

# Frequently Asked Questions (FAQs)

## Local Agency Technical Assistance Grant Program

The following Frequently Asked Questions (FAQs) document is intended to provide guidance on the Local Agency Technical Assistance Grant Program rules and requirements set forth in the California Public Utilities Commission Decision (D.) 22-02-026 issued February 25, 2022.

Further questions may be submitted to [Broadband.TechAssist@cpuc.ca.gov](mailto:Broadband.TechAssist@cpuc.ca.gov) for consideration to include in future FAQ documents.



The Local Agency Technical Assistance Grant Program is designed for local government agencies authorized by law to provide internet broadband access.

## 1. Overview

### 1.1 What is the Local Agency Technical Assistance grant program?

The Local Agency Technical Assistance grant program funds local agencies and tribes developing broadband projects in areas with unserved and underserved Californians. The Commission made \$50 million in funds available for this purpose in Decision (D.) 22-02-026.

Grants are for pre-construction planning and studies, such as needs assessments, environmental studies, and network designs. Technical assistance may include forming a Joint Powers Authority with another entity or supporting a local agency preparing to provide internet service in the same jurisdiction. Eligible areas contain unserved and underserved households or businesses. Grant recipients will be provided with an authorization to proceed and may request reimbursements after completing technical assistance work products.

The Local Agency Technical Assistance grant program is only for pre-construction planning and technical assistance costs. For assistance with construction costs, refer to the [Last Mile Federal Funding Account \(ca.gov\)](https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-implementation-for-california/last-mile-federal-funding-)<sup>1</sup> and the [California](#)

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<sup>1</sup> URL: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-implementation-for-california/last-mile-federal-funding->



coordination. For the purposes of this program, cities do not have overlapping jurisdictions with the county or counties in which the city is located, nor are tribal governments considered to have overlapping jurisdictions with other eligible local agencies.

## **2.3 What type of projects are eligible for the Local Agency Technical Assistance Grant?**

Technical assistance means reimbursement for pre-construction work products that support local agencies in their pursuit of the provision of internet service to unserved and underserved communities. Technical assistance projects may include, but are not limited to:

- Environmental, feasibility, engineering design studies or reports;
- Needs assessments, market studies, broadband strategic plans, business plans;
- Forming a joint powers authority (for the purposes of providing broadband services); and
- Consultant and community-based organization services.

### **2.3.1 What is a reimbursable work product?**

A reimbursable work product is the final report, study, or agreement resulting from any one of the eligible activities listed above for which the applicant is seeking reimbursement through this grant program. Multiple work products can be included in any one grant application, but must be specifically outlined in the application, including costs and timelines for each work product. The work product(s) must be submitted upon completion of the project to receive reimbursement for the work authorized through this grant program.

### **2.3.2 Are any other expenses eligible for reimbursement?**

*Administrative Costs.* Up to 15 % of an award can be used to reimburse a local agency for administrative costs associated with securing or completing a reimbursable work product. Administrative costs are defined as “indirect overhead costs attributable to a project, per generally accepted accounting principles, and the direct cost of complying with Commission administrative and regulatory requirements related to the grant itself.”

*Incremental Staff Hours.* Reimbursement is available for local agency or tribal staff hours that are incremental to staff’s pre-grant work, meaning the specific task and

hours to be reimbursed are expended on reimbursable activities that would not be performed by the staff person absent the grant award.

### **2.3.3 What is a Letter of Support?**

Applications must include a letter of support from the local agency applicant's relevant political subdivision (e.g., city, county, tribe). This letter must describe coordination performed with other eligible local agencies that are located in a jurisdiction(s) that overlaps with the applicant's geographic jurisdiction. The letter of support should include information about how the applicant is coordinating with and supported by overlapping jurisdictions, as it pertains to their technical assistance grant proposal work product(s) and objectives.

Tribal applicants are required to submit a letter of support from the tribal chair, administrator, or council, though these letters need not detail coordination efforts with other eligible local agencies.

## **3. Grant Amounts**

### **3.1 How much funding is available?**

The Commission authorized \$50 million for Local Agency Technical Assistance grants in Decision (D.) 22-02-026.

