

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Broadband Regional Initiatives Branch**

**RESOLUTION T-17859
December 19, 2024**

RESOLUTION

RESOLUTION T-17859: Approves four applications for grants for up to \$24,051,933 from the Last Mile Federal Funding Account in Yolo and Yuba Counties, providing service to 4,243 unserved locations.

I. SUMMARY

This Resolution recommends approval of four Last Mile Federal Funding Account grants in the amount of up to \$24,051,933.

This Resolution is part of the ninth package of Resolutions approving grants to Federal Funding Account applicants for broadband infrastructure projects serving unserved areas in California. Subsequent Resolutions will be presented for Commission vote as Communications Division Staff completes its analyses of applications.

The four projects in this Resolution propose to make investments bringing the social, economic, civic, and public safety benefits of high-speed broadband to 4,243 unserved locations and an estimated unserved population of 16,526 in Yolo and Yuba Counties. An estimated total population of 36,794 people will benefit from these investments as households and businesses that already have service in these communities will benefit from greater customer choice in the broadband market.

The Resolution recommends grant awards to one entity: AT&T.

AT&T is an incumbent telecommunication company offering service throughout California.

Staff recommends the following four grant applications for Commission approval as shown in Table 1 below. Maps and summaries associated with each project are in the appendices.

Table 1: Summary of Grant Funding

Applicant	Project Name	Estimated Unserved Locations	Estimated Unserved Units	Estimated Unserved Population	Estimated Benefitting Population	Awarded Amount
Yolo						
AT&T	Yolo - 1	1,253	1,883	5,927	14,988	\$9,035,808
AT&T	Yolo - 1B	491	789	2,670	2,725	\$2,570,000
Subtotal		1,744	2,672	8,597	17,713	\$11,605,808
Yuba						
AT&T	Yuba - 1	1,853	2,438	6,277	17,352	\$10,015,362
AT&T	Yuba - 1A	646	849	1,652	1,729	\$2,430,763
Subtotal		2,499	3,287	7,929	19,081	\$12,446,125
Grand Total		4,243	5,959	16,526	36,794	\$24,051,933

II. BACKGROUND

California’s multi-year broadband investment package established the last mile Federal Funding Account as part of the Budget Act of 2021 and Senate Bill 156¹ and invested \$2 billion in the program over multiple years. The Federal Funding Account funds the construction of last mile broadband infrastructure projects in unserved areas of California. The Federal Funding Account encourages the deployment of broadband throughout the State to enable the public to access internet-based safety applications, telehealth services, emergency services, and to allow first responders to communicate with each other and collaborate during emergencies.

On April 21, 2022, the Commission issued Decision (D.) 22-04-055, Decision Adopting Federal Funding Account Rules. The rules and guidelines adopted in that decision included, among other items, the following: rules about projects to benefit Environmental and Social Justice Communities, affordable offers, five and ten-year price commitments, low-cost plans, project eligibility, application requirements, application objections, implementation of Public Utilities Code section 281(n) allocating funding between “rural counties” and “urban counties,” a process to reimburse grantees, a ministerial review process whereby Communications Division Staff may approve certain projects, and minimum performance standards for grantees.

The Federal Funding Account D. 22-04-055 includes requirements and preference for a number of affordability requirements including:

- Participation in the Affordable Connectivity Program or access to a “broad-based affordability program.” Given that the Affordable Connectivity Program

¹ Statute 2021, Chapters 84 and 112.

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has lapsed grantees must participate in a successor program when identified by the Commission.

- A five-year price commitment, and preference for a ten-year commitment.
- Preference for a low-cost plan that is \$40/month or less and provides speeds of at least 50 megabits per second down and 20 megabits per second up (50/20 Mbps).
- Preference for participation in the California and/or federal Lifeline programs (which may include bundled voice and broadband offerings).

Applications that committed to provide voice service and participate in LifeLine, consistent with the requirement to serve customers in the project area at prices not exceeding those in the application for five years after project completion, must provide voice service and participate in LifeLine for five years after project completion. In providing grant funding to projects the Commission is validating the need for and the state's investment in the provision of communications service, including voice and programs supporting affordability like LifeLine, for the life of the infrastructure.

The Federal Funding Account Decision and Appendix specify additional consideration for disadvantaged communities or Environmental and Social Justice communities.² The Commission made available on the Federal Funding Account Public Map,³ the Applicant Tool,⁴ and data downloads locations and census blocks meeting these definitions.⁵ A grant application window was opened on June 30, 2023, and closed at 4 p.m. on September 29, 2023; 484 applications were submitted. Application summaries

² The Commission Environmental and Social Justice Action plan includes definitions and data indicators for disadvantaged or Environmental and Social Justice communities including Disadvantaged Communities defined by the California Environmental Protection Agency (CalEPA) and low-income households defined as household incomes below 80 percent of the area median income. The Commission's Environmental and Social Justice Action Plan 2.0 is available at:

<https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/news-and-outreach/documents/news-office/key-issues/esj/esj-action-plan-v2jw.pdf>

³ The Federal Funding Account Public Map is available at: <https://federalfundingaccountmap.vetro.io/>

⁴ Registration for the Federal Funding Account Applicant Tool is available at: [FFA Applicant Tool Registration](#)

⁵ Disadvantaged or Environmental and Social Justice communities and individual locations, for purposes of the Federal Funding Account, include those in Disadvantaged Communities census tracts as defined by CalEPA and low-income areas in which the census block group median household income is less than or equal to 80 percent of the higher of the county or state average. This data is available for download on the Federal Funding Account Public Map page (visited June 13, 2024),

<https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-implementation-for-california/last-mile-federal-funding-account/ffa-public-map> and the Federal Funding Account Application Resources Page (visited June 13, 2024), <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-implementation-for-california/last-mile-federal-funding-account/ffa-application-resources-page> .

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were posted on October 23, 2023, and a 28-day objection period closed on November 20, 2023. Responses to objections were received until December 20, 2023.

Applications were holistically evaluated: required and supporting documentation and the merits of the applications were compared and assessed on a county basis. Following an initial analysis, Staff sent a data request to applicants and requested additional information. Staff's holistic evaluation included project engineering, technical feasibility and design, financial viability, cost, applicant capacity, and community need, among other factors. Staff assessed how to manage overlapping applications and applications planning to include some already-served areas in their project area.⁶

Staff also evaluated how applications and groups of applications compared to competing applications in the same county.

The specific locations to be provided service for a given project will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations. The Federal Funding Account award will not fund locations supported by a federal broadband program with Capital Project Fund monies.⁷

III. APPLICATION SUMMARIES, DISCUSSION, AND RECOMMENDATIONS

Yolo County Awards

1. AT&T, Yolo - 1

Staff recommends the Commission approve AT&T's application for a grant of up to \$9,035,808 for the Yolo - 1 project.

The Yolo - 1 project proposes to serve an estimated 1,253 unserved locations based on a March 2024 supplemental application filing. There are approximately 1,883 unserved units in the project area. An estimated unserved population of 5,927 would be offered service. An estimated total population of 14,988 will benefit from these investments in

⁶ D.22-04-055 states that "households and businesses with an identified need for additional broadband infrastructure do not have to be the only ones in the service area served by an eligible broadband infrastructure project. Indeed, serving these households and businesses may require a holistic approach that provides service to a wider area, for example, in order to make ongoing service of certain households or businesses within the service area economical."

⁷ Federal broadband programs include the Connect America Fund II, Community Connects Grant Program, Enhanced Alternative Connect America Cost Model, Rural Digital Opportunity Fund, Rural E-Connectivity Program, Tribal Broadband Connectivity Program, and Telephone Loan Program.

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the communities of unincorporated Yolo County and Woodland. The last-mile fiber project will provide up to 5000/5000 Mbps service to consumers.

AT&T will deploy approximately 93 miles of last-mile fiber and one mile of middle mile fiber. The network will be 53 percent underground and 47 percent aerial.

