



APPENDIX 1

CASF Broadband Infrastructure Grant Account
Line Extension Program
Revised Application Requirements and Guidelines

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1. Background

Assembly Bill (AB) 1665 (Stats. 2017, Ch. 851) introduced the Line Extension Program (LEP) as part of the CASF Broadband Infrastructure Grant Account. Under the LEP, an individual household or property owner can apply for an infrastructure grant to offset the costs of connecting a household or property to an existing or proposed facility-based broadband provider. Any infrastructure built with funds provided by the LEP shall become the property of, and part of, the network of the facility-based broadband provider to which it is connected. AB 1665 directs the California Public Utilities Commission (Commission) to consider limiting funds to households based on income so that funds are provided only to households that would not otherwise be able to afford a line extension to the property, to limit grants on a per-household basis and to require a percentage of the project to be paid by the household or owner of the property.

These rules are revised as a result of Senate Bill (SB) 156 (Stats. 2021, Ch. 112), which modified the Broadband Infrastructure Grant Account program rules specified in California Public Utilities (Pub. Util.) Code Section 281 and based on Commission Staff's program administration experiences.

1.1. Amount Available for Grants

Pursuant to AB 1665, the aggregate amount available for awards is five million dollars (\$5,000,000). As of June 30, 2024, the CPUC has awarded \$2,071,101 in CASF funding to LEP projects.

2. Definitions for the LEP

Broadband Infrastructure Grant Account: A California Public Utilities Commission program that provides grants for deployment of broadband infrastructure to unserved areas of the state. This account's goal is to deploy service to 98 percent of households in each consortia region.

Eligible Applicant: The customer residing at, or property owner of, the location to be served. A representative designated by the customer or property owner, including but not limited to a facilities-based broadband provider, is also an eligible applicant and may apply for service on behalf of the customer or property owner or a group of customers or property owners.

Eligible Project: A project that proposes to extend a line capable of providing broadband service at speeds of at least 100 megabits per second (mbps) download and

20 mbps upload, or the most current broadband speed standard set by the Federal Communications Commission, whichever is greater, to an eligible applicant.¹

Facilities-Based Broadband Provider: A broadband provider that meets the following conditions (1) it owns the portion of the physical facility that terminates at the end-user premises or obtains the right to use dark fiber as part of its own network to complete such terminations; (2) it obtains unbundled network element elements (UNEs), special access lines, or other leased facilities that terminate at the end-user premises and provisions/equips them as broadband; or (3) it provisions/equips a broadband wireless channel to the end-user premises over licensed or unlicensed spectrum.”² This definition excludes satellite transponder capacity as well as terrestrial mobile wireless services.

Line Extension: An over-head, underground or wireless extension of plant from existing distribution facilities to the customer premises network interface device at the demarcation point; additions to distribution plant along existing distribution facilities is generally excluded and not considered a line extension.

Line Extension Program (LEP): A program within the CASF Broadband Infrastructure Grant Account that provides grants to eligible applicants (an individual household or property owner or representative thereof) to offset the costs of connecting to an existing or proposed facility-based broadband provider.

Low-income: Household incomes at or below 80 percent of the area or statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development’s most current list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code.^{3,4,5}

¹ Public Utilities Code section 281(f)(5).

² See the Federal Communication Commission's (FCC's) definition of facilities-based broadband provider at https://transition.fcc.gov/form477/FBS/definitions_fbs.pdf.

³ CPUC *Environmental & Social Justice Action Plan, Version 2.0*, April 7, 2022.

<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M465/K846/465846599.pdf>

⁴ Health and Safety Code section 39713(d)(1). See the most current 2023 State Income Limits at <https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>.

⁵ See Section 50093 at

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=50093.&lawCode=HSC

Property Owner: A person, business, or other entity that has the legal or rightful title to a parcel of land or a structure.

Service Connection: Wired, cable, or wireless transmission equipment, and associated supporting structure, from the point of connection of the provider’s distribution facilities to the customer premises network interface device. A service connection serves only the property on which it is located.²

Telecommunications Transmission Media (specific to LEP): Twisted pair (copper), coaxial cable, fiber optics, or fixed wireless access solutions may be included.

