,675 F.2d 244 (9th Cir. 1982), as discussed in Exempt Organizations-Technical Instruction Program for FY 2003, available at <http://www.irs.gov/pub/irs-tege/eotopicg03.pdf> The IRS acknowledges that “a partnership arrangement could be structured so as to preclude a conflict between an exempt organization's exempt purpose and the fiduciary obligations of a general partner to its limited or co-general partners.” The IRS uses a two-part analysis to determine whether participation adversely affects exemption: 1) inquiring if the partnership serves its exempt purposes and 2) inquiring if the partnership arrangement permits the organization to act exclusively in furtherance of exempt purposes rather than for the benefit of for-profit partners. Limited partnership organizations meeting the two-pronged criteria receive and maintain their 501(c)(3) status.

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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.

Applications must contain the following information.

1.1. Funds Requested

The applicant must indicate the amount of funding requested, i.e., whether it is applying for a grant only or a combination of a grant and a loan.

1.2. Project Location

The applicant must include each address it intends to serve along with an image of the location on the map. The Commission will accept a screen shot image from Google maps or similar image.

1.3. Key Contact Information

- First name
- Last name
- Mailing Address
- Email
- Phone

1.4 Key PSC Management

- Position title
- First name
- Last name
- Email
- Phone

1.5 Key vendor contact information (if applicant already has identified its vendor)

- First name
- Last name
- Company name
- Mailing address

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- Email
- Phone

1.6 Assertion of wired or unwired

The applicant must attest to whether or not the property it proposes to serve under its grant request is wired for broadband Internet service, as defined in Section III, and provide the percentage of units that have broadband service available. The applicant also must verify that it has not denied an ISP access to its property in order to provision broadband service to any unit within twelve months prior to its application. An applicant's previous denial of access for cause (e.g., the ISP's costs to residents or the applicant were unreasonably high) does not constitute a denial of a right of access.

CD will post all application forms (but not the supporting materials that accompany the application) on its website after the dates listed in section VI. to allow ISPs two weeks to challenge the applications.

1.7 Rural designation

The applicant must specify whether its property is located in a rural area as defined in Section III of these guidelines.

1.8 Proposed project description

An applicant must provide a detailed description of its proposed project, including the elements discussed below.

- Description of proposed broadband project plan which the Commission will fund using the CASF Public Housing Account, including:
 - The type of technology to be used (attach engineering documents/schematics)
 - Project size (number of units and residents to be connected)
 - Entities that will provision service. (e.g., Wi-Fi provided by property management or named subcontractor, and/or, Internet service offered by a named ISP, etc.)
 - Download speed capabilities for an average user during the peak hours of 7p.m. and 11p.m.
 - Upload speed capabilities for an average user during the peak hours of 7p.m. and 11p.m.
- Project budget outlining a detailed breakdown of cost elements and the availability of matching funds to be supplied by applicant (including bandwidth, maintenance and operation costs).
 - Breakdown of projected cost of items funded by grant:
 - All networking equipment, both hardware and software, including wireless access points;

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- Low voltage contracting, provided it does not include major rehabilitation, demolition or construction;
- Modems or routers, but not computers or human interface devices;
- Engineering & design;
- Hardware warranty;
- Installation labor from the MPOE to the individual unit; and
- Taxes, shipping, insurance costs directly related to broadband equipment deployed under the CASF Public Housing Account.
- Matching funds provided by applicant
 - Bandwidth costs on a monthly basis for the five year project period
 - Maintenance and operations costs to ensure network is operational for at least five years
- Project schedule
 - A delineated deployment schedule with commitment to complete project within 12 month of Commission approval of the application. The schedule should identify major prerequisite(s), construction, and any other milestones that can be verified by Commission staff. Milestones will be listed using the following format:
 - Milestone Description
 - Milestone Start and End Date
 - Milestone Risks
 - Included in its proposed schedule, the applicant must submit its plan to encourage adoption of the broadband Internet service it proposes, in particular what activities it will employ to encourage residents to sign up for the service.
 - In developing the schedule, applicant must include the timeline required for California Environmental Quality Act (CEQA) or other relevant government agency permit review, if needed.
 - If the applicant is unable to complete the proposed project within the required 12-month timeframe, it must notify the Commission as soon as it is aware of this prospect. The Commission reserves the right to reduce payment for failure to satisfy this requirement.

