STATE OF CALIFORNIA Budget Change Proposal - Cover Sheet DF-46 (REV 07/23)

Fiscal Year 2024-25	Business Unit Number 8660	Department California Public Utilities Commission
Hyperion Budget Request Name		<b>Relevant Program or Subprogram</b>
8660-026-BCP-2024-GB		6680 – Regulation of Utilities / 6680073 – Communication

#### **Budget Request Title**

Ongoing Implementation of Broadband for All

#### **Budget Request Summary**

The California Public Utilities Commission (CPUC) requests ongoing budget authority of \$9,383,000 to continue to fund forty-six (46.0) previously established positions and \$546,000 for four (4.0) positions from the Public Utilities Commission Utilities Reimbursement Account (PUCURA, Fund 0462) to continue implementing Chapter 112, Statutes of 2021 (Senate Bill (SB) 156).

Requires Legislation (submit required legislation with the BCP)            Trailer Bill Language             Budget Bill Language	Code Section(s) to be Added/Amended/Repealed Click or tap here to enter text.				
Does this BCP contain information technology (IT)components?□ Yes⊠ No	<b>Department CIO</b> Click or tap here to enter text.	Date Click or tap to			
If yes, departmental Chief Information Officer must sign.		enter a date.			

For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), the approval date, and the total project cost.

Project No.Click or tap here to enter text. Project Approval Document: Click or tap here to enter text.

Approval Date: Click or tap to enter a date. Total Project Cost: Click or tap here to enter text.

**If proposal affects another department, does other department concur with proposal?** Attach comments of affected department, signed and dated by the department director or designee.

<b>Prepared By</b> Robert Osborn	<b>Date</b> 1/4/2024	<b>Reviewed By</b> Ryan Dulin	<b>Date</b> 1/4/2024				
Department Director Rachel Peterson	<b>Date</b> 1/4/2024	Agency Secretary Click or tap here to enter text.	<b>Date</b> Click or tap to enter a date.				
Department of Finance Use Only							

#### Additional Review: Capital Outlay ITCU FSCU OSAE Dept. of Technology

Principal Program Budget Analyst	Date submitted to the Legislature
Steve Wells	1/10/2024

#### A. Problem Statement

In fiscal year 2021-22, as part of Chapter 112, Statutes of 2021 (Senate Bill (SB) 156), the California Public Utilities Commission (CPUC) was approved limited-term funding for forty-six (46) permanent positions and four (4) limited term positions. The limited-term funding availability was only budgeted for three fiscal year periods (2021-22, 2022-23, and 2023-24). The CPUC requires permanent funding to staff the positions to continue with the critical workload related to the implementation of Broadband for All initiative.

California's Governor developed the Broadband for All initiative with the understanding that equity is the driver for affordable and reliable broadband access for every Californian. In fiscal year 2021-22, the Governor and Legislature adopted a six-billion-dollar package of multi-year broadband investments to advance universal access to high-speed Internet service to those still without it. The CPUC has played a pivotal role in the early stages of this historic investment by:

- i. Providing technical support to California Department of Technology in developing the Statewide Open Access Middle Mile plan.
- ii. Identifying and mapping unserved locations using input from service providers and public input.
- iii. Providing technical assistance support to California Tribes, local governments, and other entities to help them prepare to leverage federal and State funding opportunities related to broadband.
- iv. Establishing a grant process for last-mile applications and opening the first of multiple rounds of grant applications.
- v. Developing rules for a credit enhancement mechanism that will leverage grants and improve broadband access in rural and urban communities.

The CPUC requests permanent funding to continue ongoing efforts implementing Broadband for All. Specifically, ongoing funding will allow the CPUC to conduct multiple grantmaking cycles, provide ongoing technical assistance to local agencies and new entrants, and update applicant tools to enable the state to work toward achieving universal access to broadband. With continued funding, the CPUC will monitor and hold accountable grantees to both State and Federal program requirements.

