

APPLICANT INSTRUCTIONS FOR CPCN APPLICATION FORM

1. Complete the Cover page and save as a PDF/A compliant document. The docket office will provide an application number.
2. 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.”
 - a. 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. Complete Section 1.b. by listing all fictitious business names under which Applicant has done business in the last five years. If the company 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 as Appendix A to the completed application form: (1) a copy of the entity’s organizing documents; (2) evidence of the Applicant’s qualification to transact business in California; and (3) a copy of its Certificate of Good Standing Status certified by the Secretary of State of California. If current documentation has previously been filed with the Commission, the application need only make specific reference to such filing. A Certificate of Good Standing is available from the office of the Secretary of State of the State of California and should be dated not more than 60 days prior to the date of filing the application.

In Section 1.d. of the form, if response is “Yes,” list foreign entity interest.

- b. In Section 2 of the form, provide the name, mailing address, and telephone number of Applicant’s registered agent for service of process.
- c. In Section 3 of the form, the Applicant must check 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.
- d. 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. If any optional item is selected and/or ‘Other Proposed Schedule’ item, you must include a date for item(s) as well. If Evidentiary Hearing is selected, attach Appendix B to provide a description of the issues which require hearing and length of hearing needed.

- e. In Section 5 of the form, select the issues to be considered, and if applicable, provide a description in the space provided.
- f. 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 the types of service(s) it proposes to provide, the type of proposed facilities, and the service territories it proposes to offer its services.
 - 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.¹ Full facilities-based service is subject to 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.²

For additional information regarding service provider type definitions refer to:
<https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-carrier-types-with-definition>.

¹ Decision (D.) 08-04-018 (adopted April 10, 2008) available at:
https://docs.cpuc.ca.gov/PublishedDocs/WORD_PDF/FINAL_DECISION/81277.PDF.

² 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.

- g. In Section 7 of the form, enter the date that Applicant expects to begin offering service in California. If Applicant has already begun offering service in California, indicate the date the Applicant commenced providing service and provide as Appendix D with the reason for operating prior to obtaining authority in California.
- h. In Section 8 of the form, the Applicant must select the type of services that will be provided in California.
- i. In Section 9 of the form, the Applicant must provide a sworn affidavit to the statement identified by marking “True” or “Not True.” If the Applicant’s response is anything other than an unqualified “True,” attach as Appendix E 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 as Appendix F the 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 the 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 the 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.

- j. In Section 10 of the form, the Applicant must demonstrate that it has the technical and managerial qualifications necessary to provide the proposed services in its service territory. The Applicant must select a response from the options provided.

In Section 10.a. and 10.b. of the form, the Applicant must provide the following information as separate Appendices: Appendix G with a list of all the Applicant’s key management and technical personnel(s), and Appendix H with professional resumes and biographies of the key management and technical personnel(s) that reflects that the Applicant possesses significant technical and managerial expertise for operating a telecommunications corporation, consistent with the Commission’s requirements. Website links to online profiles (e.g., LinkedIn and Facebook) are not acceptable.

In Section 10.c. of the form, the Applicant must attest to the statement. If the response is anything other than an unqualified “true,” attach as Appendix I with

documentation listing all exceptions and describing all such investigations, whether pending, settled voluntarily, or resolved in another manner.

- k. 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 for all listed items in an attachment.³ Non-rate regulated Applicants can indicate that the proposed rates are inapplicable to their application.
- l. 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 K with list of categorical exemptions and briefly explain the applicability of each exemption to the proposed construction. If Applicant marked “NO”, attach as Appendix K the Preliminary Environmental Assessment (Rule 2.4(b)) and all documents required pursuant to Rule 3.1.
- m. In Section 13 of the form, the Applicant must attach Appendix L with the financial instrument that demonstrates the Applicant meets financial requirements as set forth in Appendix F of D.24-11-003.
- n. In Section 14 of the form, the Applicant must check one of the options provided. If Applicant is seeking a tariffing requirement exemption, it must comply with the Consumer Protection Rules adopted in Decision 98-08-031. If Applicant is not seeking a Tariff requirement exemption, it must attach as Appendix M a 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>.
- o. In Section 15 of the form, Applicant must list other licenses, whether current and/or prior, which the Applicant obtained from the Commission.

³ 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.

- p. Appendices that do not apply to Applicant must be included and identified as “Not Applicable.” Applicant may include an additional Appendix to provide additional and supporting information.
3. 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.
4. Pay the CPCN Application Filing Fee
 - 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.
 - Payee: California Public Utilities Commission
 - Memo line: CPCN Application Fee of [Name of Applicant]
 - Send to Payment to: ATTN: CPUC ALJ Docket Office
505 Ness Avenue
San Francisco, CA 94102
 - Failure to include the filing fee may result in a delay or rejection of the filing.
5. Submit completed Cover Page, CPCN Application Form, Attachment A, and all applicable Appendices via [CPUC Electronic Filing System](#). All documents must be saved as a PDF/A compliant document.
6. Refer to the [Practitioner’s Page](#) for additional filing instructions and guidelines.