Unserved Location: A household or property without a connection to a facility-based broadband provider offering service at minimum speeds of 25 mbps download and 3 mbps upload, or the most-current broadband speed standard set by the Federal Communications Commission regarding eligibility for federal grants, whichever is greater.⁶

3. Eligible Applicants

An eligible applicant is the customer residing at, or property owner of, the location to be served. A representative designated by the customer or property owner, including but not limited to a facilities-based broadband provider, is also an eligible applicant and may apply for service on behalf of the customer or property owner or a group of customers or property owners.

LEP grant applicants’ household incomes will be considered when awarding grants. Applicants enrolled in the following programs or who meet the following criteria automatically qualify as low-income.^{7,8}

- California LifeLine Program
- California Alternative Rates for Energy (CARE).
- Temporary Assistance for Needy Families (TANF)
- Medicaid/Medi-CAL

⁶ Public Utilities Code section 281(b)(1)(B)(ii)(I)

⁷ The current California LifeLine income threshold for a household of four is \$48,400 through May 31, 2025 and is updated annually. As of this writing, current California LifeLine income guidelines are available at <https://www.cpuc.ca.gov/lifeline/>.

⁸ The current CARE income threshold for a household of four is \$62,400 through May 31, 2025. The threshold is updated regularly in the CARE proceeding, A.19-11-003, et. al. As of this writing, current CARE income guidelines are available at <https://www.cpuc.ca.gov/lowincomerates/>.

- Supplemental Nutrition Assistance Program (SNAP)/Food Stamps
- Any other public assistance program which qualifies applicants for either California LifeLine or CARE also qualify as low-income.^{9,10}

Applicants who are not enrolled in CARE or California LifeLine but who meet the definition of low-income defined in Section 2, above, automatically qualify as low-income, as well.

Additional instructions and application materials are provided on [CASF Line Extension Program](#) webpage of the CPUC website.

4. Funding Levels

The LEP will fund 100 percent of the cost of the proposed project for applicants who qualify as low-income, as defined in Section 2 or as specified in Section 3.

The maximum funding for the total line extension project/per household, in context of the transmission media/technology used, will be:

- A maximum of \$6,000 for Fixed Wireless installations
- A maximum of \$31,000 for Wireline installations

For applicants who do not meet the qualifying low-income thresholds, the CPUC will award grants using a tiered funding structure to determine the funding level for a proposed project.

Funding levels (possible maximum funding level of 90 percent):

- Minimum Funding Level for all eligible projects (70 percent funding);
- A location with no Internet service at all, formerly referred to as an “unconnected location” (10 percent additional funding);

⁹ For a list of California LifeLine Program-qualifying public assistance programs, see <https://www.cpuc.ca.gov/consumer-support/financial-assistance-savings-and-discounts/lifeline/california-lifeline-eligibility>

¹⁰ For a list of CARE Program-qualifying public assistance programs, see <https://www.cpuc.ca.gov/consumer-support/financial-assistance-savings-and-discounts/california-alternate-rates-for-energy>

- Location and accessibility of the proposed project (as defined by the CASF Broadband Infrastructure Grant Account Guidelines¹¹) (10 percent additional funding if the proposed project meets xx of the following conditions);
 - The proposed project area contains rugged or difficult terrain (e.g., mountains, desert, national or state forest);
 - The proposed project area is an unincorporated community;
 - The proposed project area is more than 10 miles from the nearest hospital;
 - The proposed project area is more than 10 miles from the nearest state or federal highway;
 - The proposed project area is located in a rural census block, as defined by the U.S. Census Bureau; and/or,
 - The proposed project area is within an extreme or elevated fire threat area as defined by the CPUC Fire-Threat Map.

For projects in which a provider is building line extensions to applicants eligible for 100 percent funding, while also building to unserved applicants who are not eligible for 100 percent funding, the entire grant will be funded at the 100 percent rate.

5. Eligible Projects

An eligible project is a project at the property to be served, which meets the following:

- The line extension is to an eligible applicant.
- The property must not have previously received an LEP grant.
- The project will provide a service connection to an unserved location.
- The completed project must offer service speeds of at least 100 mbps download and 20 mbps upload, or the most-current broadband speed

¹¹ See D.22-11-023, Attachment 1 Revised CASF Program Guidelines at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M498/K965/498965038.PDF>

standard set by the Federal Communications Commission, whichever is greater, to unserved serviceable locations.

- The project is statutorily or categorically exempt from CEQA requirements.