### **3.2 How much funding is available per grant application?**

Up to \$1 million may be available for each local agency per fiscal year. Applications meeting the Ministerial Review criteria may be approved by Staff and are capped at \$500,000. Application requests exceeding \$500,000 may be approved by the Commission via Resolution, up to a maximum of \$1 million per agency. Resolutions require a vote of the Commission and a 30-day period for public comment. Staff may also recommend any application to the Commission resolution process for a funding decision.

### **3.3 Are there grant funds set aside for Tribes from the full Local Agency Technical Assistance \$50 million?**

\$5 million of the total Local Agency Technical Assistance funds are set aside for grants for California Tribes. If all of the set-aside for tribal applicants are encumbered for specific tribal grantees, CPUC staff may set aside up to ten percent of then-remaining funds for tribal grantees.

## 4. Applications

### 4.1 When can an application be submitted?

Applications may be submitted at any time but are considered on a monthly basis. The Commission began accepting Local Agency Technical Assistance grant applications on August 1, 2022, for the August 2022 monthly application cycle.

If the end of the monthly application cycle falls on a holiday or a weekend, the deadline will be extended to the close of the next business day.

### 4.2 What information must an applicant provide?

Applicants must submit the Commission-provided Application Form<sup>5</sup> with the required documentation, which includes a project proposal or proposed contract, letter of support, and a notarized affidavit form. Please refer to the [Grantee Manual<sup>6</sup>](#) on the CPUC's Local Agency Technical Assistance web page for more information on the required grant application materials. with the required documentation, which includes a project proposal or proposed contract, letter of support, and a notarized affidavit form. Please refer to the [Grantee Manual<sup>7</sup>](#) on the CPUC's Local Agency Technical Assistance web page for more information on the required grant application materials.

#### 4.2.1 What must be in the Project Proposal or Proposed Contract, and what is the difference between these?

Both the project proposal and proposed contract(s) must include the following details:

1. Proposed work to be completed, including a statement of work
2. Detailed cost estimate
3. Proposed timeline for completion (all projects must be completed within 24-months of grant approval)

A project proposal is required for technical assistance work to be developed in-house, such as by the applying local agency's information technology or services staff with broadband expertise.

A proposed contract(s) is required for work that will be conducted by an outside

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<sup>5</sup> URL:

[https://www.cpuc.ca.gov/uploadedFiles/CPUC\\_Public\\_Website/Content/Utilities\\_and\\_Industries/Communications - Telecommunications and Broadband/Tribal Technical Assistance Application Form Package.xlsx](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications_-_Telecommunications_and_Broadband/Tribal_Technical_Assistance_Application_Form_Package.xlsx)

<sup>7</sup> URL: <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/broadband-implementation-for-california/lata-grantee-manual-062822.pdf>

entity, including consultants and community-based organizations, who will be performing the technical assistance work for the local agency. If an applicant seeks to use in-house and external expertise for technical assistance, both a project proposal and proposed contract are required.

#### **4.2.2 Where can I find a copy of the Notarized Affidavit?**

The [Notarized Affidavit](#)<sup>8</sup> can be found on the Local Agency Technical Assistance web page:

[https://www.cpuc.ca.gov/uploadedFiles/CPUC\\_Public\\_Website/Content/Utilities\\_and\\_Industries/Communications - Telecommunications and Broadband/Tribal Technical Assistance Application Form Package.xlsx](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications_-_Telecommunications_and_Broadband/Tribal_Technical_Assistance_Application_Form_Package.xlsx)

In the Notarized Affidavit, the applicant must attest that the individual completing the application has the authority to do so on behalf of the local agency applicant and has personal knowledge of the facts contained in the application.

#### **4.3 How and where is the application submitted to the Commission?**

Email a completed application with required documentation, to [Broadband.TechAssist@cpuc.ca.gov](mailto:Broadband.TechAssist@cpuc.ca.gov)

Notice of received applications are published on the Commission's website at least monthly.

### **5. Awards**

#### **5.1 How are applications reviewed?**

Applications will be reviewed by staff after being received. There are two types of reviews, Ministerial/Expedited Review and by Resolution:

- **Ministerial/Expedited Review:** If the applicant and grant request meet program eligibility, the grant request does not exceed \$500,000 per local agency per fiscal year, and there are no other pending local agency applications proposing to provide service that overlaps with the applicant's geographic jurisdiction(s), staff is authorized to approve via ministerial approval.  
Grant applicants approved ministerially will be notified by email letter from the Communications Division Director.
- **Resolution Review Criteria:** Applications that do not meet Ministerial Review

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<sup>8</sup> URL: <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/broadband-implementation-for-california/lata-notarized-affidavit-062722-2.pdf>

criteria may be referred to the Commission for review and approval via the Resolution process, which includes a 30-day comment period. Staff may also recommend applications with a funding request less than \$500,000 to the Commission resolution process for a funding decision.

