**APPLICANT INSTRUCTIONS FOR CPCN APPLICATION FORM**

1. READ THESE INSTRUCTIONS BEFORE COMPLETING AND/OR SUBMITTING THE CPCN APPLICATION PACKAGE TO THE CPUC VIA THE CPUC ELECTRONIC FILING SYSTEM.[[1]](#footnote-1)
2. Complete the Cover page and save as a PDF/A compliant document. Leave the application number blank. The ALJ docket office will provide an application number when they accept the filing into the CPUC system.
3. Complete the CPCN Application Form and save as a PDF/A compliant document. Do not leave fields blank. If no response, mark “Not Applicable” or “N/A.”
   1. In Section 1 of the form, the Applicant must enter its complete legal name exactly as it appears on its articles or certificate of incorporation or similar charter document. The Applicant must also include its business address, telephone number and email address.

* In Section 1.a. of the form, the Applicant may enter its principal place of business if it is different from the business address provided above. If the principal place of business is the same as above, please enter “Same as Above.” Do not leave it blank.
* In Section 1.b. of the form, the Applicant must list all fictitious business names under which it has done business in the last five years. If the Applicant does not have any fictitious business names or “doing business as” (DBA) names, please enter “Not Applicable.” Do not leave it blank.
* In Section 1.c. of the form, select only one type of organization and attach Appendix A to the completed application form and provide: (1) a copy of the entity’s organizing documents; and (2) a copy of its Certificate of Good Standing Status certified by the California Secretary of State and/or additional evidence of the Applicant’s qualification to transact business in California. If current documentation has previously been filed with the Commission, the application needs only to make specific reference to such filing. A Certificate of Good Standing is available from the office of the California Secretary of State and should be dated not more than 60 days prior to the date of filing the application.
* In Section 1.d. of the form, enter the Applicant’s Federal Communications Commission (FCC) Registration Number (FRN). The FRN must be provided if the Applicant is required to register with the FCC.
* In Section 1.e. of the form, enter the applicant’s active California Secretary of State (CSOS) Entity Number. This CSOS Entity no. is required if the Applicant is doing business in the State of California.
* In Section 1.f. of the form, the Applicant must select one of the options provided to identify if it has a foreign ownership interest. If option selected is “Yes,” identify and list the foreign entity interest.
  1. In Section 2 of the form, provide the name, mailing address, and telephone number of Applicant’s registered agent for service of process.
  2. In Section 3 of the form, the Applicant must select one of the options provided to identify Applicant’s Legal Domicile. For individuals, domicile is the place of legal residence; for entities, it is the state of incorporation or organization.
  3. In Section 4 of the form, the Applicant must provide a proposed schedule and include dates for all items listed in Section 4 not marked as optional. The CPCN application is immediately categorized as Ratesetting. If any optional items are selected, you must specify a date. Evidentiary Hearing is optional and if selected, the Applicant must attach Appendix B and provide a description of the issues which require hearing and length of hearing needed. Under ‘Other Proposed Schedule’, identify the item being proposed that requires a schedule and specify the date in the space provided.
  4. In Section 5 of the form, the Applicant must select all the issues to be considered, and if applicable, provide a description in the space provided.
  5. In Section 6 of the form, the Applicant must select the appropriate boxes to clearly describe the operating authority it is seeking approval for. The Applicant should select all types of service(s) it proposes to provide. Under each respective type, select the type of proposed facilities, and the service territories it proposes to offer its services. If applicant selects the Service Territories option “In specific portions of the state only,” attach Appendix C to include a list of the specific portion(s) or geographical location(s) of the State, and/or ILEC territory(ies); and a copy of the map(s).
     + Facilities-based service providers are defined as service providers that own, or control facilities used to provide communications for compensation, including the line to the end-user’s location. Full facilities-based service providers install telecommunications facilities, other than equipment in or on existing buildings or structures; whereas limited facilities-based service providers install telecommunications facilities in or on existing structures.[[2]](#footnote-2) Full facilities-based service is subject to the California Environmental Quality Act (CEQA) review, while limited facilities-based service is not subject to CEQA.
     + Non-facilities-based service is now equivalent to the legacy term “switchless reseller” and the general term “reseller;” and is defined as a service provider which does not directly own, control, operate, or manage conduits, ducts, poles, wires, cables, instruments, switches, appurtenances, or appliances in connection with or to facilitate communications within the local exchange portion of the public switched network.[[3]](#footnote-3)

For additional information regarding service provider type definitions is available at the CPUC website at: https://www.cpuc.ca.gov/industries-and-topics/internet-and-[phone/telecommunications-carrier-types-with-definition](https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-carrier-types-with-definition).

