

FORM CD-450  
(REV 10/98)

U.S. DEPARTMENT OF COMMERCE

X GRANT COOPERATIVE AGREEMENT

### FINANCIAL ASSISTANCE AWARD

ACCOUNTING CODE

\*\* See Attached\*\*

**RECIPIENT NAME**

CA Public Utilities Commission

**AWARD NUMBER**

06-50-M09001

**STREET ADDRESS**

505 Van Ness Avenue

**FEDERAL SHARE OF COST**

\$2,343,760.00

**CITY, STATE ZIP**

San Francisco, CA 94102

**RECIPIENT SHARE OF COST**

\$585,940.00

**AWARD PERIOD**

10/01/2009 - 10/01/2013 \*

**TOTAL ESTIMATED COST**

\$2,929,700.00

**AUTHORITY**

P.L. 110-385

**CFDA NO. AND PROJECT TITLE:**

11.558 American Recovery and Reinvestment Act - SBDD-CA Public Utilities Commission

**This Award approved by the Grants Officer is issued in triplicate and constitutes an obligation of Federal funding. By signing the three documents, the Recipient agrees to comply with the Award provisions checked below and attached. Upon acceptance by the Recipient, two signed Award documents shall be returned to the Grants Officer and the third document shall be retained by the Recipient. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally terminate this Award.**

X Department of Commerce Financial Assistance Standard Terms and Conditions (March 2008)

X Special Award Conditions

X Line Item Budget

15 CFR Part 14, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations

X 15 CFR Part 24, Uniform Administrative Requirements for Grants and Agreements to State and Local Governments

OMB Circular A-21, Cost Principles for Educational Institutions

X OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments

OMB Circular A-122, Cost Principles for Nonprofit Organizations

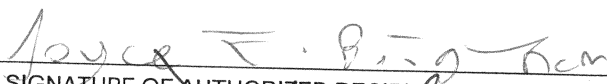
48 CFR Part 31, Contract Cost Principles and Procedures

X OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

X Other(s) \*multi-year award, see SAC #6; U.S.DoC ARRA Award Terms.

SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER

Joyce Brigham



TITLE

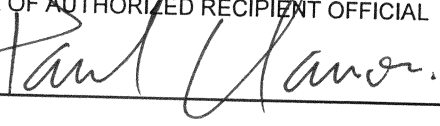
GRANT OFFICER

DATE

10/7/09

TYPED NAME AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

Paul Clanon



TITLE

EXECUTIVE DIRECTOR

DATE

10.12.09

Award Number: 06-50-M09001, Amendment Number 0  
 Federal Program Officer: Lynn Chadwick  
 Requisition Number: M09001  
 Employer Identification Number: 943031353  
 Dun and Bradstreet Number: 947393922  
 Recipient ID:  
 Requestor ID:  
 Treasury Account Symbol (TAS): 0554

**Award ACCS Information**

Bureau	FCFY	Project-Task	Organization	Object Class	Obligation Amount
61	2009	4805011-300	06-10-0000-00-00-00-00	41-19-00-00	\$2,343,760.00

**Award Contact Information**

Contact Type	Contact Name	Email	Phone
Administrative	Mr. Robert Haga	rwh@cpuc.ca.gov	415 703-2538

**NIST Grants Officer:**

Joyce Brigham  
 100 Bureau Drive, MS 1650  
 Gaithersburg, MD 20899-1650  
 (301) 975-6329

**NIST Grants Specialist:**

Jannet Cancino  
 100 Bureau Drive, MS 1650  
 Gaithersburg, MD 20899-1650  
 (301) 975-6544

AMERICAN RECOVERY AND REINVESTMENT ACT  
STATE BROADBAND DATA AND DEVELOPMENT GRANT PROGRAM  
SPECIAL AWARD CONDITIONS

1. This award number 06-50-M09001 to California Public Utilities Commission, supports the work described in the Recipient's proposal entitled "State Broadband Data and Development Grant Program," dated August 13, 2009 as amended which is incorporated into the award by reference. Where the terms of the award and proposal differ, the terms of the award shall prevail.
  
