

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Broadband, Video and Market Branch**

**RESOLUTION T- 17708
October 22, 2020**

R E S O L U T I O N

RESOLUTION T-17708: Approves the Rural and Urban Regional Broadband Consortia grant applications for the San Joaquin Valley Regional Broadband Consortium and Southern Border Broadband Consortium in the amount of \$900,000.

I. SUMMARY

This Resolution approves grant funding in the amount of \$900,000 from the California Advanced Services Fund (CASF) Rural and Urban Regional Broadband Consortia Grant Account (Consortia Account) for the grant applications of the San Joaquin Valley Regional Broadband Consortium (SJVRBC) and Southern Border Broadband Consortium (SBBC). These two projects will facilitate the deployment of broadband services by assisting infrastructure applicants in the project development or grant application process in their regions.

II. BACKGROUND

On October 15, 2017, Governor Brown signed Assembly Bill (AB) 1665 (Garcia, Chapter 851, Statutes of 2017) into law,¹ which among other things, established continuation of the Consortia Account with an additional \$10 million in available funds.²

On October 25, 2018, the California Public Utilities Commission (Commission) adopted Decision (D.) 18-10-032, implementing programmatic changes to the Consortia Account

¹ AB 1665 is codified at Public Utilities Code, § 281.

² AB 1665 supplements \$15 million already authorized for the Consortia Grants with an additional \$10 million.

as required by AB 1665,³ that funds be used to “facilitate the deployment of broadband services by assisting infrastructure grant applicants in the project development or grant application process.”⁴

Pursuant to the CASF rules adopted in D.18-10-032, Consortia activities that achieve the following objectives may be eligible for funding:

- Objective 1: Collaborating with the Commission to engage regional Consortia, local officials, internet service providers (ISPs), stakeholders, and consumers regarding priority areas and cost-effective strategies to achieve the broadband access goal.
- Objective 2: Identifying potential CASF infrastructure projects, along with other opportunities, where ISPs can expand and improve their infrastructure and service offerings to achieve the goal of reaching 98% broadband deployment in each Consortia region.
- Objective 3: Assisting infrastructure applicants in the project development or grant application process.
- Objective 4: Conducting activities leading to infrastructure applications.
- Objective 5: Assisting the Commission in publicizing requests for wireline testing volunteers in areas, as needed.

On March 29, 2019, the Commission opened a new round of solicitation for Consortia grant applications. The Commission received ten applications and subsequently awarded nine Consortia grants, totaling \$3.8 million.⁵

On April 23, 2020, the Commission opened another new round of solicitation for Consortia grant applications. Prospective applicants were invited to submit new proposals by June 5, 2020.

IV. APPLICANT REQUESTS AND NOTICE

SJVRBC and SBBC submitted grant applications for the CASF Consortia grant funding by the deadline. On July 29, 2020, Communications Division (CD) staff (Staff) posted applications received on the Commission’s CASF Consortia Account webpage.⁶

³ *Decision Implementing the CASF Rural and Urban Broadband Consortia Grant Account* [D.18-10-032] (2018) Application Requirements and Guidelines, Appendix 1.

⁴ Public Utilities Code, § 281 (g)(1).

⁵ Resolution T-17669: <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M318/K898/318898413.PDF>.

⁶ <https://www.cpuc.ca.gov/General.aspx?id=870>.

V. APPLICATION REVIEW AND EVALUATION

Staff reviewed all applications according to the guidelines, requirements, and evaluation adopted in D.18-10-032, as follows:

1. Regional Consortium Representation and Endorsements;
2. Regional Consortium / Members' Experience;
3. Work Plan and Performance Metrics Plan; and
4. Budget.

Applications from previously funded regional Consortia were also considered in the context of past performance in implementing their Action Plan and Work Plan.

Staff's review and evaluation of the applications is summarized below.