* 1. In Section 7 of the form, enter the date that Applicant expects to begin offering service in California. The Applicant may enter a future estimated start date that considers the review and approval time of the application (e.g., 6 -12 months from file date of Application). If Applicant has already begun offering regulated voice service in California, indicate the date the Applicant commenced providing service and provide Appendix D with the reason for operating prior to obtaining authority in California.
  2. In Section 8 of the form, the Applicant must select the type of services that it will provide in California.
  3. In Section 9 of the form, the Applicant must provide a “True” or “Not True” response to the sworn affidavit statement. If the Applicant’s response is anything other than an unqualified “True,” attach Appendix E with all documentation and describe any such bankruptcies, findings, judgments, convictions, referrals, denials, suspensions, revocations, limitations, settlements, voluntary payments or any other type of monetary forfeitures.
* In Section 9.a. of the form, the Applicant must attach Appendix F with a list of all affiliates. If an affiliate is a regulated entity in California, indicate the Utility ID Number assigned by the Commission to the entity. If no affiliates exist, it must clearly be identified in Appendix F. An affiliated entity is any entity under common control with the Applicant. Common control exists if the same individuals or entities have the direct or indirect power to determine the action of Applicant and such entity, through right to vote shares, by contract or agreement, or otherwise. Note whether any such entity is a reporting company for purposes of the Securities Exchange Act of 1934, as amended.
  1. In Section 10 of the form, the Applicant must demonstrate by marking “True” that it has the managerial and technical qualifications necessary to provide the proposed services in its service territory. The Applicant must attach Appendix G with the following: 1) List of the names, titles, and street addresses of all officers, directors, partners, agents, or owners (directly or indirectly) of more than 10% of Applicant, or any person acting in such capacity whether or not formally appointed, and 2) all resumes for each personnel identified listing all employment for each officer, director, partner, agent, or owner (directly or indirectly) of more than 10% of Applicant, or any person acting in such capacity whether or not formally appointed. Website links to online profiles (e.g., LinkedIn and Facebook) are not acceptable.
* In Section 10.a. of the form, the Applicant must attest to the statement by marking “True” or “Not True.” If the response is anything other than an unqualified “True”, the Applicant must attach Appendix H with documentation listing all exceptions and describing all such investigations, whether pending, settled voluntarily, or resolved in another manner.
  1. In Section 11 of the form, Applicants that identified Full and/or limited facilities based service providers in Section 6.a., 6.b., and 6.c. must indicate whether they propose to construct facilities. See instructions 2.f for a definition of limited and full facilities. Applicants must include responses to all listed items as an attachment in Appendix I.[[4]](#footnote-4) Non rate regulated Applicants can indicate that the proposed rates are not applicable to their application. Refer to the **Special Instructions for Filing Presumptively Confidential Information pursuant to D.24-11-003 for CPCN applications.[[5]](#footnote-5)** An Applicant that is only requesting to operate as a non-facilities-based provider for any services identified in Section 6 of the form is not required to complete this section.
  2. In Section 12 of the form, an Applicant proposing to provide full facilities-based service must indicate whether eligible for a categorical exemption from CEQA and whether the Applicant requests to utilize the 21-day expedited CEQA review process. If Applicant marked “Yes”, attach Appendix J with list of categorical exemptions and briefly explain the applicability of each exemption to the proposed construction. If Applicant marked “NO”, attach Appendix J with the Preliminary Environmental Assessment (Rule 2.4(b)) and all documents required pursuant to Rule 3.1. An Applicant that is only requesting to operate as a non-facilities-based provider for any services identified in Section 6 of the form is not required to complete this section.
  3. In Section 13 of the form, the Applicant must mark “True” and attach Appendix K with a financial instrument that demonstrates that the Applicant meets the financial requirements as set forth in Appendix F of D.24-11-003. Refer to the **Special Instructions for Filing Presumptively Confidential Information pursuant to D.24-11-003 for CPCN applications.[[6]](#footnote-6)**
  4. In Section 14 of the form, the Applicant must select one of the options provided if the Applicant is eligible and seeks exemption from the Tariffing requirements. If Applicant selected “True”, it must comply with the Consumer Protection Rules adopted in D.98-08-031. If Applicant selected “Not True”, it must attach Appendix L with a copy if its draft Tariff. Refer to General Order 96-B for Tariff Format and/or refer to the Commission website at: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/tariff-filing-requirements>.
  5. In Section 15 of the form, the Applicant must select one of the options. The Applicant must list other licenses in the space provided, whether current (active) and/or prior (not active), which the Applicant obtained from the Commission. The list must include all previously held operating authority(ies) or approval(s) issued by the CPUC that were revoked due to a violation of Commission Rules and Requirements.
  6. In Section 16 of the form, the Applicant must mark “True” to attest that, upon approval of its request, it will comply with the California Public Utilities Commission’s performance bond requirements in accordance with D.10-09-017, D.11-09-026, D.13-05-035, and D.24-11-003.
  7. The Authorized filer of the CPCN Application must complete all the information on the last page of the CPCN application form.
  8. Appendices that do not apply to Applicant must be included and identified as “Not Applicable.” Applicant may include an additional Appendix to provide additional supporting information.