Program Budget	PY - 4	PY - 3	PY - 2	PY-1	PY
Authorized Expenditures	5,214	4,534	5,213	5,196	6,018
Actual Expenditures	3,645	4,174	3,949	5,054	5,835
Revenues	0	0	0	0	0
Authorized Positions	80.5	72.5	77.5	78.5	85.5
Filled Positions	57.2	62.5	61.4	68.8	77.4
Vacancies	23.3	10	16.1	9.7	8.1

#### Administrative Services Division Resource History

Human Resources Division Resource History								
Program Budget	PY - 4	PY - 3	PY - 2	PY-1	PY			
Authorized Expenditures	2,804	2,966	3,371	3,635	3,850			
Actual Expenditures	2,382	2,754	3,018	3,328	3,542			
Revenues	0	0	0	0	0			
Authorized Positions	42.0	44.0	48.0	49.0	50.0			
Filled Positions	32.7	37.7	41.4	40.7	42.8			
Vacancies	9.3	6.3	6.6	8.3	7.2			

Workload History									
Workload Measure	PY - 4	PY - 3	PY - 2	PY-1	PY	СҮ			
AGPA - ASD									
Review and analyze incoming non-IT contract requests	0	0	0	0	240	30			
Write and post non-IT contract solicitations	0	0	0	0	420	52			
Create and execute non-IT contracts	0	0	0	0	240	30			
Enter non-IT contracts and purchase orders in the FI\$Cal system	0	0	0	0	240	8			
Acct Officer - ASD									
Review, analyze, and maintain broadband invoices, including the tracking of encumbrances	0	0	0	0	675	675			
Monitor expenditures, create complex payments, and manage transactions via FI\$Cal	0	0	0	0	688	688			

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Calculate late payment penalties, prepare stop payment requests, verify abatement coding, and provide guidance to others regarding broadband infrastructure and affordability projects (last mile, middle mile, Loan Loss Reserve, and others)	Ο	0	0	Ο	425	425
Actively monitor the Office Revolving Fund (ORF) in FI\$Cal; review, update, and approve vouchers, and complete year- end tasks, including reviewing and posting accruals, and reviewing contract balances	0	0	0	0	13	13
AGPA - HR						
Request for Personnel Action packages reviewed related to broadband	0	0	0	160	408	70
Job postings and certifications related to broadband	0	0	0	108	318	60
Pre-eligibility reviews related to broadband	0	0	0	400	804	80
Withhold notices and review related to broadband	0	0	0	84	216	40
Hiring packages related to broadband	0	0	0	144	378	40
Addressing merit issue complaints and/or grievances	0	0	0	220	440	10

Correcting backdated appointments	0	0	0	100	400	0
CEA concept and exam administration	0	0	0	0	100	0
Reviewing Temporary Advisor Program assignments, Out-of- Class (OOC) assignments, Training and Development (T&D) assignments, Hire-Above- Minimums (HAM), and org structure changes	0	0	0	0	0	0

#### B. Justification

Under the banner of Broadband for All and California's commitment to closing the Digital Divide, the CPUC seeks to realize a vision where all Californians have access to affordable, high-performing broadband service at home, schools, libraries, and businesses.

California understands that access to broadband is an essential service necessary to participate in everyday life:

- Broadband access enables individuals, including in rural communities and Tribal communities, to work, study, communicate, apply for government services, operate home-based businesses, receive emergency information, and access health care.
- Broadband powers the State's most critical systems, from its electrical grid to its water supply systems, its public safety and emergency response networks. Broadband underpins modern life.
- Broadband has helped ensure California's ability to compete on the world stage for years. Broadband enables communities to build thriving economies by attracting talent and businesses. It powers California's advancement and success in industries from higher education to manufacturing and agriculture, and in the service economy.