A. San Joaquin Valley Regional Broadband Consortium (SJVRBC)

Applicant

SJVRBC was established by the California Partnership for the San Joaquin Valley (Partnership) and is administered by the Office of Community and Economic Development at Fresno State (OCED). SJVRBC represents San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and Western Kern counties.⁷ SJVRBC received approval for two Consortia Account grants: \$450,000 in December 2011 (Resolution T-17349), and \$180,000 in October 2016 (Resolution T-17537). SJVRBC's first Consortia grant was granted a six-month extension and ended in June 2015, with approximately \$448,487 in total expenditures.⁸ SJVRBC's second Consortia grant ended in November 2019, with approximately \$162,340 in remaining budget as of August 31, 2020. SJVRBC has completed its second Consortia grant work and submitted payment requests for the remaining budget.⁹

Past CASF Project Performance

SJVRBC's past accomplishments included: supporting the Central Valley Next Generation Broadband Infrastructure Project; establishing a bilingual call center at Fresno State to guide internet subscribers through the service activation process;

⁷ Eastern Sierra Connect Consortium (ESCC) represents Eastern Kern County. Communications Division (CD) staff has ensured no regional area funding overlap between SJVRBC and ESCC.

⁸ All expenditures for prior consortia grant cycles, listed in this Resolution, exclude summit expenses and/or attestation report costs.

⁹ SJVRBC is currently working with CD staff to submit additional required information for CPUC approval of its payment requests.

identifying the Shafter Municipal Fiber Network as a model to other communities considering a public broadband infrastructure project; development of final strategies connecting health clinics with medical centers in the regions; creating the Fresno State Parent University, which provides classes in digital literacy, parenting skills, and English language comprehension; expediting the provision of broadband access in all areas of the San Joaquin Valley; promoting accessibility and adoption of broadband in targeted underserved communities and populations; accelerating deployment of broadband infrastructure through telemedicine and telehealth technology; working with neighboring regional consortia to ensure the development of a cohesive infrastructure; and collaborating with the California Governor's Office of Emergency Services to ensure high-speed, wireless public safety broadband network from a rural and San Joaquin Valley perspective is included in the State's FirstNet strategy.

Regional Consortium Representation and Endorsements

SJVRBC representation includes key stakeholders (i.e., "Partnership" work group leads) from various public and private sectors, who are committed to furthering regional deployment, accessibility, and adoption of broadband services in the eight-county region of the San Joaquin Valley. SJVRBC received endorsements from ISPs, government, telecommunications providers and industry associations, economic development corporations and business development centers, local educational agencies and institutions of higher education, health delivery organizations, community-based and nonprofit organizations, and accessibility advocates.

Regional Consortium Members' Experience

SJVRBC's members have direct experience with broadband deployment and adoption efforts. They held scheduled and noticed meetings regularly to discuss infrastructure project proposals, and provided guidance and direction to the four Infrastructure Work Groups (e.g., Infrastructure Work Group, Digital Literacy/Education Work Group, Telehealth Work Group, and Agtech Work Group) to further regional deployment, accessibility, and adoption of broadband services.

Work Plan and Performance Metrics Plan

SJVRBC proposes to collaborate with the Commission to engage San Joaquin Valley regional partners, local officials, ISPs, stakeholders, and consumers regarding priority areas and cost-effective strategies to achieve the broadband access goal in the San Joaquin Valley. Specifically, SJVRBC will identify broadband priorities or gaps within regional public health, education, economic, land use, transportation, emergency response, and workforce development plans; inventory and map broadband infrastructure assets in the San Joaquin Valley, including fiber routes, nodes, and

wireless sites or assets that could support wireless infrastructure; identify priority areas, (i.e., communities, census tracts) for broadband infrastructure improvement based on gaps/assets assessments; identify CASF infrastructure projects and other opportunities (i.e., leverage funding, collaborating with other stakeholders); develop and implement cost-effective strategies for broadband deployment based on available infrastructure and geographic barriers; work with ISPs to develop projects and grant applications; assist in identifying match funding; engage stakeholders to better understand and explain regional broadband needs and solutions; publicize wireline testing volunteer requests, and collect and analyze wireline testing data. SJVRBC's Work Plan and Performance Metrics Plan are directly related to AB 1665 goals and objectives, and consistent with program requirements defined in D.18-10-032.¹⁰ Its detailed Work Plan and Performance Metrics Plan are available at the Commission's webpage.¹¹

Budget

SJVRBC requests a total project budget of \$450,000 for three years, including \$112,500 for the start-up budget. Of its total budget, SJVRBC allocates approximately 20% to conduct marketing/outreach and develop strategies (Objective 1), 50% to assist in developing CASF infrastructure applications (Objectives 2, 3, and 4), 20% to assist in publicizing wireline testing requests (Objective 5), and 10% to grant administration. SJVRBC's budget is cost-effective and consistent with budget requirements defined in D.18-10-032.