1. Complete Attachment A of the form: Sworn Affidavit and save as a PDF/A compliant document. The document must be signed by an officer of the Applicant.
2. Combine all required documents into one PDF/A compliant document which includes: (1) Cover Page, (2) CPCN Application Form with all the required Appendices, and (3) Attachment A - Sworn Verification. Submit one PDF/A compliant document via the [CPUC Electronic Filing System.](https://www.cpuc.ca.gov/proceedings-and-rulemaking/e-file-a-document) All documents must be saved as a PDF/A compliant document. Refer to [Special Instruction to create a PDF/A compliant package](https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/licensing-compliance/licensing-and-registration/createpdfa.pdf).
3. Refer to the [Practitioner’s Page](https://www.cpuc.ca.gov/about-cpuc/divisions/administrative-law-judge/practitioners-page) for additional filing instructions and guidelines including how to create a Public Version and Confidential Version of the completed Application Form.
4. Pay and submit the CPCN Application Filing Fee to the CPUC. Refer to the filing fee schedule posted at <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/2024-filing-fees.pdf>. Application Fees do not include fees related to CEQA Review. Failure to include the filing fee may result in a delay or rejection of the filing.

* Payee: California Public Utilities Commission
* Memo line: CPCN Application Fee of [Name of Applicant]
* Send Payment to: ATTN: CPUC ALJ Docket Office – CPCN Application

505 Van Ness Avenue

San Francisco, CA 94102

1. The CPUC Step-by-step instructions for Electronically Filing a document is available at the CPUC Website: [**https://www.cpuc.ca.gov/proceedings-and-rulemaking/e-file-a-document**](https://www.cpuc.ca.gov/proceedings-and-rulemaking/e-file-a-document) [↑](#footnote-ref-1)
2. Decision (D.) 08-04-018 (adopted April 10, 2008) available at the CPUC Website: [https://docs.cpuc.ca.gov/PublishedDocs/WORD\_PDF/FINAL\_DECISION/81277.PDF.](https://docs.cpuc.ca.gov/PublishedDocs/WORD_PDF/FINAL_DECISION/81277.PDF) [↑](#footnote-ref-2)
3. The term switchless reseller originated in D.91-10-041, FoF 23, defined as “A switchless reseller only markets the services of underlying service providers who are certificated to construct and maintain the physical plant for intrastate communications services in California.” The following year, in D.92-06-069 the Commission defined reseller generally as “service providers who do not own transmission facilities but provide service under their own name using the facilities of another provider. They do not directly own, control, operate, or manage any conduits, ducts, poles, wires, cables, instruments, and appliances in connection with or to facilitate communication by telephone. ”Finally, in opening the local exchange market to competition, the Commission again defined non-facilities-based CLECs in D.95-07-054, Appendix A at 3. [↑](#footnote-ref-3)
4. Refer to Rule 3.1 items a-j of the Commission’s Rules of Practice and Procedure (Rules) and General Order 104-A Section 2 [↑](#footnote-ref-4)
5. Guidance for filing presumptively confidential information pursuant to D.24-11-003 is available at the CPUC Website: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/information-for-telecommunications-applicants-and-registrants-in-california> [↑](#footnote-ref-5)
6. Guidance for filing presumptively confidential information pursuant to D.24-11-003 is available at the CPUC Website: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/information-for-telecommunications-applicants-and-registrants-in-california>. [↑](#footnote-ref-6)