The Yolo - 1 project will benefit Environmental and Social Justice communities; 35 percent of the unserved locations are in Low-Income Areas.

The proposed project will cost an estimated \$18,071,616, of which the Federal Funding Account will fund approximately 50 percent of costs.

Staff determined that the applicant and the project are financially viable, and the applicant's engineering meets the program standards. The applicant demonstrated the administrative, technical, and operational capacity to provide broadband service at the scale of this project.

This application received three objections, and AT&T responded to the objections. One objection claimed that locations in the project area were already served. A second objection claimed that the objector had a plan to serve locations in the project area. A third objection argued that paying an incumbent to upgrade its infrastructure is a poor use of public resources. With respect to the first objection, Staff determined that the locations in the objection were not reliably served as defined in D. 22-04-055. With respect to the second objection, Staff determined that the objector did not provide sufficient documentation to substantiate a claim that they would serve the project area. With respect to the third objection, Staff determined that the objection did not, "identify an error of fact, or policy, or statutory requirement that the application has contravened."⁸ The project area of Yolo - 1 project was not modified in response to objections.

No Federal Funding Account Public Map comments were submitted in Yolo County.⁹ The Yolo - 1 project area's unserved locations were evaluated in light of the updated Federal Communications Commission and Federal Funding Account unserved data (as of June 30, 2023). In response to objections and this data, the number of unserved locations is unchanged at 1,253, the project area is unchanged, and the total grant amount is unchanged. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering

⁸ See D. 22-04-055, at page A-21.

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdocs.cpuc.ca.gov%2FPublishedDocs%2FPublished%2FG000%2FM470%2FK481%2F470481278.docx&wdOrigin=BROWSELINK>

⁹ See Federal Funding Account Public Map, <https://federalfundingaccountmap.vetro.io/> (visited September 30, 2024).

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and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.

The following submitted letters of support for this application: the County of Yolo and Valley Vision.

The proposed project provides the public safety benefits of reliable broadband infrastructure. This project is not located in a High Fire Threat District. This project will connect to AT&T's middle-mile infrastructure.

AT&T's application committed to provide voice service and participate in LifeLine. Consistent with the requirement to serve customers in the project area at prices not exceeding those in the application for five years after project completion AT&T must provide voice service and participate in LifeLine for five years after project completion.

Separate and outside the Federal Funding Account rules and requirements, AT&T is already required to offer California LifeLine and Federal Lifeline and is already offering such services as a Carrier of Last Resort and an Eligible Telecommunications Carrier. This Federal Funding Account grant award and requirements do not change those existing obligations. Since AT&T is already offering such services, when it comes time to offering FFA service, AT&T should offer Lifeline service consistent with the separate/outside requirements of its Lifeline obligations to avoid customer confusion. Nothing in this recommended Federal Funding Account award changes AT&T's current California LifeLine or Federal Lifeline obligations. To the extent AT&T's existing LifeLine or Federal Lifeline obligations may change, AT&T can request to update its Federal Funding Account awards to reflect the updated change to its Lifeline offerings and specify the Lifeline offerings customers will be receiving.

Based on the information received, the Commission's Energy Division has determined that this project has not met the requirements of California Environmental Quality Act (CEQA) categorical exemption at this time. AT&T must comply with the CEQA requirements discussed in the appendices. If AT&T provides additional documentation sufficient to justify a staff determination of CEQA exemption, then the project can be exempted by letter from the Communications Division Director or the director's delegate or designee.

AT&T and the Yolo - 1 project comply with all requirements for approval in D. 22-04-055. The Communications Division recommends that the Commission approve AT&T's application for a grant of up to \$9,035,808 for the Yolo - 1 project.

1. *AT&T, Yolo - 1B*

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Staff recommends the Commission approve AT&T's application for a grant of up to \$2,570,000 for the Yolo - 1B project.

The Yolo - 1B project proposes to serve an estimated 491 unserved locations based on a March 2024 supplemental application filing. There are approximately 789 unserved units in the project area. An estimated unserved population of 2,670 would be offered service. An estimated total population of 2,725 will benefit from these investments in the community of Dunnigan. The last-mile fiber project will provide up to 5000 Mbps/ 5000 Mbps service to consumers.

AT&T will deploy approximately 32 miles of last-mile fiber. The network will be 59 percent underground and 41 percent aerial.

The Yolo - 1B project will benefit Environmental and Social Justice communities; 50 percent of the unserved locations are in Low-Income Areas.

The proposed project will cost an estimated \$4,440,681 of which the Federal Funding Account will fund approximately 58 percent of costs.

Staff determined that the applicant and the project are financially viable, and the applicant's engineering meets the program standards. The applicant demonstrated the administrative, technical, and operational capacity to provide broadband service at the scale of this project.

This application received two objections and AT&T responded to the objections. One objection claimed that the objector had a plan to serve locations in the project area. A second objection argued that paying an incumbent to upgrade its infrastructure is a poor use of public resources. With respect to the first objection, Staff determined that the objector did not provide sufficient documentation to substantiate a claim that they would serve the project area. With respect to the second objection, Staff determined that the objector does not serve locations in the project area and that the objection did not, "identify an error of fact, or policy, or statutory requirement that the application has contravened."¹⁰ The Yolo - 1B project area was not modified in response to objections.

No Federal Funding Account Public Map comments were submitted in Yolo County.¹¹ The Yolo - 1B project area's unserved locations were evaluated in light of the updated Federal Communications Commission and Federal Funding Account unserved data (as of June 30, 2023). In response to objections and this data, the number of unserved

¹⁰ See D. 22-04-055, at page A-21.

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdocs.cpuc.ca.gov%2FPublishedDocs%2FPublished%2FG000%2FM470%2FK481%2F470481278.docx&wdOrigin=BROWSELINK>

¹¹ See Federal Funding Account Public Map, <https://federalfundingaccountmap.vetro.io/> (visited September 30, 2024).

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locations is unchanged at 491, the project area is unchanged, and the total grant amount is unchanged. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.

The following submitted letters of support for this application: the County of Yolo and Valley Vision.

The proposed project provides the public safety benefits of reliable broadband infrastructure. This project is not located in a High Fire Threat District. This project will connect to AT&T's middle-mile infrastructure.

AT&T's application committed to provide voice service and participate in LifeLine. Consistent with the requirement to serve customers in the project area at prices not exceeding those in the application for five years after project completion AT&T must provide voice service and participate in LifeLine for five years after project completion.

Separate and outside the Federal Funding Account rules and requirements, AT&T is already required to offer California LifeLine and Federal Lifeline and is already offering such services as a Carrier of Last Resort and an Eligible Telecommunications Carrier. This Federal Funding Account grant award and requirements do not change those existing obligations. Since AT&T is already offering such services, when it comes time to offering FFA service, AT&T should offer Lifeline service consistent with the separate/outside requirements of its Lifeline obligations to avoid customer confusion. Nothing in this recommended Federal Funding Account award changes AT&T's current California LifeLine or Federal Lifeline obligations. To the extent AT&T's existing LifeLine or Federal Lifeline obligations may change, AT&T can request to update its Federal Funding Account awards to reflect the updated change to its Lifeline offerings and specify the Lifeline offerings customers will be receiving.

Based on the information received, the Commission's Energy Division has determined that this project has not met the requirements of CEQA categorical exemption at this time. AT&T must comply with the CEQA requirements discussed in the appendices. If AT&T provides additional documentation sufficient to justify a staff determination of CEQA exemption, then the project can be exempted by letter from the Communications Division Director or the director's delegate or designee.

AT&T and the Yolo - 1B project comply with all requirements for approval in D. 22-04-055. The Communications Division recommends that the Commission approve AT&T's application for a grant of up to \$2,570,000 for the Yolo - 1B project.