Grant applicants approved via Resolution will be sent an award letter by CD staff via email informing the applicant of the Resolution's approval by the Commission. Staff will include with the award letter the required documents for acceptance, as explained in Section 5.2. Staff will send an email informing applicants of their status at the end of the resolution process.

## **5.2 How are awards accepted?**

All grantees must sign and submit a Consent Form, which is sent with the award letter, within 30 calendar days from the date of the award agreeing to the terms stated in the resolution or award letter authorizing the award. Should the grantee fail to submit the Consent Form within 30 calendar days from the date of this letter's adoption, the CPUC will deem the grant null and void.

## **5.3 What if there are changes to the project after the grant is approved?**

The grantee must communicate in writing to the Communications Division Director (email address: [CD\\_Director@cpuc.ca.gov](mailto:CD_Director@cpuc.ca.gov)) any changes to the substantive terms and conditions underlying Commission approval of the grant (such as changes to a reimbursable work product contract, timeline, work plan, or budget) at least 30 days before the anticipated change is to become effective. Substantive changes may require approval by either the Communications Division Director or by Commission resolution before becoming effective.

# **6. Project Completion and Payment**

## **6.1 What are the requirements and responsibilities after project completion?**

Upon completion of the technical assistance and before final payment, the grantee must provide a signed completion form stating that the technical assistance work has been completed.

Grantees must provide the completed reimbursable work product(s), such as final reports/studies/joint powers agreements, etc., along with a short summary of each reimbursable work product performed under the contract. The reimbursable work product(s) must identify broadband infrastructure deployment projects and the area(s) where the applicant intends to deploy broadband, all in a manner suitable for posting on the Commission's web page. The proposed projects must

provide at least 100 Mbps symmetrical speeds to currently unserved and/or underserved locations in California.

In addition to the project completion and payment reporting required above, local agency grantees must also comply with both state reporting requirements and those found in the American Rescue Plan Act State and Local Fiscal Recovery Funds Compliance and Reporting Guidance (discussed further in Section 7).

## **6.2 How are payment requests made?**

Payment will be based upon receipt and approval of an invoice(s) submitted by the local agency showing the expenditures incurred for the reimbursable work product(s), along with the completed reimbursable work product(s), and the completion reporting required above. The invoice(s) must be supported by documentation including but not limited to the actual cost of labor and any other expense that will be recovered by the grant. Payment will be made directly to the local agency as the grant recipient.

## **6.3 Can grantees request partial payments?**

Local agency grantees may request partial reimbursement if they complete one or more of the approved reimbursable work products prior to completion of other reimbursable work products approved in the same grant authorization. A Partial Payment request form will be available on the Local Agency Technical Assistance web page.

## **6.4 What if the project cannot be completed within the 24-month timeline?**

If the grantee cannot complete the project within the 24-month timeline, the grantee must notify the Director of Communications Division as soon as the grantee becomes aware that they may not meet the project deadline. In the event the grantee fails to notify the Director, the Commission may withhold or reduce payment.

# **7. Reporting and Record Keeping**

## **7.1 Are there any reporting requirements for grantees during the project?**

Yes, Public Utilities Code section 281(l)(1) requires monthly reporting for grantees using licensed contractors and/or subcontractors. These reporting requirements will be posted on the Local Agency Technical Assistance web page.



Each grant will be required to meet all required reporting information set forth in the American Rescue Plan Act Compliance and Reporting Guideline and Project and Expenditure Report for broadband infrastructure projects.

## **7.2 Are there any record keeping requirements for grantees after the final payment has been received?**

Grantees must maintain records such as files, invoices, and other related documentation for five years after final payment. These records and invoices, including those from a contractor approved by a local agency, need to be available to the Commission upon request and are subject to an audit by the Commission any time within five years after the final payment made to a grantee.

**Additional Questions:** For help and questions about the Local Agency Technical Assistance grant, please send email to [Broadband.TechAssist@cpuc.ca.gov](mailto:Broadband.TechAssist@cpuc.ca.gov).