B. Southern Border Broadband Consortium (SBBC)

Applicant

SBBC was created in 2016 to help improve availability and adoption of broadband technology among "disconnected" citizens located in unserved and underserved areas of Imperial and San Diego counties. SBBC represents San Diego and Imperial counties. SBBC received approval for one Consortia Account grant: \$450,000 in April 2016 (Resolution T-17561). SBBC's Consortia grant ended in May 2020, with approximately \$109,369 in total expenditures. Staff is currently working with SBBC on a no-cost extension to complete its 2016 cycle grant work. SBBC's new grant proposal does not duplicate funding and activities from their previous grant or from other sources.

¹⁰ Pursuant to D.18-10-032, Work Plan and Performance Metrics Plan should include specific work activities, verifiable work deliverables, quantitative performance measures, the method for performance tracking and measuring, and responsible party(ies), with acceptable timelines for completion.

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[https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications - Telecommunications and Broadband/San Joaquin Valley Work Plan 2020.pdf](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications_-_Telecommunications_and_Broadband/San_Joaquin_Valley_Work_Plan_2020.pdf).

Past CASF Project Performance

SBBC's past accomplishments included: establishing an executive board from local economic sectors to create common specifications, policies, and practices that encourage and facilitate broadband deployment in its region; surveying communities to identify deployment and adoption needs and identifying geographic regions where broadband is unavailable and needs exist; working with community stakeholders and ISPs resulting in a needs assessment and product availability to fill gaps; identifying communities where broadband is available but adoption is low, and working directly with community partners to expand adoption; continuing partnerships with regional stakeholders to expand programs they are already providing (e.g., CleanTech, free computers, closing the "homework gap", expanding internet access to seniors); development of the SBBC's three-year plan and promoting solutions to solve deployment and adoption needs in the region; and publishing the plan to expand awareness of needs and recommended solutions to ISPs, policymakers, and regional stakeholders.

Regional Consortium Representation and Endorsements

SBBC's representation includes non-profit organizations, local government agencies, local business owners, and financial institutions. SBBC received a wide base of endorsement support including six endorsement letters from local governments, chambers of commerce, non-profit organizations, an Assembly member, and a Federally recognized Native American tribe.

Regional Consortium Members' Experience

SBBC's members have direct experience with broadband deployment and adoption efforts. SBBC's members have been involved in projects to seek connectivity solutions for schools with geographic, technological, and fiscal constraints. In addition, SBBC's members have implemented a demonstration program to provide internet access to long distance fixed route buses that travel between rural areas. As government officials, emergency service workers, educators, etc., they have direct experience working with culturally and linguistically diverse communities.

Work Plan and Performance Metrics Plan

SBBC proposes to promote broadband deployment and availability to regional residences and businesses. Specifically, SBBC will collect and update information regarding broadband infrastructure, assets and availability, demographics, economic and broadband market statistics, and other data relevant to broadband infrastructure and access development. SBBC will identify unserved and underserved areas of Imperial and San Diego counties, identify potential ISPs interested in expanding access

to broadband to these areas, and identify funding or discount options from those companies. SBBC will also work with ISPs and community/business stakeholders to better understand current digital divide issues and work collaboratively with these parties to increase deployment in unserved and underserved areas, and elicit support from local governments and governmental agencies throughout the region to establish and implement policies to promote broadband deployment. SBBC's Work Plan and Performance Metrics Plan are directly related to AB 1665 goals and objectives, and consistent with program requirements established in D.18-10-032. Its detailed Work Plan and Performance Metrics Plan are available at the Commission's webpage.¹²

Budget

SBBC requests a total project budget of \$450,000 for three years. Of its total budget, SBBC allocates approximately 16.7% to conduct marketing/outreach and develop strategies (Objective 1), 50% to assist in developing CASF infrastructure applications (Objectives 2, 3, and 4), 16.7% to assist in publicizing wireline testing requests (Objective 5), and 16.6% to grant administration. SBBC's budget is cost-effective and consistent with budget requirements defined in D.18-10-032.