2. **The Recipient's Contact's name, title, address, and telephone number are:**  
  
Robert Haga  
Chief of Staff to Commissioner  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2538
  
3. **The Program Officer's name, address, and telephone number are:**  
  
Anne W. Neville  
National Telecommunications and Information Administration  
US Department of Commerce  
1401 Constitution Ave., NW, Ste. 4897  
Washington, DC 20230  
Phone: (202) 482 3960; Fax: (202) 501 0536  
Email: [aneville@ntia.doc.gov](mailto:aneville@ntia.doc.gov)
  
4. **The Grants Officer's name, address, and telephone number are:**  
  
Joyce F. Brigham  
National Institute of Standards and Technology  
Grants and Agreements Management Division  
Bldg. 411, Room B-100  
100 Bureau Drive, Mail Stop 1650  
Gaithersburg, Maryland 20899-1650  
Phone: (301) 975-6329; Fax: (301) 926-6458  
E-mail: [joyce.brigham@nist.gov](mailto:joyce.brigham@nist.gov)

**5. The Grant Specialist's name, address, telephone and fax number and email address:**

Michael Squires  
National Institute of Standards and Technology  
Grants and Agreements Management Division  
Bldg. 411, Room B-100  
100 Bureau Drive, Mail Stop 1650  
Gaithersburg, Maryland 20899-1650  
Phone: (301) 975-4039; Fax: (301) 840-5976  
E-mail: michael.squires@nist.gov

**6. Funding Clause:**

The award period and budget(s) incorporated into this award cover a five (5) - year period and the budget sets forth a total Federal cost of \$4,318,733.00 in Federal funds. However, Federal funding approved and available at this time is limited to \$1,843,760 for the Recipient's broadband mapping activities and \$500,000 for broadband planning activities, for a total amount of \$2,343,760. The overall award period for this action will extend from October 1, 2009 through October 1, 2014. The funding period for this phase will extend from October 1, 2009 through October 1, 2011 for broadband mapping activities and October 1, 2009 through October 1, 2013 for broadband planning activities. Receipt of any future funding will be contingent upon program priorities resulting from the outcome of the Department of Commerce's analysis of the overall program, satisfactory performance and the availability of funds from Congress. Future funding will be at the sole discretion of the Department of Commerce. The Department of Commerce is not liable for any obligations, expenditures, or commitments which involve any amount in excess of the Federal amount presently available. The Recipient will be responsible for any and all termination costs it may incur should future funding not become available. No legal liability will exist or result on the part of the Federal Government for payment of any portion of the remaining funds which have not been made available under the award. Notifications affecting funding or notice of availability of additional funding for the State Broadband Data and Development Grant Program will be made only by the Grants Officer. The amendment to obligate prospective funding available shall be made on Form CD-451, "Amendment to Financial Assistance Award," prior to the expiration of each funding phase's activities.

**7. Equipment Purchase Budget and Timeline**

Release of funds for computer hardware, software and other information systems will be approved only after the Recipient submits and NTIA approves a complete list of and timeline for the expected purchase of hardware, software and other information systems to be purchased in Year 1 and Year 2 of the award period. This list must be provided to NTIA within 30 days from the date of the award. This list must clearly delineate the hardware and software already included in the

approved budget for a total of \$816,894. For each piece of hardware or software, or for an information system, the list must provide the price and the basis and justification for the figures provided. For any information system to be purchased, this list must also include a description of any component parts (i.e. hardware, software) that constitute the information system.

8. **Automated Standard Application for Payments system (ASAP):**

Notwithstanding Section A.02 of the DoC Financial Assistance Standard Terms and Conditions, dated March 2008:

a. The advanced method of payment shall be authorized unless otherwise specified in a special award condition.

b. Payments will be made through electronic funds transfers, using the Department of Treasury's Automated Standard Application for Payment (ASAP) system and in accordance with the requirements of the Debt Collection Improvement Act of 1996. **The following information is required when making withdrawals for this award: (1) ASAP account identification (id) = award number found on the cover sheet of this award; (2) Agency Location Code (ALC) = 13060001; and (3) Region Code = 02.** Recipients do not need to submit a "Request for Advance or Reimbursement" (SF-270) for payments relating to this award. **All non-ASAP Recipient Organizations must enroll electronically. The ASAP system no longer accepts paper forms for enrollment. If you are not currently enrolled in the ASAP system you must provide the Federal Awarding Agency with a Point of Contact name, e-mail address, mailing address, telephone number, EIN and DUNS numbers of your organization in order for the Federal Awarding Agency Enrollment Initiator (EI) to begin the on-line enrollment. If you have questions on this requirement please contact the Grant Specialist responsible for this award. If you have questions on the electronic process step-by-step instructions you may contact your responsible Regional Finance Center.**