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Yuba Summary

The allocation for projects in Yuba County in D. 22-04-055 is \$39,372,153. This Resolution recommends awarding two grants to AT&T. The recommended grant amount for projects in Yuba County is \$12,446,125, which leaves a remainder of \$26,926,028 of the allocation for Yuba County.

Yuba County Awards

1. AT&T - Yuba - 1

Staff recommends the Commission approve AT&T's application for a grant of up to \$10,015,362 for the Yuba - 1 project.

The Yuba - 1 project proposes to serve an estimated 1,853 unserved locations based on a March 2024 supplemental application filing. There are approximately 2,438 unserved units in the project area. An estimated unserved population of 6,277 would be offered service. An estimated total population of 17,352 will benefit from these investments in the communities of unincorporated Yuba County. The last-mile fiber project will provide up to 5000 Mbps/5000 Mbps service to consumers.

AT&T will deploy approximately 181 miles of last-mile fiber and one mile of middle mile fiber. The network will be 26 percent underground and 74 percent aerial.

The Yuba - 1 project will benefit Environmental and Social Justice communities; 23 percent of the unserved locations are in Low-Income Areas.

The proposed project will cost an estimated \$20,030,724, of which the Federal Funding Account will fund approximately 50 percent of costs.

Staff determined that the applicant and the project are financially viable, and the applicant's engineering meets the program standards. The applicant demonstrated the administrative, technical, and operational capacity to provide broadband service at the scale of this project.

This application received three objections and AT&T responded to the objections. One objection claimed that the objector had a plan to serve locations in the project area. A second objection claimed that locations in the project area were already served. A third objection argued that paying an incumbent to upgrade its infrastructure is a poor use of public resources. With respect to the first objection, Staff determined that the objector did not provide sufficient documentation to substantiate a claim that they would serve the project area. With respect to the second objection, Staff determined that the objector is providing service to 2,967 locations in the project area. Staff verified that the

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application seeks funding only for 1,853 unserved locations within the project area and that passing through served areas is necessary to reach the unserved locations; the Federal Final Rule¹² and D.22-04-055¹³ allow projects serving unserved locations to include served locations to make the project viable. With respect to the third objection, Staff determined that the objection did not, “identify an error of fact, or policy, or statutory requirement that the application has contravened.”¹⁴ The Yuba – 1 project area was not modified in response to objections.

No Federal Funding Account Public Map comments were submitted in Yuba County.¹⁵ Yuba - 1 project area’s unserved locations were evaluated in light of the updated Federal Communications Commission and Federal Funding Account unserved data (as of June 30, 2023). In response to objections and this data, the number of unserved locations is unchanged at 1,853, the project area is unchanged, and the total grant amount is unchanged. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.

The following submitted letters of support for this application: Valley Vision.

The proposed project provides the public safety benefits of reliable broadband infrastructure. The proposed project provides the public safety benefits of reliable broadband infrastructure and will benefit households located in High Fire Threat Districts 2. This project will connect to AT&T’s middle-mile infrastructure.

AT&T’s application committed to provide voice service and participate in LifeLine. Consistent with the requirement to serve customers in the project area at prices not exceeding those in the application for five years after project completion AT&T must provide voice service and participate in LifeLine for five years after project completion.

Separate and outside the Federal Funding Account rules and requirements, AT&T is already required to offer California LifeLine and Federal Lifeline and is already offering such services as a Carrier of Last Resort and an Eligible Telecommunications Carrier. This Federal Funding Account grant award and requirements do not change those

¹² Department of the Treasury, Final Rule, Coronavirus State and Local Fiscal Recovery Funds, 31 C.F.R. Part 35, 87 FR 4338-4454 (January 27, 2022) (Final Rule), available at:

<https://www.federalregister.gov/documents/2022/01/27/2022-00292/coronavirus-state-and-local-fiscal-recovery-funds>.

¹³ D.22-04-055, Appendix A, Section 2, p. A-5.

¹⁴ D. 22-04-055, Appendix A, Section 12, p. A-21.

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdocs.cpuc.ca.gov%2FPublishedDocs%2FPublished%2FG000%2FM470%2FK481%2F470481278.docx&wdOrigin=BROWSELINK>

¹⁵ See Federal Funding Account Public Map, <https://federalfundingaccountmap.vetro.io/> (visited September 30, 2024).

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existing obligations. Since AT&T is already offering such services, when it comes time to offering FFA service, AT&T should offer Lifeline service consistent with the separate/outside requirements of its Lifeline obligations to avoid customer confusion. Nothing in this recommended Federal Funding Account award changes AT&T's current California LifeLine or Federal Lifeline obligations. To the extent AT&T's existing LifeLine or Federal Lifeline obligations may change, AT&T can request to update its Federal Funding Account awards to reflect the updated change to its Lifeline offerings and specify the Lifeline offerings customers will be receiving.

Based on the information received, the Commission's Energy Division has determined that this project has not met the requirements of CEQA categorical exemption at this time. AT&T must comply with the CEQA requirements discussed in the appendices. If AT&T provides additional documentation sufficient to justify a staff determination of CEQA exemption, then the project can be exempted by letter from the Communications Division Director or the director's delegate or designee.

AT&T and the Yuba - 1 project comply with all requirements for approval in D. 22-04-055. The Communications Division recommends that the Commission approve AT&T's application for a grant of up to \$10,015,362 for the Yuba - 1 project.

1. AT&T - Yuba - 1A

Staff recommends the Commission approve AT&T's application for a grant of up to \$2,430,763 for the Yuba - 1A project.

The Yuba - 1A project proposes to serve an estimated 646 unserved locations based on a March 2024 supplemental application filing. There are approximately 849 unserved units in the project area. An estimated unserved population of 1,652 would be offered service. An estimated total population of 1,729 will benefit from these investments in the communities of unincorporated Yuba County. The last-mile fiber project will provide up to 5,000 Mbps/ 5,000 Mbps service to consumers.

AT&T will deploy approximately 64 miles of last-mile fiber. The network will be 13 percent underground and 87 percent aerial.

The Yuba - 1A project will benefit Environmental and Social Justice communities; 72 percent of the unserved locations are in Low-Income Areas.

The proposed project will cost an estimated \$4,861,526, of which the Federal Funding Account will fund approximately 50 percent of costs.

Staff determined that the applicant and the project are financially viable, and the applicant's engineering meets the program standards. The applicant demonstrated the

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administrative, technical, and operational capacity to provide broadband service at the scale of this project.

This application received one objection and AT&T responded to the objection. The objection argued that paying an incumbent to upgrade its infrastructure is a poor use of public resources. Staff determined that the objection did not “identify an error of fact, or policy, or statutory requirement that the application has contravened.”¹⁶ The Yuba - 1 project area was not modified in response to objections.

No Federal Funding Account Public Map comments were submitted in Yuba County.¹⁷ Yuba - 1A project area’s unserved locations were evaluated in light of the updated Federal Communications Commission and Federal Funding Account unserved data (as of June 30, 2023). In response to the objection and this data, the number of unserved locations is unchanged at 646, the project area is unchanged, and the total grant amount is unchanged. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.

The following submitted letters of support for this application: Valley Vision.

The proposed project provides the public safety benefits of reliable broadband infrastructure. The proposed project provides the public safety benefits of reliable broadband infrastructure and will benefit households located in High Fire Threat Districts 2 and 3. This project will connect to AT&T’s middle-mile infrastructure.

AT&T’s application committed to provide voice service and participate in LifeLine. Consistent with the requirement to serve customers in the project area at prices not exceeding those in the application for five years after project completion AT&T must provide voice service and participate in LifeLine for five years after project completion.

Separate and outside the Federal Funding Account rules and requirements, AT&T is already required to offer California LifeLine and Federal Lifeline and is already offering such services as a Carrier of Last Resort and an Eligible Telecommunications Carrier. This Federal Funding Account grant award and requirements do not change those existing obligations. Since AT&T is already offering such services, when it comes time to offering FFA service, AT&T should offer Lifeline service consistent with the separate/outside requirements of its Lifeline obligations to avoid customer confusion.