1.9 Organizational Chart and Background

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

1.10 Economic Useful Life of Assets to be Funded

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

1.11 Current Condition of Property

An applicant must attest that (1) it expects its property to be in residential use for at least the next 10 years, (2) 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 States, and (3) that existing property infrastructure requires no significant upgrades to install wiring, equipment and other electronics funded under this grant, or if such condition exists the applicant will fund those activities.

1.12 Proposed Pricing

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

1.13 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 (for example, the California Tax Credit Allocation Committee).

1.14 Permitting Compliance

An application should state whether the project is statutorily or categorically exempt from CEQA requirements and cite the relevant authority, as applicable. Additionally, applicants must include any permit review timeline in its construction schedule, with a reference to the government agencies that will issue the permits. Grantees must provide Commission staff with proof of permit approvals before seeking reimbursement. Further, if a project requires 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).

1.15 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 B). Additionally, an applicant must also agree to abide by the Commission Rules of Practice and Procedure, be subject to Public Utilities Code Sections 2108 and 2111 and to submit quarterly reports and annual recertification or audit documents.

2. Adoption Project Application

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Applicants must complete and submit a project application form, which will be available on the Commission's website. CD will post the all applications submitted by the quarterly deadline on the CASF webpage.

A housing authority applying for CASF Broadband Public Housing Account funds must include in its submission its Annual HUD Contributions Contract and HA Code, allowing CD 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.

Applications must contain the following information.

2.1. Funds Requested

The applicant must indicate the amount of funding requested, i.e., whether it is applying for a grant only or a combination of a grant and a loan. As stated in Section II, the Commission will fund up to 85 percent of the costs for adoption projects for residents in PSCs, including reimbursement of the following adoption activities/items:

- Education and outreach efforts and materials;
- Desks and chairs to furnish a designated space for digital literacy;
- Acceptable computers and devices (excluding smartphones) and software intended for use either in a computer lab or their household;
- Digital literacy instructors;
- Printers for a computer lab or other designated space for digital literacy;
- Routers; and
- Provision of residential (not network) technical support.

In order to obtain reimbursement, grantees must also provide sufficient documentation, such as a receipt for the goods or documentation of hours worked.

2.2. Project Location

The applicant must provide the location it intends to serve along with an image of the location on the map (the Commission will accept a screen shot image from Google maps or similar image).

2.3. Key Contact Information

- First name
- Last name
- Mailing Address

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- Email
- Phone

2.4 Key PSC Management

- Position title
- First name
- Last name
- Email
- Phone

2.5 Key vendor contact information (if applicant already has identified its vendor)

- First name
- Last name
- Company name
- Mailing address
- Email
- Phone

2.6 Proposed Project Description

An applicant must provide a detailed description of its proposed project, including the elements discussed below.

- Description of proposed activities the Commission will fund using the CASF Public Housing Account, such as education and outreach efforts.
- Project budget outlining a detailed breakdown of cost elements funded by the grant (85 percent) and provided as match by the Applicant (15 percent). The grant will reimburse for the activities and items listed in section 2.1.
- The Applicant may provide the 15 percent match using the following (1) donations from residents in exchange for devices; (2) donations of devices or software from third parties; and (3) Volunteer personnel hours worked to train residents. Applicants must identify the goods and/ or hours worked and its monetary value.
- Project schedule -- A delineated deployment schedule with a commitment to begin the project within nine months of Commission approval of the application and to complete project within 12 months thereafter.

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- Milestone Description
- Milestone Start and End Date
- Milestone Risks

If the applicant 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 payment for failure to satisfy this requirement.