VI. RECOMMENDATIONS FOR FUNDING

Staff has determined that SJVRBC and SBBC applications qualify for funding. These applications scored at least 70 of 100 points with clear and detailed proposals and meet the minimum criteria established by D.18-10-032. Therefore, staff recommends approval for these two proposals.

VII. COMPLIANCE REQUIREMENTS

SJVRBC and SBBC are required to comply with all the guidelines, requirements, and conditions associated with the CASF Consortia grant funding as specified in D.18-10-032 and this Resolution. Such compliance includes, but is not limited to, the following:

A. Execution and Performance

The expected start date is November 20, 2020. By receiving a CASF grant from the Commission, SJVRBC and SBBC agree to comply with the terms, conditions, and

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[https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications - Telecommunications and Broadband/Southern Border Work Plan 2020.pdf](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications_-_Telecommunications_and_Broadband/Southern_Border_Work_Plan_2020.pdf).

requirements of the grant as set forth in this Resolution, and thus submit to the jurisdiction of the Commission with regard to disbursement and administration of the grant.

SJVRBC and SBBC may not assign the project in whole or in part except as expressly provided by the Commission's approval.

Should SJVRBC and SBBC fail to complete the project in accordance with the terms of the Commission's approval as set forth in this Resolution, SJVRBC and SBBC must reimburse some or all of the CASF funding it has received. If SJVRBC and SBBC fail to commence work at the agreed upon time, the Commission may terminate the award upon ten business days written notice to the Consortia grantee. If SJVRBC and SBBC fail to perform in good faith, or in accordance with the expectations set forth in its Work Plan and Performance Metrics Plan, as affirmed in the affidavit, the Commission may withhold subsequent grant disbursement or suspend or terminate the Consortium grant, as warranted.

Any changes to the substantive terms and conditions underlying the Commission approval of the Consortium grant (e.g., changes to Work Plan, budget or designated Fiscal Agent, etc.) must be communicated in writing to the CD Director at least 30 days before the anticipated change, and may be subject to approval by either the CD Director or by Commission resolution before becoming effective.

B. Public Workshop Requirement

AB 1665 directs the Commission to consult with regional Consortia, stakeholders, local governments, existing facility-based broadband providers, and consumers regarding unserved areas and cost-effective strategies to achieve the broadband access goal, through public workshops at least annually no later than April 30 of each year through year 2022.¹³ Pursuant to D.18-10-032, all Consortia receiving CASF grants are required to attend at least one of the annual public workshops to be conducted by staff, and allocates up to \$10,000 per consortium for each public workshop attendance.¹⁴

¹³ Public Utilities Code, § 281(f)(2).

¹⁴ D.18-10-032, Appendix 1, p. 13.

C. Fiscal Agent

D.18-10-032 requires:

Each regional Consortium must retain at least one Fiscal Agent with lead responsibility and legal authority to represent the Consortium for purposes of sponsoring the application, administering fiscal activities between the Consortium and the Commission, receiving and dispersing Consortium grant funds and ensuring Consortium compliance with the grant. The Fiscal Agent must affirmatively agree, on behalf of the Consortium, to comply with the Commission's directives and conditions relating to the review, approval, and administration of any Consortia application grants. The Fiscal Agent must provide assurance that Consortium members or contractors retained by the Consortium are capable and committed to fulfilling the commitments.¹⁵

Staff reviewed SJVRBC and SBBC's applications submitted and determined that the applications meet this requirement. Specifically, for each application, the Fiscal Agent signed an affidavit, under penalty of perjury, that to the best of his or her knowledge, all statements and representations made in Consortium application are true and correct, and affirmed to fulfill the requirements of the CPUC with respect to grant administration. Each Fiscal Agent provided CD staff with a name of a qualified representative to carry out the duties and responsibilities described, and the Fiscal Agent will be the primary contact regarding the consortium's fiscal matters.¹⁶