Advances taken through the ASAP shall be limited to the minimum amounts necessary to meet immediate disbursement needs. Advanced funds not disbursed in a timely manner must be promptly returned, via an ASAP credit, to the account from which the advanced funding was withdrawn. Advances shall be for periods not to exceed 30 days.

c. This award has the following control or withdrawal limits set in ASAP:

- None
- Agency Review required for all withdrawals (see explanation below)
- Agency review required for all withdrawal requests over \$ \_\_\_\_\_ (see explanation below)
- Maximum Draw Amount controls (see explanation below)

\$ \_\_\_\_\_ each month  
\$ \_\_\_\_\_ each quarter  
\$ \_\_\_\_\_ each year

d. Funds that have been withdrawn through ASAP may be returned to ASAP via the Automated Clearing House (ACH) or via FEDWIRE. The ACH or FEDWIRE transaction may only be performed by the Recipient's financial institution. Full or partial payments received by a Payment Requestor/Recipient Organization may be returned to ASAP. All funds returned to the ASAP system will be credited to the ASAP Suspense Account. The Suspense Account allows the Regional Financial Center to monitor returned funds and ensure that they are credited to the correct ASAP account. Returned funds that cannot be identified and classified to an ASAP account will not be accepted and will be returned to the originating depository financial institution (ODFI).

It is essential that the Payment Requestor/Recipient Organization provide its financial institution with ASAP account information (ALC, Recipient ID and Account ID) to which the returned funds are to be credited. Additional detailed information can be found at: <http://www.fms.treas.gov/asap/pay-return2.pdf>

9. **Interest**

This award is subject to 15 CFR 14.22 requiring recipients of Federal financial assistance to maintain advances of Federal funds in interest bearing accounts. Interest earned on Federal advances deposited in such accounts (with the exception of \$250 per year, which may be retained for administrative expenses) shall be remitted promptly.

The complete address for remitting checks for interest earned on Federal advances is Department of Health and Human Services, Payment Management System, P.O. Box 6021, Rockville, MD 20852. Recipients that do not have electronic remittance capability should send a check to this address.

In keeping with Electronic Funds Transfer rules (31 USC part 206), interest should be remitted to the HHS Payment Management System through an electronic medium such as the FEDWIR Deposit System. Electronic remittances should be in the format and should include any data that are specified by the HHS as being necessary to facilitate direct deposit in HHS' account at the Department of Treasury.

**10. Matching Funds**

Recipient will provide, from non-Federal sources, not less than 20 percent of the amount of the grant, including approved broadband planning activities, if any, funded under this award. The matching costs proposed in the Recipient's application represents the Recipient's best estimate of actual required matching costs, and the Recipient must submit a revised documentation of matching funds reflecting the funded award to the Federal Program Officer for review and approval within 30 days of the date of this award. The final approved matching costs will not be less than 20 percent of the total project cost. Matching funds can be in the form of either cash or in-kind contributions consistent with the 15 CFR 14.23, 24.3 and 24.24 as applicable.

**11. Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements**

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements are contained in, 73 Fed. Reg. 7696 (February 11, 2008), apply to this notice On the form SF-424, the applicant's 9-digit Dun and Bradstreet Data Universal Numbering System (DUNS) number must be entered in item 8.c. Organizational DUNS. The DUNS number provided MUST be the DUNS number for the entity within the applying institution that will be responsible for drawing down funds from the Automated Standard Application for Payment System (ASAP). Institutions that provide incorrect DUNS numbers may experience significant delays in receiving funds.

**12. Performance Reports**

The Recipient shall submit a performance report for each calendar quarter or portion thereof beginning with the quarter beginning April 1, 2010. Calendar quarters end on September 30, December 31, March 31, and June 30. When an award period begins or ends less than three months before the end of a calendar quarter, the report period will be less than three months. The report period never exceeds three months.