2.7 Assertion of Property Being Wired

The applicant must attest that broadband Internet service is available to all PSC units on the property seeking the grant, or that it will be when it begins its proposed adoption project.

2.8 Rural Designation

The applicant must specify whether its property is located in a rural area, as defined in Section III of these guidelines.

2.9 Organizational Chart and Background

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

2.10 Economic Useful Life of Assets to be Funded

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

2.11 Financials

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

2.12 Affidavit of Application's Accuracy

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 (Attachment B). Additionally, an applicant must also agree to abide by the Commission rules of practice and procedure, be subject to Public Utilities Code Sections 2108 and 2111 and to submit quarterly reports and annual recertification or audit documents.

VI. Submission and Timelines

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Applicants should electronically file their completed applications using the Commission's FTP file server available at <http://www.cpuc.ca.gov/puc/> and mail a separate hard copy to the Communications Division, Attn: California Advanced Services Fund, Housing Coordinator, and mail another hard copy to the Office of Ratepayers Advocates. 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. However, CD will consider applications submitted on or before each deadline listed below as a batch. Additionally, after each deadline, CD will post all applications on its website to give ISPs two weeks from the date of posting to challenge applications.

Deadlines:

- January 15, 2015
- April 1, 2015
- July 1, 2015
- October 1, 2015
- January 1, 2016 (unawarded Rural set aside released to all applicants, regardless of location)
- April 1, 2016
- July 1, 2016
- October 1, 2016

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

VII. Expedited Review

The Commission delegates to CD staff the authority to approve applications that meet all of the following criteria:

Infrastructure Projects

- Applicant meets the eligibility requirements under P.U. Code § 281 (f)(2).
- Applicant declares that it has not denied an ISP access to its property to provide broadband Internet service and no ISP challenged this statement; if an ISP challenged an application alleging it was denied access to a PSC, CD staff determined the denial was reasonable.
- Applicant requests a grant of less than \$75,000 in CASF Housing Account infrastructure grant funds per project.
- For projects connecting 50 PSC units and less, proposed project costs less \$600 per unit or less.
- For projects connecting 51-100 PSC units, proposed project costs \$450 per unit or less.
- For projects connecting 101 and more units, proposed project costs \$300 per unit or less.

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- 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.
- Existing property infrastructure requires no significant upgrades to install wiring, equipment and other electronics funded under this grant
- Applicant expects property to be in residential use for at least the next 10 years.
- Property qualifies for an exemption pursuant to CEQA Guidelines § 15300.2.
- For wireless networking projects, equipment will at least meet the 802.11n standard.
- Applicant attests it will operate and maintain project equipment and technology for at least five years after completion and that it has sufficient funds and warranty to do so, including replacing equipment as needed, and a maintenance agreement and budget have been submitted.
- Proposed project network is capable of offering residents Internet service speeds of at least 6mbps downstream/1.5mbps upstream which is supported with appropriate documentation.
- Applicant commits to provide residents with minimum download speeds of 1.5 mbps per unit during average peak utilization periods, subject to reasonable network management practices.
- Residents will be charged no more than \$20 per month for Internet service.
- Applicant has signed an affidavit agreeing to abide by Commission rules of practice and procedure; P.U. Code §§ 2111 and 2108; and to quarterly reports and submission of annual recertification/audit documents.
- Applicant agrees to complete project within 12 months.
- Applicant has identified its bandwidth source, either at the MPOE or its wireless equivalent.
- Applicant agrees to secure project funded hardware to prevent theft and vandalism.