6. Information Required from Applicants

- The applicant must provide a proposed contract (“the contract”) or written estimate from the facilities-based broadband provider or its approved contractor for the purpose of the construction of the line extension. This contract or estimate must state the details of this construction, such as the type of connection, expected service speeds, statement of work, and detailed cost estimate.
- If the applicant is qualifying for LEP funding based on income, the applicant must provide a written attestation that their income is within the threshold to receive 100 percent LEP project funding. The written attestation must indicate the following:
 - The applicant is enrolled in a qualifying public assistance program; or,
 - Qualifies as low-income according to either of the following criteria: (1) household income is at or below 80 percent of the area or statewide median income, or (2) the threshold designated as low-income by the California Department of Housing and Community Development’s list of state income limits by county, adopted pursuant to Section 50093 of the Health and Safety Code.

Application materials and instructions on how to apply are provided on the [CASF Line Extension Program](#) webpage of the CPUC website.

Staff will also provide all necessary forms including consent forms at the same location.

7. Submission and Timelines

Applicants are required to use the Commission provided application form to apply. Applicants shall electronically file their completed application, along with required documentation, using the Commission’s email address at CASFLineExtensionProgram@cpuc.ca.gov.

Applications may be submitted at any time; the Communications Division will consider applications until LEP funding is exhausted.

Public notice of applications received will be published on the Commission's website. Pursuant to Pub. Util. Code § 281(f)(8), parties may challenge project applications. Challenges must be submitted to the Communications Division email, CASFLineExtensionProgram@cpuc.ca.gov, and the CASF Distribution List within 14 days after the public notice posting on the Commission's website.

Challenges must be based solely on demonstrating actual levels of broadband service in the project area. Challengers must be able to provide service within five business days, otherwise, the challenge will be denied.

8. Ministerial Review

The Commission delegates to Communications Division Staff the task of approving applications that meet all the following criteria:

- The proposed project is an eligible project.
- The proposed project connects to a single household.
- The proposed project cost does not exceed \$6,000 for Fixed Wireless installations, and a maximum of \$31,000 for Wireline installations per household.
- The application is not challenged, or Communications Division Staff denies the challenge.
- All projects must be completed within 12 months.
- The proposed project must be CEQA exempt.

9. Resolution Review

When an application does not meet the ministerial review criteria, Staff may still recommend the Commission approve the grant, but the Commission must approve the application using the Commission's resolution approval process.

10. Reporting

Upon completion of the project and before payment, both the grantee and the facilities-based broadband provider, if different entities, or its approved contractor must provide a signed completion form stating that the work has been completed. The applicant must submit a signed completion form stating the line extension has been installed and that they are receiving Internet service at served speeds at a minimum of 100 mbps download and 20 mbps upload. As proof, the applicant must provide a screenshot of results of speed tests performed with the CalSPEED testing application, which can be accessed at <http://calspeed.org/index.html> or examples of at least two other commercially available speed tests.¹² The facilities-based broadband provider or its approved contractor must submit a signed completion form stating that they have completed the work as described in the contract and that the service has been activated. If a project consists of more than one served location, completion forms with attestation of served speeds must be submitted for each connected location.

Additional instructions and application materials are provided on the CPUC website at the [CASF Line Extension Program](#) webpage.

11. Payment

Payment will be made directly to the facilities-based broadband provider who installed the line extension. Payment will be based upon receipt and approval of the invoice submitted by the provider showing the expenditures incurred for the project along with the forms detailed in Section 10 (Reporting). The invoice must be supported by documentation of equipment and supplies purchased, cost of labor and any other expense that will be recovered by the funding.

Staff may allow for payment at specific construction milestones in line with Section 14 Payment of the CASF Broadband Infrastructure Grant Account Guidelines¹³, as follows:

Requests for payments may be submitted as the project is progressively deployed. The prerequisite for first payment is the submittal of a progress report to the Commission showing that at least 10 percent of the project has been completed. Subsequent payments are made at the following deadlines: 35

¹² For questions regarding the speed test requirements, please contact the LEP team at CASFLineExtensionProgram@cpuc.ca.gov.

¹³ See D.22-11-023, Attachment 1 Revised CASF Program Guidelines at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M498/K965/498965038.PDF>

percent completion, 60 percent completion, 85 percent completion and 100 percent completion. The final 15 percent payment request (from 85 to 100 percent) will not be paid without an approved completion report. Payments are based on submitted receipts, invoices and other supporting documentation showing expenditures incurred for the project in accordance with the approved CASF funding budget included in the CASF grantee's application.