¹⁶ See D. 22-04-055, at page A-21.

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdocs.cpuc.ca.gov%2FPublishedDocs%2FPublished%2FG000%2FM470%2FK481%2F470481278.docx&wdOrigin=BROWSELINK>

¹⁷ See Federal Funding Account Public Map, <https://federalfundingaccountmap.vetro.io/> (visited September 30, 2024).

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Nothing in this recommended Federal Funding Account award changes AT&T's current California LifeLine or Federal Lifeline obligations. To the extent AT&T's existing LifeLine or Federal Lifeline obligations may change, AT&T can request to update its Federal Funding Account awards to reflect the updated change to its Lifeline offerings and specify the Lifeline offerings customers will be receiving.

Based on the information received, the Commission's Energy Division has determined that this project has not met the requirements of CEQA categorical exemption at this time. AT&T must comply with the CEQA requirements discussed in the appendices. If AT&T provides additional documentation sufficient to justify a staff determination of CEQA exemption, then the project can be exempted by letter from the Communications Division Director or the director's delegate or designee.

AT&T and the Yuba - 1A project comply with all requirements for approval in D. 22-04-055. The Communications Division recommends that the Commission approve AT&T's application for a grant of up to \$2,430,763 for the Yuba - 1A project.

Comments

In compliance with Public Utilities Code Section 311(g)(1), a Notice of Availability of this draft resolution was e-mailed on November 1, 2024, informing all parties on the CASF Distribution List and the R. 20-09-001 Service List of the availability of the draft of this Resolution, and of the opportunity to comment, at the Commission's website at <http://www.cpuc.ca.gov/>.

Resolution Comments were submitted on November 21, 2024, by AT&T and The Utility Reform Network (TURN). Reply comments were submitted on November 26, 2024, by AT&T and TURN.

AT&T Opening Comments

AT&T requested language be added to this Resolution stating that all FFA applicants who responded to the LifeLine question in their application may choose whether to participate in either California LifeLine, or federal Lifeline, or both, to the extent allowed by applicable laws, and may modify its participation in one or both programs based on applicable laws.

AT&T also requested that the AT&T Service Plans Appendix be amended to remove low-income plan qualifications related to the Affordable Connectivity Program that are not applicable.

The Utility Reform Network Opening Comments

The Utility Reform Network requested that language included in Resolution T-17850 in response to comments be reintroduced in this Resolution and future Federal Funding

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Account Resolutions. The proposed language clarifies that some applicants' obligations to participate in LifeLine and provide voice service because they are Carriers of Last Resort (COLR) is independent of any commitments those applicants may make as applicants to participate in LifeLine and provide voice service in Federal Funding Account project areas.

AT&T Reply Comments

AT&T reiterated that they understand that Federal Funding Account applicants responding 'Yes' to the Lifeline-related question in the Federal Funding Account application committed to participate in California LifeLine, or federal Lifeline, or both. AT&T requests a revision to Ordering Paragraph 6 of the Draft Resolution.

TURN Reply Comments

TURN reiterated their understanding of the Federal Funding Account Lifeline-related question, and that AT&T has obligations to provide federal Lifeline and California LifeLine discounts independent of their commitments in the Federal Funding Account. The Utility Reform Network requests that the Commission not adopt AT&T's requested language providing applicants flexibility to choose which services to make available for participation in either California LifeLine or federal Lifeline or both.

Staff Response to Comments

In response to comments and consistent with other Federal Funding Account Resolutions, language based on adopted Resolution T-17850 was added, clarifying the distinction between LifeLine and voice commitments made in Federal Funding Account applications and those same applicants' other obligations. The interpretive language below is applicable to all Federal Funding Account Resolutions awarding grants to entities with a separate obligation to offer Lifeline service:

Separate and outside the Federal Funding Account rules and requirements, AT&T is already required to offer California LifeLine and Federal Lifeline and is already offering such services as a Carrier of Last Resort and an Eligible Telecommunications Carrier. This Federal Funding Account grant award and requirements do not change those existing obligations. Since AT&T is already offering such services, when it comes time to offering FFA service, AT&T should offer Lifeline service consistent with the separate/outside requirements of its Lifeline obligations to avoid customer confusion. Nothing in this recommended Federal Funding Account award changes AT&T's current California LifeLine or Federal Lifeline obligations. To the extent AT&T's existing LifeLine or Federal Lifeline obligations may change, AT&T can request to update its Federal Funding Account awards to reflect the updated change to its Lifeline offerings and specify the Lifeline offerings customers will be receiving.

IV. COMPLIANCE REQUIREMENTS

Awardees are required to comply with all the guidelines, requirements, and conditions associated with the grant of Federal Funding Account awards as specified in D.22-04-055. All Awardees are also required to sign a consent form agreeing to the terms and conditions of the Federal Funding Account. Such compliance includes, but is not limited to, the items noted below.

A. Deployment Schedule: All CEQA-exempt projects must be completed within 18 months, and all other projects shall be completed within 24 months after receiving authorization to construct.

B. Pricing: By accepting these awards, the Awardees commit to serve customers in the project area at prices not exceeding those provided in the application for five years after project completion. Awardees who committed not to increase prices for a period of ten years in their application commit to serve customers in the project area for ten years after project completion. Should the need arise for grant recipients to adjust prices due to externalities outside their control (*e.g.* inflation), grant recipients may file and serve, on the R. 20-09-001 proceeding service list, a request to modify this requirement with the Communications Division.

C. Speed and Latency: All households in the proposed project areas must be offered a broadband internet service plan with speeds of at least 100 Mbps download and 100 Mbps upload, with not more than 100 milliseconds of latency.

D. Affordability: All projects shall participate in the Affordable Connectivity Program or otherwise provide access to a broad-based affordability program to low-income customers in the proposed service area of the broadband infrastructure that provides benefits to households commensurate with those provided under the Affordable Connectivity Program. Should the Affordable Connectivity Program end, the Commission will identify a successor low-income subsidy program in which participants must participate. Awardees must participate in a successor to the Affordable Connectivity Program identified after the grant is awarded.

E. Project Audit: The Commission has the right to conduct any necessary audit, verification, and discovery during project implementation/construction to ensure that Federal Funding Account funds are spent in accordance with Commission approval. All

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recipients of federally funded grants exceeding \$750,000 will need to include a budget for a federal audit.¹⁸

F. Reporting Requirements: Numerous post-award reports are required. In summary, these include monthly contractor reports (if applicable), quarterly progress reports, and a final completion report.¹⁹

G. Prevailing Wage: Section 1720 of the California Labor Code requires Federal Funding Account projects be subject to prevailing wage requirements.²⁰ Applicants accepting Federal Funding Account awards are committing to follow state prevailing wage requirements with regards to their projects.

H. Payments to Federal Funding Account Recipients: The Commission may reimburse Awardees' expenses in accordance with Public Utilities Code Section 281(n)(2), D.22-04-055, and the Appendix. 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 a minimum of ten percent of the project (as determined by budget spent) has been completed. Subsequent payments may be made upon at least 25 percent intervals, with the final 15 percent payment request (from 85 to 100 percent) not eligible for payment 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 Federal Funding Account budget included in the awardee's application.

FINDINGS OF FACT

1. California's multi-year broadband infrastructure investments in the Budget Act of 2021 and Senate Bill 156 (Statutes 2021, Chapters 84 and 112) provided \$2 billion over multiple years to the Last Mile Federal Funding Account to facilitate, via reimbursement, construction of last mile broadband infrastructure projects to connect unserved Californians.
2. On April 21, 2022, the Commission approved Decision 22-04-055, which along with the Federal Final Rule, established the Last Mile Federal Funding Account and set

¹⁸ Treasury, Compliance and Reporting Guidance State and Local Fiscal Recovery Funds (November 15, 2021 Version 2.1), available at <https://home.treasury.gov/system/files/136/SLFRF-Compliance-and-Reporting-Guidance.pdf>.