- Quarterly reports are due 30 days following the end of the calendar quarter.
- Reports are to be submitted electronically until such time that NTIA provides access to a special Internet site for submittal.

13. **FEDERAL FUNDING NOTICE – FY 2009 State Broadband Data and Development Grant Program**

The Recipient shall comply with the requirements found in the Department of Commerce, National Telecommunications and Information Administration Federal Funding Opportunity Notice and the Department of Commerce, National Telecommunications and Information Administration Federal Register Notice:

- (74 FR 32545), dated July 8, 2009 and found at [http://www.ntia.doc.gov/frnotices/2009/FR\\_BroadbandMappingNOFA\\_090708.pdf](http://www.ntia.doc.gov/frnotices/2009/FR_BroadbandMappingNOFA_090708.pdf)
- (74 FR 40569), dated August 12, 2009 and found at: [http://www.ntia.doc.gov/frnotices/2009/FR\\_mappingclarification\\_090807.pdf](http://www.ntia.doc.gov/frnotices/2009/FR_mappingclarification_090807.pdf)
- (74 FR 46573), dated September xx, 2009 and found at: [http://www.ntia.doc.gov/frnotices/2009/FR\\_MappingProgram\\_090910.pdf](http://www.ntia.doc.gov/frnotices/2009/FR_MappingProgram_090910.pdf)



**BUDGET INFORMATION - Non-Construction Programs**

OMB Approval No. 4040-0006  
Expiration Date 07/30/2010

**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Broadband Mapping	11.558	\$	\$	\$ 3,818,733.00	\$ 1,398,753.00	\$ 5,217,486.00
2. Broadband Planning				500,000.00		500,000.00
3.						
4.						
<b>5. Totals</b>		\$	\$	\$ 4,318,733.00	\$ 1,398,753.00	\$ 5,717,486.00

**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Broadband Mapping	(2) Broadband Planning	(3)	(4)	
<b>a. Personnel</b>	\$ 1,227,459.26	\$	\$	\$	\$ 1,227,459.26
<b>b. Fringe Benefits</b>	429,610.65				429,610.65
<b>c. Travel</b>	34,150.00				34,150.00
<b>d. Equipment</b>	1,317,513.00				1,317,513.00
<b>e. Supplies</b>					
<b>f. Contractual</b>	720,000.00	500,000.00			1,220,000.00
<b>g. Construction</b>					
<b>h. Other</b>	90,000.00				90,000.00
<b>i. Total Direct Charges (sum of 6a-6h)</b>	3,818,732.91	500,000.00			\$ 4,318,732.91
<b>j. Indirect Charges</b>					\$
<b>k. TOTALS (sum of 6i and 6j)</b>	\$ 3,818,732.91	\$ 500,000.00	\$	\$	\$ 4,318,732.91
<b>7. Program Income</b>	\$ 0.00	\$ 0.00	\$	\$	\$

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8. Broadband Mapping	\$ 1,398,753.00	\$	\$	\$ 1,398,753.00	
9. Broadband Planning	0.00			0.00	
10.					
11.					
<b>12. TOTAL (sum of lines 8-11)</b>	<b>\$ 1,398,753.00</b>	<b>\$</b>	<b>\$</b>	<b>\$ 1,398,753.00</b>	
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 1,094,527.00	\$ 585,475.00	\$ 156,489.00	\$ 196,074.00	\$ 156,489.00
14. Non-Federal					
<b>15. TOTAL (sum of lines 13 and 14)</b>	<b>\$ 1,094,527.00</b>	<b>\$ 585,475.00</b>	<b>\$ 156,489.00</b>	<b>\$ 196,074.00</b>	<b>\$ 156,489.00</b>
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16. Broadband Mapping	\$ 899,233.00	\$ 729,101.00	\$ 670,180.00	\$ 575,692.00	
17. Broadband Planning	125,000.00	125,000.00	100,000.00	0.00	
18.					
19.					
<b>20. TOTAL (sum of lines 16 - 19)</b>	<b>\$ 1,024,233.00</b>	<b>\$ 854,101.00</b>	<b>\$ 770,180.00</b>	<b>\$ 575,692.00</b>	
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges: 4318733		22. Indirect Charges: 0			
23. Remarks:					

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