Over the last two years the CPUC's major actions to implement Broadband for All include-

- Awarding 105 technical assistance and planning grants to assist Tribal, county, municipal, and local governments do necessary pre-construction work (environmental studies, network design, engineering studies, needs assessments, and broadband strategic plans) for broadband deployment projects.
- Creating the program structure, processes, resources, and support mechanisms for a \$2 billion last-mile broadband grant program and opening the first round of grant applications. This included:
  - Adopting program rules and allocating funds across urban and rural counties per SB 156;
  - Creating an online interactive tool for applicants to plan their projects; and

- Developing a web-based grant portal to accept, award, and report on applications.
- Administered first federal funding account application window with 484 grant applications, in every county in the state, for \$4.6 billion.
- Completing the required objection process for stakeholders to provide information and written comments identifying errors of fact, policy, or statutory requirements in submitted grant applications.
- Establishing rules and guidelines for the Loan Loss Reserve program
- Collecting and processing address-level data and publishing a last-mile eligibility map.
- Engaging stakeholders through workshops, one-on-one technical sessions, Tribal engagements, and Tribal Consultations.
- Soliciting public comments on middle-mile locations and collaborating with the California Department of Technology in publishing a legislative report.

To continue with the implementation of the Broadband for All initiative, the CPUC requires ongoing funding of forty-six (46) positions and conversion of the four (4.0) limited-term temporary positions to permanent. The CPUC will be conducting ongoing rounds of grantmaking and/or credit enhancement agreements into fiscal year 26-27. This will require ongoing evaluation as new grants and credit enhancement requests are submitted, updating unserved areas, and continued outreach and technical support to potential new applicants, including local agencies.

After grants are awarded, the CPUC must actively monitor awardee progress and compliance with statutory and programmatic requirements. This will be accomplished through a combination of awardee reporting, regular field inspections, compliance review of project expense claims, and periodic progress analysis. To increase transparency and report progress, the CPUC will prepare and submit quarterly reports to the Legislature and the US Treasury, as well as post awards and progress on its website throughout the life of the programs.

#### Administrative Services Division (ASD): One (1.0) AGPA

One (1.0) AGPA position is needed ongoing in the Procurement and Contracting section of the ASD to process non-IT services solicitations and contracts related to Broadband for All legislation. There are currently four permanent AGPA contract analysts at CPUC; this position would add a fifth permanent analyst to the team.

CPUC's contracts team is managing new broadband-related contract proposals to accomplish the vision of Broadband for All. The workload coming from this new project is in addition to the existing workload already being processed. Several contract requests have already been received such as a contract with IBank for financial services in support of the Broadband Loan Loss Reserve Program. It is forecasted that contracting needs related to Broadband will grow in the coming years, potentially becoming one of the biggest categories of non-IT service contract requests. Future contracts are anticipated to include technical consultant services contracts and outreach contracts. Therefore, an additional permanent staff resource to process contract requests and new workload in a timely matter is critical.

The AGPA in this position will be responsible for reviewing and analyzing incoming non-IT contract requests to determine the appropriate procurement method in compliance with State contracting rules. The AGPA will work closely with Communication Division staff to write complex non-IT contract solicitations and post them to Cal e-Procure. Further, the AGPA will create and execute new non-IT contracts by completing all standard State contracting documents and obtaining all necessary signatures and approvals from DGS. The AGPA will be responsible for entering non-IT contracts and purchase orders in the State's FI\$Cal system, and supporting the Communication Division Contract Managers after contract execution.

Without this additional position, any new Broadband solicitations and contracts will have to be processed by existing staff. This new work will increase the workload of each of the other four analysts by an estimated twenty-five (25) percent which is not sustainable and will potentially lead to delays and conflicting priorities with existing workload due to limited staff resources. Without the additional position, the processing time for all other non-IT services contracts will increase, which will negatively impact CPUC as an agency.

#### ASD: One (1.0) Accounting Officer (Specialist)

One (1.0) Accounting Officer position is needed ongoing in the Accounts Payable unit to process payments for all Broadband contract invoices, travel claims, and monitor broadband appropriation balances. This position will encumber the last mile broadband grant awards and monitor the payments and balances. Broadband has several tasks and projects that will need close monitoring when recording transactions. This additional staff will ensure payment processes follow the Prompt Payment Act and other laws, policies, and procedures that govern the California state agencies' disbursement processes. The staff will coordinate with other agencies as needed such as the CDT as well as the State Controller's Office for any direct payments and coding of charges, and for document coordination to ensure matching of records and charges. The staff will also be the program point of contact in Accounts Payable regarding all broadband transactions, payments, balances, and reports.