Each Fiscal Agent shall comply with all rules and requirements set forth in D.18-10-032, including, but not limited to, ensuring implementation of the approved Work Plan within the allocated budget (in conjunction with the consortium program manager), and shall be responsible for notifying CD Director of any proposed changes to Work Plan and Performance Metrics Plan, budget, or designated Fiscal Agent during the course of the grant cycle. Any subsequent change in Fiscal Agent must first be approved by Commission resolution.

¹⁵ D.18-10-032, Appendix 1, p. 9. The Fiscal Agent must submit a letter stating its commitment to act as a Fiscal Agent for the Consortium.

¹⁶ The California State University, Fresno Foundation, Fiscal Agent for SJVRBC; and the Imperial County Transportation Commission, Fiscal Agent for SBBC's, have affirmed to fulfill the CPUC's requirements with respect to grant administration.

D.18-10-032 further requires each Consortia grantee to:

...maintain books, records, documents, and other evidence sufficient to substantiate expenditures covered by the grant, according to generally accepted accounting practices. Each Consortia grantee shall make these records available to the Commission upon request and agrees that these records are subject to a financial audit by the Commission at any time within five years after the grantee incurred the expense being audited. A Consortia grantee shall provide access to the Commission upon 24-hour notice to evaluate work completed or being performed pursuant to the grant.¹⁷

D. Distinguishing CASF from other Financial Resources

D.18-10-032 requires that the consortium take steps to ensure that the CASF grant budget does not duplicate funding from other non-Consortia Account funding.¹⁸ SJVRBC and SBBC must ensure that only CASF-approved activities will be billed to the Consortia Account, and activities obligated to other funding resources will not be billed to the CASF Consortia Account.

Prior to the initiation of Work Plan activities, the Fiscal Agents for SJVRBC and SBBC must communicate to staff how they will ensure that billing to discrete funding sources does not overlap.

E. Annual Audit

Public Utilities Code, § 281(g)(2) requires each consortium to conduct an annual audit of its expenditures for grant programs funded and submit to the Commission an annual report. SJVRBC and SBBC are required to submit annual reports to the Commission that includes: a description of activities completed during the prior year, how each activity promotes the deployment of broadband services, and the cost associated with each activity; and the number of project applications assisted.

¹⁷ D.18-10-032, Appendix 1, pp. 15-16.

¹⁸ Any proposed consortium budget must expressly exclude any costs for activities or programs within the Consortia region that are separately funded from any other sources in order to ensure that California Advanced Services Fund (CASF) grants do not duplicate funding from any other sources (D.18-10-032, Appendix 1, p. 8).

F. Reporting

Consortia grantees are required to submit bi-annual progress reports. Any progress payment requests shall be submitted along with bi-annual reports. The bi-annual progress report is required every six months. These reports must be submitted by no later than three months after every six months for the grant period, irrespective of payment requests. In these reports, recipients will report on the status of bi-annual milestones per the Work Plan and Performance Metrics Plan, as well as request payment for relevant expenses to date.¹⁹

SJVRBC and SBBC must submit bi-annual progress reports on the status of the project irrespective of whether grantees request reimbursement or payment. Bi-annual progress reports must begin the first six months after the Commission approval of the grant proposal.

A start-up period report is required if the grantee requests an initial start-up cost payment. This report must be submitted no later than three months after the completion of the start-up activities. In this report, recipients will report on the completion of start-up activities per the Work Plan and Performance Metrics Plan, as well as milestones met.

SJVRBC and SBBC must submit a completion report at the end of the grant cycle no later than three months after completion of the project.