Adoption Projects

- Applicant meets the eligibility requirements under P.U. Code § 281 (f)(2).
- Applicant requests a grant of \$50,000 or less
- Applicant agrees to perform education and outreach to educate residents of best practice use of available broadband Internet services.
- Applicant or partner organization possesses at least one year experience in digital literacy training or has previously carried out at least one digital literacy project.
- Applicant must provide at least eight hours of digital literacy training to participating residents.
- Applicant or partner organization will use existing curriculum.
- Applicant has identified onsite designated space for digital literacy training.
- If the applicant or partner organization provides residents computers or other devices to be use as part of its digital literacy training, the devices cost no more than \$250 per device. New or refurbished computers or devices may be used; if the computer or device is

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- refurbished, it must not be more than two years old. Additionally, a Smartphone is not an eligible device.
- Technical support, either by phone or in person, must be able to respond within 48 hours. A refurbished device supplier should provide a warranty of at least six months and seller of new products should provide a warranty of at least 30 days.
 - Applicants must be ready to provide classes within nine months of being selected for a CASF grant and must submit a work plan with major milestones showing how they propose to meet this deadline.
 - Applicants must sustain the adoption project for 12 months or until 75 percent of residents are trained. The applicant must submit a work plan with major milestones showing how they propose to meet this deadline.

VIII. Resolution Review

Where an application does not meet the above expedited review criteria, it may still be considered for a grant, but it must go through the traditional Commission Resolution approval process.

IX. Reporting

Grantees must submit quarterly progress reports on the status of the project irrespective of whether grantees request reimbursement or payment. Progress reports shall include both the schedule for deployment; major milestones and costs submitted in the proposals and indicate the completion date of each task/milestone as well as problems/issues encountered, and the actions taken to resolve these issues/problems during project implementation and construction. Grantees must also identify foreseeable risks that might prevent it from meeting future milestones. The grantee shall also include speed test results in its completion report. Recipients must certify that each progress report is true and correct under penalty of perjury.

Infrastructure project grantees must submit a project completion report describing the total project costs, including engineering, planning, material costs, and an assessment of the average speed the network is delivering to a resident during the peak hours of 7 p.m. to 11 p.m.

Adoption project grantees must submit a project completion report once 75% of all residents have been trained or after the project has been training residents for 12 months. The report must specify how many residents have been trained, how many of those trained subscribe to broadband Internet and how many are using devices in their home.

An infrastructure project grantee is required to maintain the broadband network for five years after it has been installed. After installation, for a five year period, grantees must also submit quarterly reports showing the percentage of up time, the number of unique log-ons (either by individuals or by units) and the amount of data used. These can be automated reports which can be emailed to CPUC_Housing@cpuc.ca.gov.

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X. Payment

Payment to the CASF grantee will be on a progress billing basis with the first 25 percent to be made upon the proponent's submission to the Commission staff of a progress report showing that 25 percent of the total project has been completed. Subsequent payments shall be made on 25 percent increments showing completion at 50 percent, 75 percent, and 100 percent. The CASF recipient must submit a project completion report before full payment.

For adoption projects, the first 25 percent increment represents the ramp up time before any training begins which must be nine months or less. The next 25 percent increment will be when the applicant is able to train 25 percent of residents, then when 50 percent of residents are trained and the last when 75 percent of residents are trained.

Payment will be based upon receipt and approval of invoices/other supporting documents showing the expenditures incurred for the project in accordance with the CASF funding submitted by the CASF recipient in their application.

Grantees must notify the Commission as soon as they become aware that they may not be able to meet project deadlines.

Grantees shall submit final requests for payment 90 days after completion of the project.

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

The Commission has the right to conduct any necessary audit, verification, and discovery during project implementation/construction to ensure that CASF funds are spent in accordance with Commission approval.

The recipient's invoices will be subject to a financial audit by the Commission at any time within three years of completion of the project.

XI. Execution and Performance

CD staff and the CASF grant recipient shall determine a project start date after the CASF grant recipient has obtained all approvals. Should the recipient or Contractor fail to commence work at the agreed upon time, the Commission, upon five (5) 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.

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Material changes in the entries for this application, such as discontinuing operation or 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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Applications will be considered beginning: December 18, 2015
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

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

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**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, 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 PSC] 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.

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

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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: _____

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