¹⁹ D. 22-04-055, Appendix A, Section 14.

²⁰ D.22-054-055, Section 13.2, page 57.

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program rules.

3. The Communications Division opened an application window for the Federal Funding Account on June 30, 2023, and closed it on September 29, 2023. Applicants submitted 484 applications before the deadline. Application summaries were posted on October 23, 2023, and a 28-day objection window closed on November 20, 2023. Responses to objections were received until December 20, 2023.
4. AT&T submitted applications for the Yolo - 1B, Yolo - 1, Yuba - 1, and Yuba - 1A projects on September 29, 2023.
5. Applicants responded to a supplemental data request that was due on March 12, 2024, providing information on project route miles, poles, unserved locations, middle-mile connectivity, and other updated project specific information.
6. The Commission has determined that AT&T's Yolo - 1, Yolo - 1B, Yuba - 1, and Yuba - 1A projects are not categorically exempt from California Environmental Quality Act review at this time.
7. Communications Division staff analyzed the applications for compliance with Commission and Federal rules, reviewed local feedback, and conducted fiscal and technical analysis.
8. All applications listed above met minimum eligibility requirements provided in Decision 22-04-055.
9. Staff recommends approval of the applications in this resolution, as they comply with program rules as stated and contribute to the Federal Funding Account's goal of building broadband internet infrastructure to communities without access to internet service at sufficient and reliable speeds.
10. Draft Resolution T-17859 was emailed to the CASF Distribution List and the R. 20-09-001 Service List on November 1, 2024, in compliance with Public Utilities Code Section 311(g)(1).

THEREFORE, IT IS ORDERED that:

1. The Commission shall award up to \$9,035,808 in Federal Funding Account funds to AT&T in order to complete the Yolo - 1 project, as described in the appendices. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.

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2. The Commission shall award up to \$2,570,000 in Federal Funding Account funds to AT&T in order to complete the Yolo - 1B project, as described in the appendices. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.
3. The Commission shall award up to \$10,015,362 in Federal Funding Account funds to AT&T in order to complete the Yuba - 1 project, as described in the appendices. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.
4. The Commission shall award up to \$2,430,763 in Federal Funding Account funds to AT&T in order to complete the Yuba - 1A project, as described in the appendices. The specific locations to be provided service will be updated and reconciled with the Broadband Serviceable Location Fabric after detailed engineering and project design, and the grant amount may be reduced consistent with a reduction in the number of locations.
5. To ensure compliance with all program rules and guidelines, the Commission will not release funds to an applicant, including but not limited to AT&T, proposing to enter into agreement(s) with a third party or third parties for the ownership, operation, and/or leasing of the proposed infrastructure or network until the applicant provides the Commission with an advanced copy of the agreement document(s) as well as any signed agreements.
6. Applicants that committed to provide voice and/or Lifeline service must provide voice service and participate in LifeLine for five years after project completion in Federal Funding Account project areas.
7. For those projects not determined to be categorically exempt, the Commission cannot release funds for construction activities until California Environmental Quality Act (CEQA) review is complete. AT&T must comply with the requirements set forth in the CEQA Section of the Resolution. AT&T must provide their Proponent's Environmental Assessment for each project prior to the first payment.
8. AT&T shall comply with all guidelines, requirements, and conditions set forth in this resolution.

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9. When a successor to the Affordable Connectivity Program is identified by the Commission, AT&T shall participate in that program.
10. All construction covered by the grant must be completed within the applicable 18-month or 24-month time frame. In the event of extenuating circumstances jeopardizing this timeline, AT&T must notify the Communications Division's Director as soon as they become aware of any delay. If such notice is not provided, staff can take corrective actions including reducing payment for failure to satisfy this requirement.
11. If AT&T fails to complete the projects in accordance with the terms outlined in Decision 22-04-055 and with the terms of the Commission's approval, as set forth in this resolution, AT&T must reimburse some or all the Federal Funding Account grants received or take other corrective action.
12. If staff evaluation finds any of the projects can be exempt from the California Environmental Quality Act, then the project can be exempted by letter from the Communications Division Director or the director's delegate or designee.
13. Upon approval of the resolution, the effective date of each award and encumbrance of funds is the date of approved resolution. Awardees seeking to modify their effective date must submit a letter to the Communications Division Director and provide justification for the request. Modifications to the effective date may be approved by letter from the Communications Division Director or the director's delegate or designee. All awards are contingent on available state budget appropriations funding.

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This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on December 19, 2024, the following Commissioners voting favorable thereon:

/s/RACHEL PETERSON

Rachel Peterson
Executive Director

ALICE REYNOLDS

President

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

MATTHEW BAKER

Commissioners

APPENDIX A

AT&T California Environmental Quality Act Compliance Requirements

The following AT&T projects are subject to California Environmental Quality Act (CEQA) review:

- Yolo - 1
- Yolo - 1B
- Yuba - 1
- Yuba - 1A

The Commission must complete CEQA review prior to disbursing Federal Funding Account funds for construction activities. The initial funding granted in this Resolution may be used for project development and other AT&T activities that do not involve construction or any activities that would have any direct or indirect effect on the physical environment.

Prior to any construction activity for the project, AT&T is required to seek further authority from the Commission for such activity by filing a Proponent's Environmental Assessment (PEA) pursuant to Commission Rule of Practice and Procedure 2.4; and must undergo an environmental review pursuant to CEQA (California Public Resources Code § 21000 et seq.).

AT&T should contact the Supervisor of the Commission's Energy Division CEQA Unit well in advance of a contemplated filing to (a) consult with staff regarding the process of developing and filing a PEA; (b) provide for cost recovery per Rule of Practice and Procedure 2.5; and (c) enter into a Memorandum of Understanding to allow the Energy Division to initiate the retention of an environmental contractor to perform the environmental review.

AT&T must provide a PEA prior to the first payment. The Commission cannot release funds for the construction phase of this project until the Commission has completed CEQA review.