Year over year, the voucher payments made by the Accounts Payable unit team is increasing with an average increase of 8,000 claims/payments and at least 2,000 unique payment IDs for all CPUC programs. Since the Broadband program started in fiscal year 2021, Accounting Office has created and added six (6) project IDs to monitor its activities. An additional 461 claims/payments have been made with 159 unique voucher IDs for Broadband alone. We expect this workload to increase drastically with the encumbrance, payments, and tracking of over \$2 billion in last-mile grant awards. Without this additional and dedicated staff to process broadband program transactions, it will be difficult for the team to ensure timely processing of all the invoices received from all the CPUC division programs. Funding to permanently keep the position will ensure continuous and timely processing of broadband accounting transactions.

#### Human Resources Division (HRD): Two (2.0) AGPA

HRD provides the CPUC with day-to-day technical consultative services and transactional services related to personnel management, policy work, and interpretation of applicable Human Resources (HR) laws and regulations. Two (2.0) AGPA positions are necessary on an ongoing basis in HRD to continue to provide the consultative and transactional services permanent positions related to Broadband for All. HRD assisted in establishing, recruiting, and filling the initial fifty (50) Broadband for All positions in fiscal year 2021-2022. As the program has developed and progressed, changes to the positions and movement of staff have occurred and will continue to require HRD involvement in further recruitment and hiring efforts, further consultation, assessment, and review of the organizational structure, duties and staff movement packages.

Broadband-related HRD activities include:

- Review of Request for Personnel Action packages to ensure positions are allocated properly with the organizational structure, with the appropriate duties, and proper documentation is retained to meet California Code of Regulations Title 2,§75.3 Classification Plan and Cal. Code Regs. Title 2, §26 Record Retention Requirements.
- Review of organizational structures to ensure the positions and allocations are supported.

- Assist with drafting, reviewing and approving duty statements that reflect the essential function of the position and that it is within the scope of the State Personnel Board classification specification.
- Review selection and hiring tools to ensure they meet the merit selection process, such as the job posting requirements, application screening matrixes, interview questions and ratings.
- Post and repost vacancies on the State of California's career website, where often times there can be up to three job postings for one vacancy; and post vacancies on various external platforms and conduct targeted outreach.
- Work with certification lists by attaching a list to every job posting, sending employment inquiry letters to those eligible on the certification lists, clearing and coding certification lists upon selection of candidates.
- Conduct pre-eligibility and final selection determinations by calculating education and experience qualifications to determine if minimum qualifications are met for the classification, verifying type of appointment eligibility, transcript verification and process withholds when appropriate to meet Cal. Code Regs. Title 2, §249.4 Verification of Minimum Qualifications Prior to Appointment.
- Review hiring appointment packages to ensure that the selection and hiring process methods comply and meet the State Civil Service Merit Principle Cal. Code Regs. Title 2, §86 Appointments Shall Be Based on Merit and Fitness.
- Providing consultative services and guidance on a variety of sensitive, complex, and confidential personnel issues surrounding interpretation of applicable policies, rules and regulations, employment and pay, and position allocation and tracking.

The two (2.0) AGPA positions will ensure that HRD has the resources to support and address the increased workload from the permanent authorized positions related to Broadband and sustain the ongoing and continuous workload.

HRD is currently utilizing temporary help to support this permanent workload. Temporary employees are more difficult to attract, have a higher rate of turnover, and require retraining with each new hire. With the high turnover, the overall cost to the department is higher when the time to recruit, onboard, and training is taken into consideration. Additionally, temporary staff such as Retired Annuitants do not have the ability to work the full-time hours which affects workload capacity. Due to the limitations of the length of time permitted for some temporary help positions, it does not meet HRD's long-term, ongoing business needs. Permanent positions have a higher retention rate as permanent positions have leave, health, and retirement benefits, as well as career development opportunities.

Without the approval of the requested positions, HRD will experience delays in processing the department's recruitment and hiring functions and maintaining and providing adequate support for the broadband-related work that is mission critical for the State of California.

#### C. Departmentwide and Statewide Considerations

Broadband is critical to the state's economy, education, and basic health and well-being. The COVID-19 crisis underscored the need for all Californians to have access to a robust and reliable internet connection that supports telelearning, teleworking, telehealth, and basic everyday needs.

