

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 26, 2021
VIA E-MAIL

To: California Advanced Services Fund (CASF) Service and Distribution Lists

Re: Postponement of the Deadline for Action on Pending CASF Infrastructure Applications and the Deadline for Submitting 2021 CASF Infrastructure Applications

By this letter, the California Public Utilities Commission (CPUC) makes two changes to upcoming CASF Infrastructure Account deadlines: (1) the CPUC postpones the deadline for approvals of currently pending applications and (2) postpones the deadline for submission of new CASF Infrastructure applications.

In Decision (D.) 18-12-018, the CPUC established timelines for submitting applications for the CASF Infrastructure Account, including a date by which pending applications are “deemed denied” if an application is not approved or a draft Resolution published.¹ Subsequently, the CPUC postponed the deadline from April 1, 2020 to May 4, 2020 due to the COVID-19 (coronavirus) public health emergency and in response to some stakeholders’ requests. This announcement was conveyed in a [letter](#) sent on March 20, 2020 to the CASF Service and Distribution Lists. Also due to the COVID-19 public health emergency and the opportunity for leveraging funding from the Federal Communications Commission’s (FCC) Rural Digital Opportunity Fund (RDOF) Phase I Auction 904, the CPUC postponed the deadline for approval of pending applications to March 31, 2021. This announcement was conveyed in a [letter](#) sent November 13, 2020 to the CASF Service and Distribution Lists.

On May 4, 2020, the CPUC received 54 applications requesting funding from the CASF Infrastructure Account, for a total amount that was nearly three times the remaining funding balance. Fourteen projects have been awarded to date. For reasons discussed below, the CPUC is postponing the date by which the 40 remaining pending applications must be acted upon until December 31, 2021, and is postponing the due date for new CASF Infrastructure applications.

The CPUC is postponing action on pending applications until more information is available on the final certification of the awards under the FCC’s RDOF Phase I Auction 904. Public Utilities Code § 281 authorizes use of CASF Infrastructure grant funding to supplement the costs of broadband infrastructure funded by the federal RDOF. To this end, in June, 2020, the CPUC [urged](#) CASF applicants to apply for funding from RDOF to help close the digital divide in California. To date, we note that fifteen broadband providers won a total of \$695 million in federal RDOF funds over ten years to deploy broadband to 364,878 locations in California.² However, the FCC must further authorize the winning bids before the disbursement of funds. The FCC requires winning bidders to

¹ D.18-12-018 at 57.

² See <https://www.cpuc.ca.gov/Communications/federal/funding/> for RDOF winning bids and RDOF next steps.

meet all conditions and review criteria of the [Long Form \(Form 683\)](#)³ filing and certification process.

Postponing the “deemed denied” review deadlines for pending infrastructure applications until after more information is available on RDOF awards will allow the CPUC to consider the RDOF awards in evaluating pending CASF applications in light of those RDOF awards.

With respect to extent of the postponement, the timeline for RDOF approvals and disqualifications is likely to be a rolling process beginning in June 2021. The end date of this certification is unknown and may occur anytime between Quarter (Q)4 2021 and Q2 2022.⁴ For these reasons, it is reasonable to postpone action on 2020 pending applications,⁵ and, in response to the requests from some stakeholder, to postpone the 2021 CASF infrastructure application deadline (originally scheduled for April 1, 2021) until the CPUC makes final decisions on the pending CASF grant applications.

Pursuant to Rule 16.6 of the CPUC’s Rules of Practice and Procedure, I authorize the deadlines for action on pending CASF Infrastructure Grant applications to be postponed from March 31, 2021 to December 31, 2021. I also authorize the deadline for 2021 CASF infrastructure grant application submissions to be postponed from the current date of April 1, 2021 to February 28, 2022. This changed deadline will apply *only* to the 2021 grant cycle. The timeline for future years will follow the guidelines outlined in D.18-12-018 (or any subsequent CPUC decisions or orders). For reference, the revised timeline for this year is displayed below:

Revised 2021 CASF Infrastructure Account Timeline

Event	Date ⁶
Deadline by which pending 2020 Applications will be Acted Upon or Deemed Denied	December 31, 2021
Broadband Availability Map Published	December 31, 2021/January 1, 2022
Right of First Refusal (ROFR) Submission Deadline	January 17, 2022
Communications Division Staff Publishes ROFR Determination and Updates to Broadband Availability Map	January 31, 2022
CASF Infrastructure Account Application Deadline	February 28, 2022

³ The Long Form 683 is an application all RDOF winning bidders must submit to the FCC to demonstrate they are qualified to receive RDOF support. As part of the application, winning bidders submit documentation to show financial capability, proposed network design, ETC designation, and other requirements to show they can meet their RDOF deployment commitments.

⁴ Based on CPUC staff estimates.

⁵ Postponing the April 1, 2021 Application Deadline will also allow the next round of new applications to incorporate potential legislative changes to the CASF program, including changes to project speed standards (See e.g. [AB 14](#) and [SB 4](#).) and changes to the definition of “unserved.” Because staff would not act on new applications until after acting on pending applications, deferring acceptance of new applications until after the current legislative session would not add additional delay.

⁶ In the event any date falls on a weekend or holiday, the deadline is the next business day.

CASF Infrastructure Applications
March 26, 2021

Deadline for Communications Division Staff to post Application Summaries and Maps to CPUC Website and notify CASF Distribution List	March 14, 2022
Deadline for Challenge Submissions	April 4, 2022
Deadline for Application Approvals Under Ministerial Review	August, 2022
Deadline for publishing Draft Resolutions recommending Project Approval	August, 2022

This letter is being served on the CASF Service and Distribution Lists and the service list for Rulemaking 20-08-021 via email.

Sincerely,



Rachel Peterson
Executive Director