APPENDIX B
Yolo - 1
Key Information

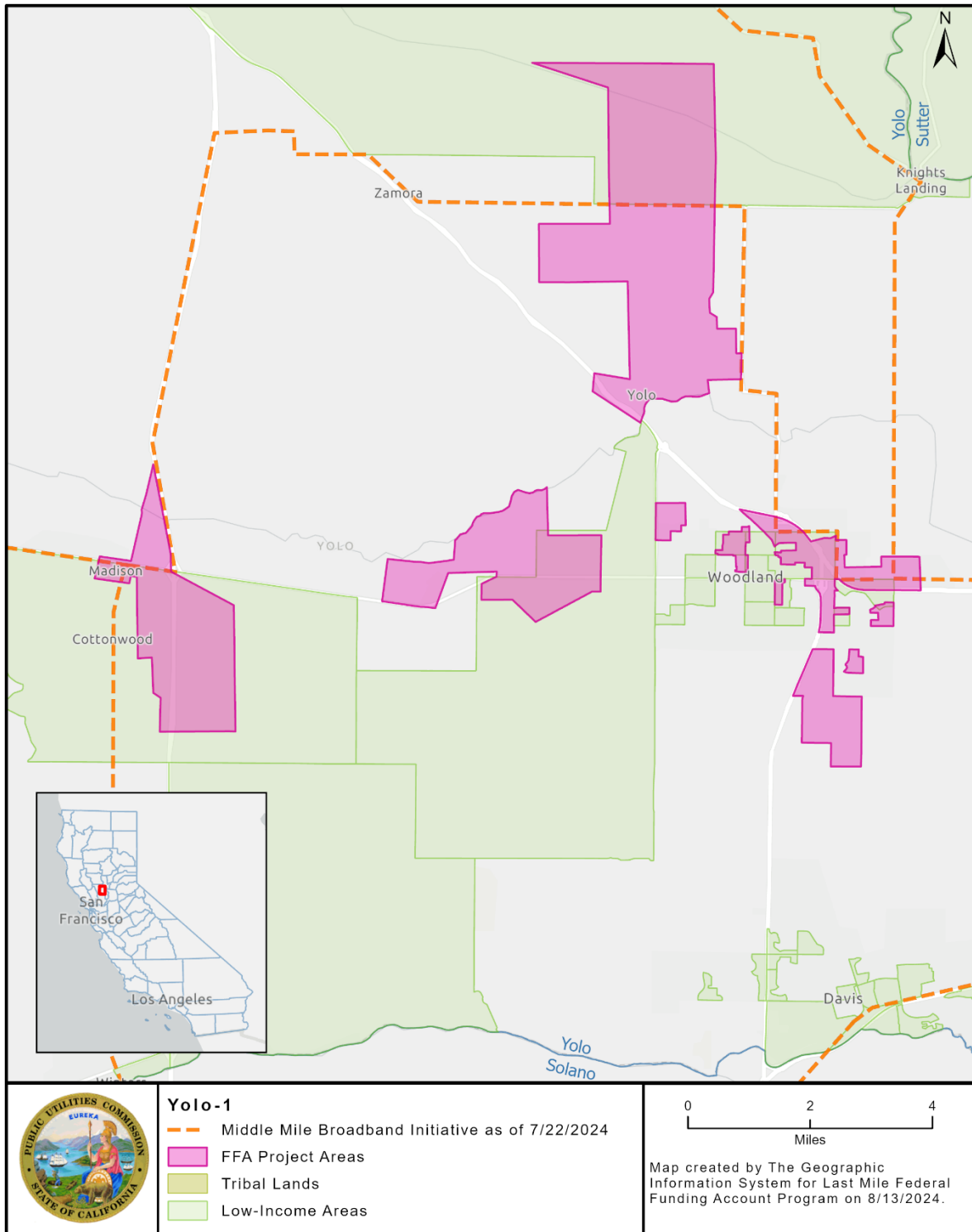
Project Name	Yolo – 1
Applicant Name	AT&T
Community Names	Woodland, unincorporated Yolo County
County	Yolo County
County Allocation	\$15,391,758
Project Size (in square miles)	50
Maximum Download/Upload speed	5,000/5,000 Mbps
Lowest cost plan	\$55 for 300/300 Mbps
Low-income plan	\$30 for 100/100 Mbps
Low-cost plan	No
LifeLine Participation	Yes
Percent Disadvantaged Communities	0 percent
Percent Low-Income Areas	35 percent
Median Household Income (weighted)	\$66,858
Area Households	4,471
Area Population	14,988
Estimated locations within 1000 feet of the project area (location passings)	8,323
Estimated units within 1000 feet of the project area (unit passings)	11,045
Unserved locations proposed to be served by the project	1,253
Unserved locations in the project area	1,261
Unserved units in the project area	1,883
Estimated unserved population in the project area	5,927
Estimated unserved Multiple Dwelling Unit (MDU) locations in the project area	296

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Estimated unserved Multiple Dwelling Unit (MDU) location units in the project area	918
Community Anchor Institutions benefitting from the project	28
Public safety locations benefitting from the project	11
Does the project connect to public open access middle mile?	No
Distance of middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	0.8 miles
Grant costs for middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	\$0
Grant costs for last-mile delivery	\$9,035,808
Deployment Schedule	18 Months
Total Project Cost	\$18,071,616
Amount of FFA grant funds requested	\$9,035,808
Applicant funded	\$9,035,808
Grant (excluding middle mile) per unserved unit in the project area	\$4,799
Grant (excluding middle mile) per unit passing	\$818

Map of Yolo - 1 project AT&T- Yolo-1- Yolo County



APPENDIX C
Yolo - 1B
Key Information

Project Name	Yolo – 1B
Applicant Name	AT&T
Community Names	Dunnigan, unincorporated Yolo County
County	Yolo County
County Allocation	\$15,391,758
Project Size (in square miles)	21
Maximum Download/Upload speed	5,000/5,000 Mbps
Lowest cost plan	\$55 for 300/300 Mbps
Low-income plan	\$30 for 100/100 Mbps
Low-cost plan	No
LifeLine Participation	Yes
Percent Disadvantaged Communities	0 percent
Percent Low-Income Areas	50 percent
Median Household Income (weighted)	\$31,111
Area Households	766
Area Population	2,725
Estimated locations within 1000 feet of the project area (location passings)	544
Estimated units within 1000 feet of the project area (unit passings)	883
Unserviced locations proposed to be served by the project	491
Unserviced locations in the project area	481
Unserviced units in the project area	789
Estimated unserviced population in the project area	2,670
Estimated unserviced Multiple Dwelling Unit (MDU) locations in the project area	254

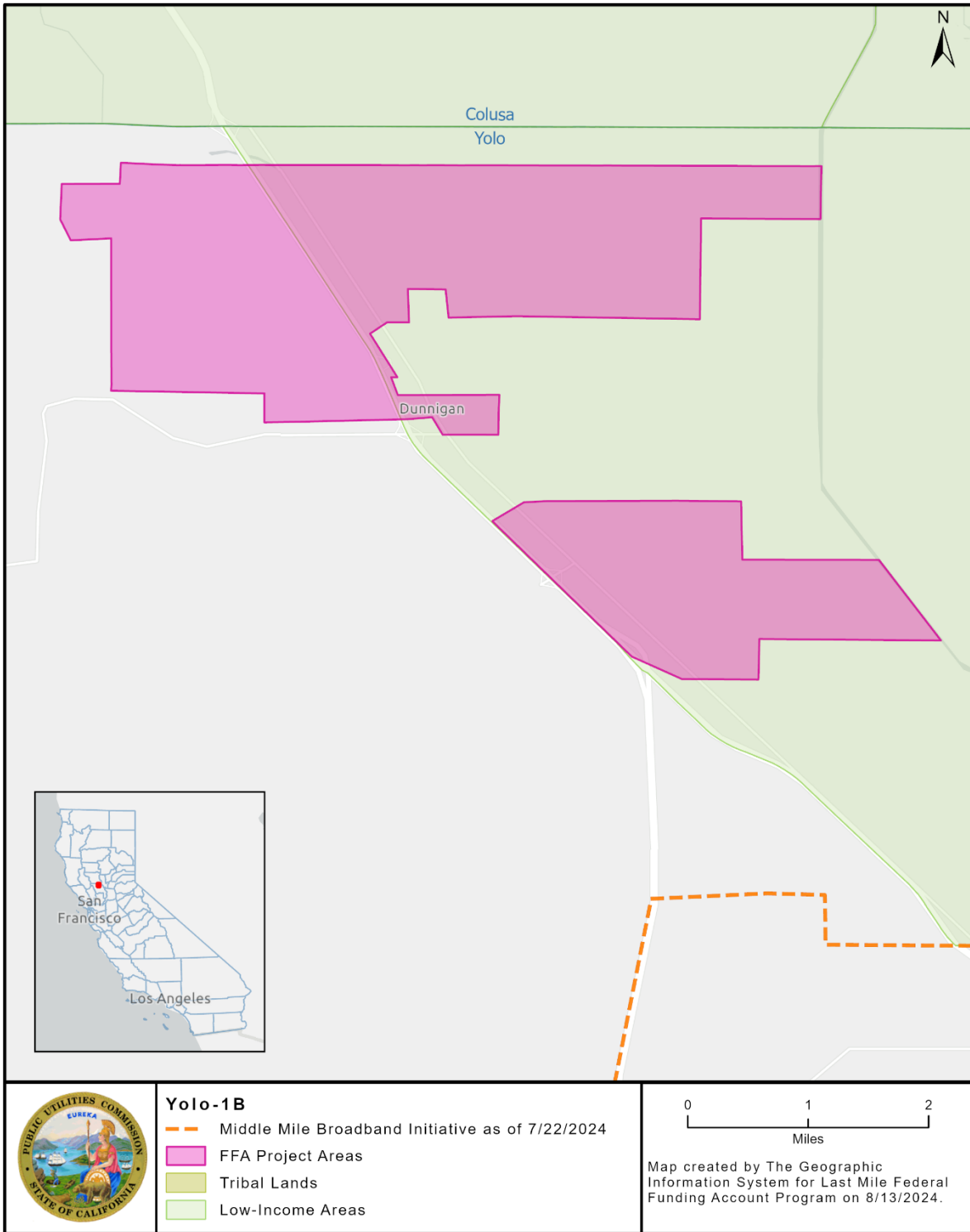
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Estimated unserved Multiple Dwelling Unit (MDU) location units in the project area	562
Community Anchor Institutions benefitting from the project	2
Public safety locations benefitting from the project	2
Does the project connect to public open access middle mile?	No
Distance of middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	0.19 miles
Grant costs for middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	\$0
Grant costs for last-mile delivery	\$2,570,000
Deployment Schedule	18 Months
Total Project Cost	\$4,440,681
Amount of FFA grant funds requested	\$2,570,000
Applicant funded	\$1,870,681
Grant (excluding middle mile) per unserved unit in the project area	\$3,257
Grant (excluding middle mile) per unit passing	\$2,911