The California State Broadband for All Action Plan outlines the reliance on broadband and the importance of closing the digital divide. The Plan focuses on three long-term goals to ensure all Californians:

- Have high-performance broadband available at home, schools, libraries, and businesses;
- Have access to affordable and reliable broadband services and the devices necessary to access the internet; and
- Can access training and support to enable digital inclusion.

#### Alignment with CPUC Strategic Directives

This request for positions aligns with the CPUC's Strategic Directives listed below:

- SD-01, titled "Misson," which states "We empower California through access to safe, clean, and affordable utility services and infrastructure."
- SD-04, titled "Supporting and Empowering Consumers," which states "The CPUC promotes policies and rules that provide customers access to affordable and essential services for energy, communications, water and transportation."
- SD-07, titled "Economic Prosperity," which states "The CPUC promotes a strong California economy that provides jobs and general prosperity."

These Strategic Directives call for the CPUC to promote the development of safe, affordable and reliable utilities which benefit all Californians.

The continued implementation of SB 156 will ensure compliance with the California State Broadband for All Action in alignment with the CPUC Strategic Directives.

#### D. Outcomes and Accountability

Approval of this proposal will enable the CPUC to continue the implementation of Broadband for All by allowing the CPUC to conduct multiple grantmaking cycles, provide ongoing technical assistance to local agencies and new entrants, and update public and applicant tools to reflect progress toward universal broadband. With continued funding, the CPUC will monitor and hold accountable grantees and recipients of credit enhancement to both State and Federal program requirements.

Workload Measure	СҮ	ВҮ	BY+1	BY+2	BY+3	BY+4
AGPA - ASD						
Review and analyze incoming non-IT contract requests	384	384	384	384	384	384
Write and post non-IT contract solicitations	816	816	816	816	816	816
Create and execute non- IT contracts	480	480	480	480	480	480
Enter non-IT contracts and purchase orders in the FI\$Cal system	120	120	120	120	120	120
Acct Officer - ASD						
Review, analyze, and maintain broadband invoices, including the tracking of encumbrances	675	675	675	675	675	675
Monitor expenditures, create complex payments, and manage transactions via FI\$Cal	688	688	688	688	688	688

#### Projected Outcomes

Calculate late payment penalties, prepare stop payment requests, verify abatement coding, and provide guidance to others regarding broadband infrastructure and affordability projects (last mile, middle mile, Loan Loss Reserve, and others)	425	425	425	425	425	425
Actively monitor the Office Revolving Fund (ORF) in FI\$Cal; review, update, and approve vouchers, and complete year-end tasks, including reviewing and posting accruals, and reviewing contract balances	13	13	13	13	13	13
AGPA - HR						
Request for Personnel Action packages reviewed related to broadband	740	740	740	740	740	740
Job postings and certifications related to broadband	720	720	720	720	720	720
Pre-eligibility reviews related to broadband	760	760	760	760	760	760
Withhold notices and review related to broadband	430	430	430	430	430	430
Hiring packages related to broadband	480	480	480	480	480	480
Addressing merit issue complaints and/or grievances	120	120	120	120	120	120
Correcting backdated appointments	100	100	100	100	100	100
CEA concept and exam administration	50	50	50	50	50	50
Reviewing Temporary Advisor Program assignments, OOC assignments, T&D assignments, HAM, and org structure changes	200	200	200	200	200	200

#### E. Implementation Plan

Upon approval of this request, CPUC will work internally with the CPUC Human Resources Division to permanently establish the four (4) positions.

#### F. Supplemental Information (If Applicable)

Not applicable.