G. Payments

D.18-10-032 requires that submission of invoices from and payments to the grantees shall be made at bi-annual intervals. Specifically, D.18-10-032 states:

The disbursement of funds at any time is subject to the Commission discretion, including a review-and-approval process of each grantee through regular site visits, progress reports on a bi-annual basis and supporting invoices and receipts. All requests for progress payments and reimbursements must be supported by documentation, e.g., receipts, invoices, quotes, etc. Consortia grantees may request reimbursement for state-up costs equivalent to a maximum of 25% of the total award and must be supported by documentation. In order to receive a progress payment, the Consortium must first submit the Progress Report to CD,

¹⁹ Id. at Appendix 1, pp. 14-15, 17.

together with all requests for payment and reimbursement supported by relevant invoices receipts, etc.

Furthermore, documentation should substantiate SJVRBC and SBBC's progress in following their proposed Work Plan and Performance Metrics Plan, with the approved budget. Billing should only be for activities related to facilitating the deployment of broadband services by assisting infrastructure applicants in the project development or grant application process.

All activities specified under the terms of the award shall be completed on or before the termination date of the award.²⁰ A project completion report is required prior to full payment showing that all activities on the approved Work Plan and Performance Metrics Plan have been accomplished. SJVRBC and SBBC's final payment reports, including all documentation and receipts, should be submitted no later than three months after project completion.²¹

No payments will be made for any payment requests received three months after relevant reports are due (i.e., bi-annual progress reports and/or completion reports.)

H. Project Audit

Staff has the authority to initiate and any necessary audit, verification, and discovery of consortium members relating to grant funding activities to ensure that the CASF fund is spent in accordance with the Commission adopted rules and standards.²²

SJVRBC and SBBC's invoices and other relevant records will be subject to a financial audit by the Commission or its designee at any time within five years after SJVRBC and SBBC incurred the expense being audited.

I. Lobbying and Advocacy Efforts

SJVRBC and SBBC are free to advocate on any legislation of their choosing. However, no work on proposed legislation including meetings, travel, or lobbying may be billed to or reimbursed by the CASF Consortia grant program.²³

²⁰ D.18-10-032, Appendix 1, p. 17.

²¹ Id. p. 15.

²² D.18-10-032, Appendix 1, p. 15; see also Public Utilities Code, § 270.

²³ Id. p. 4.

VIII. COMMENTS

In compliance with Public Utilities Code § 311(g)(1), a Notice of Availability was emailed on September 18, 2020, informing all parties on the CASF Distribution List of the availability of the draft of this Resolution for public comments at the Commission's website at <http://www.cpuc.ca.gov/>. This letter also served to inform parties that the final conformed Resolution the Commission adopts will be posted and available on this same website.

IX. FINDINGS

1. On October 15, 2017, Governor Brown signed legislation (AB 1665) that established the continuation of the CASF Consortia Account with an additional \$10 million in available funding.
2. Four prospective grantees filed applications by the June 5, 2020 deadline. Staff posted each applicant's name, contact information, and coverage area by county on the Commission Consortia Account webpage on July 29, 2020.
3. Staff reviewed SJVRBC, SBBC applications according to the guidelines, requirements, and evaluation criteria adopted in D.18-10-032, which include regional consortium representation and endorsements, regional consortium members' experience, Work Plan and Performance Metrics Plan, and budget. Staff also evaluated the applications based on the merits of each proposal and past performance, including achievements, fiscal responsibility, and cost-effectiveness.
4. Based on the review, staff determined that SJVRBC and SBBC proposals meet eligibility requirements. Staff further determined that these two proposed projects qualify for funding under D.18-10-032 and recommends approval.
5. Staff recommends CASF Consortia grant approval of total funding of \$900,000 for the two Consortia.
6. SJVRBC and SBBC are required to comply with all guidelines, requirements, and conditions associated with the granting of CASF funds as specified in D.18-10-032 and this Resolution, including, but not limited to, only billing for activities related to the activities in approved Work Plans.

7. SJVRBC and SBBC are required to expressly exclude any costs for activities or programs from the proposed consortium budget that are separately funded from any other sources in order to ensure that CASF grants do not duplicate funding from any other sources.
8. D.18-10-032 directs CD to consult with regional Consortia, stakeholders, local governments, existing facility-based broadband providers, and consumers regarding priority areas and cost-effective strategies to achieve the broadband access goal, through public workshops conducted at least annually no later than April 30 of each year, and authorizes \$2,000 per person for up to five delegates annually for each approved consortium.
9. A notice was emailed on September 18, 2020, informing the parties on the CASF Distribution List of the availability of the draft of this Resolution for public comments at the Commission's website <http://www.cpuc.ca.gov/PUC/documents/>. This letter also informed parties that the final conformed Resolution adopted by the Commission will be posted and available on this same website.