Map of Yolo - 1B project

AT&T- Yolo-1B- Yolo County



APPENDIX D
Yuba - 1
Key Information

Project Name	Yuba – 1
Applicant Name	AT&T
Community Names	Unincorporated Yuba County
County	Yolo County
County Allocation	\$39,372,153
Project Size (in square miles)	80
Maximum Download/Upload speed	5,000/5,000 Mbps
Lowest cost plan	\$55 for 300/300 Mbps
Low-income plan	\$30 for 100/100 Mbps
Low-cost plan	No
LifeLine Participation	Yes
Percent Disadvantaged Communities	12 percent
Percent Low-Income Areas	23 percent
Median Household Income (weighted)	\$60,708
Area Households	5,976
Area Population	17,352
Estimated locations within 1000 feet of the project area (location passings)	8,767
Estimated units within 1000 feet of the project area (unit passings)	11,761
Unserved locations proposed to be served by the project	1,853
Unserved locations in the project area	1,812
Unserved units in the project area	2,438
Estimated unserved population in the project area	6,277
Estimated unserved Multiple Dwelling Unit (MDU) locations in the project area	367

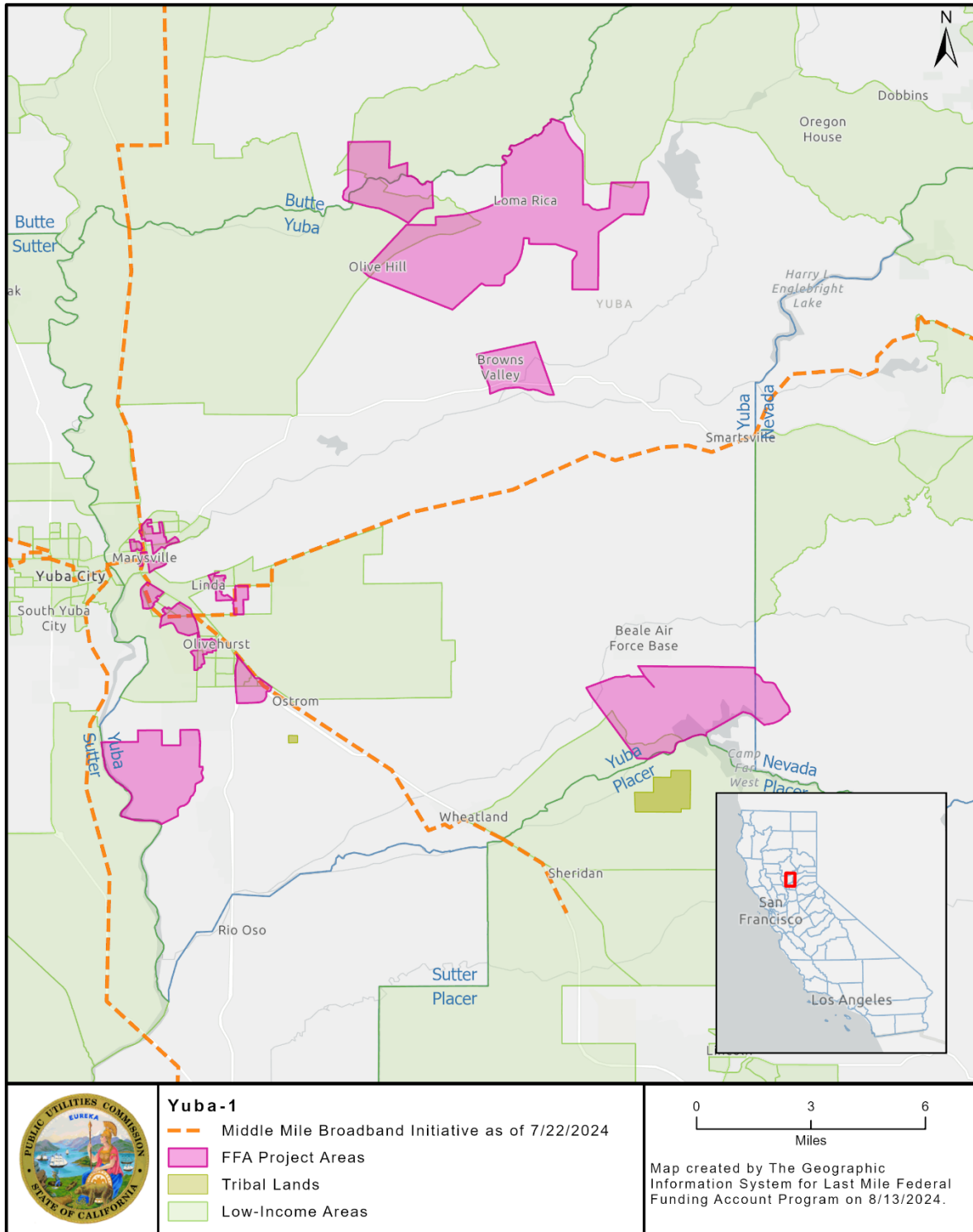
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Estimated unserved Multiple Dwelling Unit (MDU) location units in the project area	993
Community Anchor Institutions benefitting from the project	57
Public safety locations benefitting from the project	16
Does the project connect to public open access middle mile?	No
Distance of middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	1.25 miles
Grant costs for middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	\$0
Grant costs for last-mile delivery	\$10,015,362
Deployment Schedule	18 Months
Total Project Cost	\$20,030,724
Amount of FFA grant funds requested	\$10,015,362
Applicant funded	\$10,015,362
Grant (excluding middle mile) per unserved unit in the project area	\$4,108
Grant (excluding middle mile) per unit passing	\$852

Map of Yuba - 1 project

AT&T- Yuba-1- Yuba County



APPENDIX E
Yuba - 1A
Key Information

Project Name	Yuba – 1A
Applicant Name	AT&T
Community Names	Unincorporated Yuba County
County	Yuba County
County Allocation	\$39,372,153
Project Size (in square miles)	26
Maximum Download/Upload speed	5,000/5,000 Mbps
Lowest cost plan	\$30 for 100/100 Mbps
Low-income plan	\$30 for 100/100 Mbps
Low-cost plan	No
LifeLine Participation	Yes
Percent Disadvantaged Communities	0 percent
Percent Low-Income Areas	72 percent
Median Household Income (weighted)	\$57,586
Area Households	802
Area Population	1,729
Estimated locations within 1000 feet of the project area (location passings)	793
Estimated units within 1000 feet of the project area (unit passings)	1,087
Unserved locations proposed to be served by the project	646
Unserved locations in the project area	630
Unserved units in the project area	849
Estimated unserved population in the project area	1,652
Estimated unserved Multiple Dwelling Unit (MDU) locations in the project area	199