# **BCP** Fiscal Detail Sheet

BCP Title: Ongoing Implementation of Broadband for All

BR Name: 8660-026-BCP-2024-GB

Budget Request Summary

## **Personal Services**

Personal Services	FY24	FY24	FY24	FY24	FY24	FY24
	Current	Budget	BY+1	BY+2	BY+3	BY+4
	Year	Yeār				
Positions - Permanent	0.0	4.0	4.0	4.0	4.0	4.0
Total Positions	0.0	4.0	4.0	4.0	4.0	4.0
Salaries and Wages	0	5,579	5,579	5,579	5,579	5,579
Earnings - Permanent						
Total Salaries and Wages	\$0	\$5,579	\$5,579	\$5,579	\$5,579	<b>\$5,579</b> 3,300
Total Staff Benefits	0	3,300	3,300	3,300	3,300	3,300
Total Personal Services	\$0	\$8,879	\$8,879	\$8,879	\$8,879	\$8,879

## Operating Expenses and Equipment

Operating Expenses and Equipment	FY24	FY24	FY24	FY24	FY24	FY24
	Current	Budget	BY+1	BY+2	BY+3	BY+4
	Year	Year				
5301 - General Expense	0	150	150	150	150	150
5304 - Communications	0	50	50	50	50	50
5320 - Travel: In-State	0	150	150	150	150	150
5322 - Training	0	100	100	100	100	100
5324 - Facilities Operation	0	450	450	450	450	450
5346 - Information Technology	0	150	150	150	150	150
Total Operating Expenses and Equipment	\$0	\$1,050	\$1,050	\$1,050	\$1,050	\$1,050
Total Budget Request						
Total Budget Request	FY24	FY24	FY24	FY24	FY24	FY24
	Current	Budget	BY+1	BY+2	BY+3	BY+4

Total Budget Request	\$0	\$9,929	\$9,929	\$9,929	\$9,929	\$9,929
	Current Year	Budget Year	BY+1	BY+2	BY+3	BY+4

# Fund Summary

## Fund Source

Fund Source	FY24 Current Year	FY24 Budget Year	FY24 BY+1	FY24 BY+2	FY24 BY+3	FY24 BY+4
State Operations - 0462 - Public Utilities Commission Utilities Reimbursement Account	0	9,929	9,929	9,929	9,929	9,929
Total State Operations Expenditures	\$0	\$9,929	\$9,929	\$9,929	\$9,929	\$9,929
Total All Funds	\$0	\$9,929	\$9,929	\$9,929	\$9,929	\$9,929

# Program Summary

## Program Funding

Program Funding	FY24 Current Year	FY24 Budget Year	FY24 BY+1	FY24 BY+2	FY24 BY+3	FY24 BY+4
6680073 - Communications	0	9,929	9,929	9,929	9,929	9,929
Total All Programs	\$0	\$9,929	\$9,929	\$9,929	\$9,929	\$9,929

## **Personal Services Details**

Positions

Positions	FY24	FY24	FY24	FY24	FY24	FY24
	Current	Budget	BY+1	BY+2	BY+3	BY+4
	Year	Year				
4546 - Accounting Officer (Spec)	0.0	1.0	1.0	1.0	1.0	1.0
5393 - Assoc Govtl Program Analyst	0.0	3.0	3.0	3.0	3.0	3.0
Total Positions	0.0	4.0	4.0	4.0	4.0	4.0
Salaries and Wages						
Salaries and Wages	FY24	FY24	FY24	FY24	FY24	FY24
	Current	Budget	BY+1	BY+2	BY+3	BY+4
	Year	Year				
4546 - Accounting Officer (Spec)	0	65	65	65	65	65
5393 - Assoc Govtl Program Analyst	0	225	225	225	225	225
Total Salaries and Wages	\$0	\$290	\$290	\$290	\$290	\$290

### Staff Benefits

Staff Benefits	FY24 Current Year	FY24 Budget Year	FY24 BY+1	FY24 BY+2	FY24 BY+3	FY24 BY+4
5150350 - Health Insurance	0	1,088	1,088	1,088	1,088	1,088
5150500 - OASDI	0	427	427	427	427	427
5150600 - Retirement - General	0	1,785	1,785	1,785	1,785	1,785
Total Staff Benefits	\$0	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300
Total Personal Services						

#### Total Personal Services

Total Personal Services	FY24 Current Year	FY24 Budget Year	FY24 BY+1	FY24 BY+2	FY24 BY+3	FY24 BY+4
Total Personal Services	\$0	\$3,590	\$3,590	\$3,590	\$3,590	\$3,590