Appendix B

AFFIDAVIT

STATE OF CALIFORNIA

COUNTY OF VENTURA

My name is Timothy J. McCallion. I am Verizon's President – West Region, and am the President of the Applicant, Verizon California Inc. My personal knowledge of the facts stated herein has been derived from my employment with Verizon.

I swear or affirm that I have personal knowledge of the facts stated in this Application for a California State Video Franchise to provide Video Service, I am competent to testify to them, and I have the authority to make this Application on behalf of and to bind the Company.

I further swear or affirm that Verizon California Inc. shall fulfill the following requirements:

1. Applicant has filed or will timely file with the Federal Communications Commission all forms required by the Federal Communications Commission before offering Video Service in this state.

2. Applicant agrees to comply with all lawful city, county, or city and county regulations regarding the time, place, and manner of using the public rights-of-way, including but not limited to, payment of applicable encroachment, permit, and inspection fees.

3. Applicant will concurrently deliver a copy of this Application to any Local Entity in the Video Service Area.

4. Applicant possesses the financial, legal, and technical qualifications necessary to construct and operate the proposed system and promptly repair any damage to the public rights-of-way caused by the Applicant.

5. Applicant is not in violation of any final nonappealable order relating to either the Cable Television and Video Providers Customer Service and Information Act (California Public Utilities Code Article 3.5 (commencing with § 53054) of Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code) or the Video Customer Service Act (California Public Utilities Code Article 4.5 (commencing with § 53088) of Chapter 1 or Part 1 of Division 2 of Title 5 of the Government Code).

6. If it has not done so in the Application, Applicant shall provide the Commission, no later than 90 calendar days after the date of the Commission's issuance of a State Video Franchise to the Applicant, a complete description of residents' socioeconomic status information, as required by and detailed in Questions 14 and 15 of the Application.

7. If it has not done so in the Application, Applicant shall provide a copy of a fully executed bond in the amount of $500,000 to the Executive Director prior to initiating video service and no later than 5 business days after the date of Commission issuance of a State Video Franchise to the Applicant,. The bond shall list the Commission as oblige and be issued by a corporate surety authorized to transact a surety business in California.

I further swear or affirm that Verizon California Inc. agrees to comply with all federal and state statutes, rules, and regulations, including, but not limited to, the following:

1. As provided in Public Utilities Code § 5890, Applicant will not discriminate in the provision of Video Service.

2. Applicant will abide by all applicable consumer protection laws and rules as provided in Public Utilities Code § 5900.

3. Applicant will remit the fee required by California Public Utilities Code § 5860(a) to the Local Entity.

4. The Applicant will provide public, educational, and governmental access channels and the required funding as required by Public Utilities Code § 5870.

5. Applicant and any and all of its Affiliates' operations in California now and in the future shall be included for the purposes of applying Public Utilities Code §§ 5840, 5890, 5960, and 5940. Applicant specifically attests to the following:

   a. Reporting Requirements: Either (i) Applicant or (ii) the parent company of Applicant shall produce Commission-mandated reports for and on behalf of Applicant and any and all its Affiliates that operate in California.

   b. Antidiscrimination:

      i. If Applicant and its Affiliates together have more than 1,000,000 telephone customers in California, Applicant shall satisfy the build-out requirements set forth in Public Utilities Code § 5890(b) & (e).

      ii. If Applicant and its Affiliates together have less than 1,000,000 telephone customers in California, Applicant shall satisfy any build-out requirements established pursuant in Public Utilities Code § 5890(c).

   c. Cross-subsidization: If Applicant or its Affiliates provide stand-alone, residential, primary-line basic telephone service, Applicant shall refrain from using any increase of the rate of this service to finance the cost of deploying a network to provide video service.

   d. "Affiliate," as referenced herein, means any company 5 per cent or more of whose outstanding securities are owned, controlled, or held with power to vote, directly or indirectly either by a state video franchise holder or any of its subsidiaries, or by that state video franchise holder's controlling corporation and/or any of its subsidiaries as well as any company in which the state video

franchise holder, its controlling corporation, or any of the state video franchise holder's affiliates exert substantial control over the operation of the company and/or indirectly have substantial financial interests in the company exercised through means other than ownership.

6. Applicant shall fulfill all other requirements imposed by the Digital Infrastructure and Video Competition Act.

7. Verizon California Inc. is a single identifiable entity that is organized in California and has verifiable assets. This entity shall assume full responsibility for the Applicant's performance of all its obligations under all applicable local, state, and federal laws. The Responsible Entity shall accept service of process and submit to the jurisdiction of California courts.

I swear or affirm that all of the statements and representations made in this Application are true and correct.

Timothy J McCallion, President - West Region
Signature and title

Timothy J. McCallion, President - West Region
Typed or printed name and title

SUBSCRIBED AND SWORN to before me on the 1st day of March, 2007.

Notary Public In and For the State of California.

My Commission expires: JANUARY 5, [redacted] 2011

Raymond T. Mayeda

RAYMOND T. MAYEDA
Commission # 1714381
Notary Public - California
Ventura County
My Comm. Expires Jan 5, 2011

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of VENTURA } ss.

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1 AFFIDAVIT
2
3
4
5
6 Timothy J McCallion
Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this FIRST (Date) day of MARCH (Month), 2007 (Year), by

(1) Timothy J McCallion (Name of Signer),

☒ Personally known to me
☐ Proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

☐ Personally known to me
☐ Proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Raymond T. Mayeda
Signature of Notary Public

RAYMOND T. MAYEDA
Commission # 1714381
Notary Public - California
Ventura County
My Comm. Expires Jan 5, 2011

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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