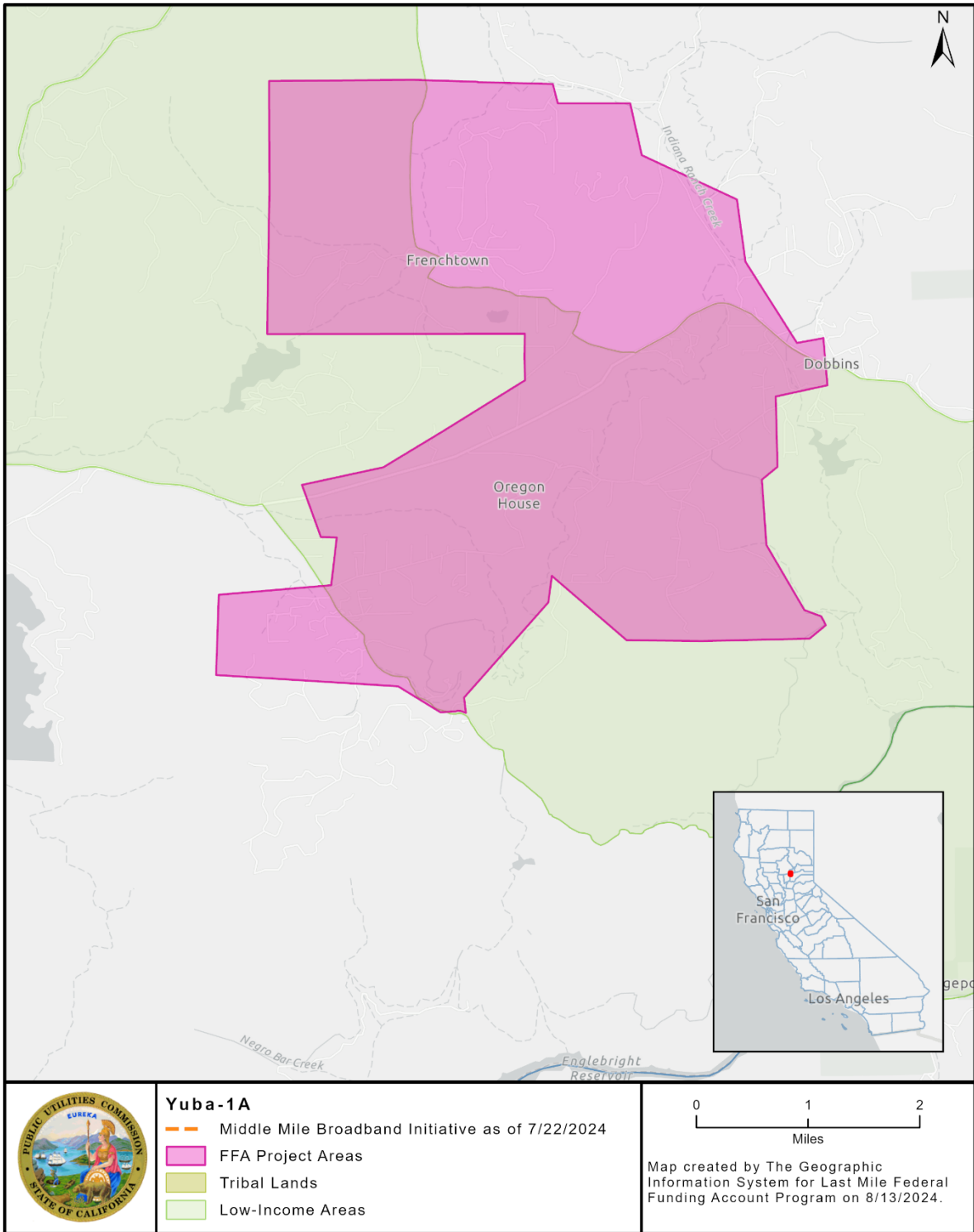
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Estimated unserved Multiple Dwelling Unit (MDU) location units in the project area	418
Community Anchor Institutions benefitting from the project	9
Public safety locations benefitting from the project	4
Does the project connect to public open access middle mile?	No
Distance of middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	0.23 miles
Grant costs for middle-mile, backhaul, and connection to Middle Mile Broadband Initiative in project	\$0
Grant costs for last-mile delivery	\$2,430,763
Deployment Schedule	18 Months
Total Project Cost	\$4,861,526
Amount of FFA grant funds requested	\$2,430,763
Applicant funded	\$2,430,763
Grant (excluding middle mile) per unserved unit in the project area	\$2,863
Grant (excluding middle mile) per unit passing	\$2,236

Map of Yuba - 1A project

AT&T- Yuba-1A- Yuba County



APPENDIX F
AT&T Service Plans

As a condition of the grant awards in this Resolution, AT&T is obligated to offer service to customers in the project areas of the listed projects at no less than the speeds in the Table below, no more than 100 milliseconds of latency, and no more than the prices²¹ in the Table below, including installation, for at least five years following project completion.

- Yolo - 1
- Yolo - 1B
- Yuba - 1
- Yuba - 1A

Plan	Speed	Price in 2024 Dollars	Notes
Access from AT&T	100/100 Mbps	\$30/month	Customers must provide documentation showing eligibility for a qualifying program. ²² Price includes available \$5.00/month auto-pay discount
AT&T Fiber	300/300 Mbps	\$55/month	Price includes available \$5.00/month auto-pay discount
AT&T Fiber	500/500 Mbps	\$65/month	Price includes available \$5.00/month auto-pay discount
AT&T Fiber	1000/1000 Mbps	\$80/month	Price includes available \$5.00/month auto-pay discount
AT&T Fiber	2000/2000 Mbps	\$150/month	Price includes available \$5.00/month auto-pay discount
AT&T Fiber	5000/5000 Mbps	\$250/month	Price includes available \$5.00/month auto-pay discount

As a condition of the grant awards in this Resolution, AT&T has committed to provide LifeLine-discounted service in the project area listed.

In addition, AT&T commits to offer voice service that meets California and Federal Communications Commission requirements for 9-1-1 service. AT&T states in their application: "At the time of this application, AT&T intends to offer VoIP services. For more information on AT&T's VoIP offerings, visit: <https://www.att.com/home-phone/>."

²¹ Prices may increase at no more than the rate of inflation, defined by the Consumer Price Index.

²² Qualifying programs/income thresholds include: Supplemental Nutrition Assistance Program; Supplemental Security Income; National School Lunch Program or Head Start; and household income based on 200% of the Federal Poverty Guidelines.

APPENDIX G
California Public Utilities Commission
Federal Funding Account, Last Mile Program
Guidance to Staff Regarding
CONSENT FORM
Acknowledgement and Acceptance of Terms

Awardee Name: _____

Key Project Contact: _____

Project Name: _____

The Awardee identified above acknowledges receipt of the California Public Utilities Commission Resolution or Award Letter and agrees to comply with all grant terms, conditions, and requirements set forth in the Resolution or Award Letter and those in the Federal Funding Account, Last Mile program rules. Awards are contingent on available state budget appropriations funding.

Undersigned representative of _____ [Name of Awardee] is duly authorized to execute this Consent Form on behalf of the Awardee and to bind the Awardee to the terms, conditions, and requirements set forth in California Public Utilities Commission Resolution or Award Letter and those in the Federal Funding Account, Last Mile program rules.

Dated this ____ day of _____, 20____.

Signature of Awardee Representative: _____

Title _____

Printed Name _____

Name of Representative's Organization:

Business Address:

Street address, suite/apt. number

City, state, and ZIP Code

Telephone Number: _____

Email Address: _____