The facilities-based broadband provider is responsible for keeping costs within the budget estimated in the contract. Payment from the Commission will not exceed the approved funding amount. Any additional costs above the estimate provided in the contract will be the responsibility of the facilities-based broadband provider.

12. Execution and Performance

The facilities-based broadband provider must meet the minimum criteria below:

- **Project Completion:** All projects must be completed within 12 months. If the applicant is unable to construct and complete the proposed project within the approved timeline, it must notify CASF staff as soon as it becomes aware and explain reasons for the delay and when the project will be completed.
- **Speeds:** All unserved serviceable locations must be offered a broadband Internet service plan with speeds of at least 100 mbps download and 20 mbps upload or the most-current broadband speed standard set by the Federal Communications Commission, whichever is greater.
- **Affordability:** The facilities-based broadband provider shall inform the applicant of the availability of low-income plans.

The facilities-based broadband provider, must provide in writing a determination that the project is statutorily or categorically exempt from California Environmental Quality Act (CEQA) requirements and cite the relevant authority, as applicable.¹⁴

Facilities-based broadband providers will be responsible for all costs related to the line extension beyond the portion that the Commission will fund. Additionally, the minimum performance criteria stated in this section can be revised to be consistent with

¹⁴ CEQA Guidelines § 15300.2.

changes to the minimum performance criteria defined in the CASF Infrastructure Grant rules in Decision 22-11-023.

The facilities-based broadband provider or its approved contractor has up to one year to complete the proposed line extension in accordance with the terms of its contract and the requirement of the LEP. If the proposed line extension has not been completed within the one-year period, the grant may be rescinded.

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

Invoices from the facilities-based broadband provider or its approved contractor will be subject to financial audit by the Commission at any time within three years after completion of the work.

In the event that the facilities-based broadband provider fails to complete the work in accordance with the approval granted by the Commission and as described in the contract, the facilities-based broadband provider must reimburse some or all of the CASF funds that it has received.

(END OF APPENDIX 1)

Attachment A

Consent Form #1: Information Required from Eligible Applicants

Instructions

An “eligible applicant” is the customer residing at or property owner of the location to be served or a representative, including but not limited to a facilities-based broadband service provider, who may apply for service on behalf of an eligible applicant or a group of eligible applicants.

Each eligible applicant and representative, if there is one, must submit a separate signed and dated copy of this consent form for each location to be served. If one application covers a group of eligible applicants, a consent form is still required from each household.

If an eligible applicant is not the property owner, the eligible applicant or representative must provide a signed statement from the property owner giving the property owner’s consent for the work to be done, as described in the contract. (See Attachment 2 - Consent Form #2)

Consent Form

Name of eligible applicant or representative _____
consents for a line extension to be provided by _____
for the property or properties at the address(es) _____

(if serving multiple addresses, please provide an attachment listing those) and further affirms that no facilities-based broadband provider offers service to this address.

I swear or affirm that I have personal knowledge of the facts stated in this application for the California Advanced Services Fund, Line Extension Program, I am competent to testify to them, and I have the consent to submit this application on behalf of the eligible applicant.

CASF – Line Extension Consent Form #1

XXXX 2023

I further swear or affirm and agree to comply with all federal and state statutes, rules, and regulations governing broadband services and state contractual rules and regulations, if granted funding from the California Advanced Services Fund.

I swear and affirm that I agree to comply with Rules 1.11 and 2.2 of the California Public Utilities Commission’s Rules of Practice and Procedure. I swear or affirm, under penalty of perjury, and under Rule 1.1 of the California Public Utilities Commission’s Rules of Practice and Procedure, that, to the best of my knowledge, all the statements and representations made in this application are true and correct.

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

Signature of Eligible Applicant

Title and Organization (if not an individual)

Date

Attachment B

**Consent Form #2: Property Owner Consent to a Allow a Line Extension for
an Eligible Applicant**

Instructions

An “eligible applicant” is the customer residing at or property owner of the location to be served or a representative, including but not limited to a facilities-based broadband service provider, who may apply for a line extension on behalf of an eligible applicant or a group of eligible applicants.

If an eligible applicant is not the property owner, the eligible applicant or representative must provide a signed statement from the property owner giving the property owner’s consent for the work to be done, as described in the contract.

Consent Form

Name of property owner _____ consents for a
line extension to be provided by _____
for the property at address _____ .

Signature of property owner

Date