THEREFORE, IT IS ORDERED THAT:

1. The Commission shall award \$450,000 to the San Joaquin Valley Regional Broadband Consortium (SJVRBC) and \$450,000 to the and Southern Border Broadband Consortium (SBBC). All awards are based on the descriptions of the projects as described herein. Work Plans are available at the Commission's website.
2. Payments to the CASF recipients shall be in accordance with guidelines adopted in D.18-10-032 and in accordance with the process defined in the "Payments" section of this Resolution.
3. SJVRBC and SBBC each must retain at least one Fiscal Agent with lead responsibility and legal authority to represent the Consortium for purposes of sponsoring the application and administration of Consortium activities, including receipt and disbursement of Consortium grant funds.
4. Each Fiscal Agent must affirmatively agree, on behalf of SJVRBC and SBBC, to comply with the Commission's directives and conditions relating to the review, approval, and administration of any Consortia application grants.
5. Prior to commencement of SJVRBC and SBBC's projects, each Fiscal Agent must provide CD staff with the method chosen to distinguish funding sources and billing practices, to ensure that CASF payments are not duplicated by other

sources, and that only CASF-approved activities are billed to the Consortia Account.

6. The disbursement of funds shall be subject to the requirements set forth in D.18-10-032 including the submission of bi-annual progress reports and supporting documentation for payment reimbursement, yearly status reports for informing the legislature and a Completion Report to be submitted before the final payment reimbursement will be made.
7. By receiving a CASF grant from the Commission, SJVRBC and SBBC agree to comply with the terms, conditions, and requirements of the grant and thus submit to the jurisdiction of the Commission with regard to disbursement and administration of the grant.
8. SJVRBC and SBBC shall complete activities in accordance with and within the performance period set forth in the Commission-approved Work Plans.
9. SJVRBC and SBBC must use the grant funding solely for the approved projects/activities as described in the Consortia Commission-approved Work Plans and Budget Plans, (or approved revisions to such Plans and budgets).
10. Each Consortia grantee shall make records available to the Commission upon request and shall agree that these records are subject to a financial audit by the Commission at any time within five years after the Grantee incurred the expense being audited. A Consortia grantee shall provide access to the Commission upon 24-hour notice to evaluate work completed or being performed pursuant to the grant.
11. SJVRBC and SBBC shall comply with all guidelines, requirements, and conditions associated with the CASF grant award as specified in D.18-10-032 and this Resolution.
12. The Commission may withhold or terminate grant payments to SJVRBC and SBBC if the consortium does not comply with any of the requirements set forth in D.18-10-032 and this Resolution.
13. In the event that SJVRBC and SBBC fails to complete the project/activities in accordance with the terms of approval granted by the Commission and this Resolution, the consortium, represented by the Fiscal Agent, will be required to reimburse some or all of the CASF fund that it has received.
14. The commencement of the grant will be November 20, 2020.

15. Any changes to the substantive terms and conditions underlying Commission approval of the grant (e.g., changes to Work Plan, budget or designated Fiscal Agent, etc.) must be communicated in writing to CD Director at least 30 days before the anticipated change, and may be subject to approval by either the CD Director or by Commission resolution before becoming effective.
16. Grantees must complete and execute the consent form (to be sent to the grantee after this Resolution is adopted) agreeing to the conditions set forth in this Resolution and email it to [CASF Consortia Grant Administrator@cpuc.ca.gov](mailto:CASF_Consortia_Grant_Administrator@cpuc.ca.gov) within 30 calendar days from the date of the adoption of this Resolution. Failure to submit the consent form within 30 calendar days from the adoption date of this Resolution will deem the grant null and void.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on _____. The following Commissioners approved it:

Rachel Peterson
Acting Executive Director