

BROADBAND EXPANSION GRANT APPLICATION

For Fiscal Year 2019

Primary Applicant Name		Amount of Broadband Grant Request (round to nearest dollar)
Primary Applicant Address		Amount of Matching Funds Pledged (round to nearest dollar)
Federal Employer Identification No.		Total Cost of Proposed Project (round to nearest dollar)
Contact Name	Title	Project Name:
Telephone Number	E-mail Address	Type of Proposed Broadband Service (FTTH, Cable, DSL, etc.)
If the application proposes a public-private partnership, list the names of the partner companies or organizations		
Brief Project Description		
Proposed Download Transmission Speed		Proposed Upload Transmission Speed
County or Counties served by this project		Community or Communities served by this project
List of the broadband service providers, if any, currently serving the area the applicant proposes to serve		
Does proposed project serve an <i>unserved</i> area of the state, as defined in Section 1.4 of application instruction? (yes/no)		Is the Applicant Certified as a Broadband Forward! Community, or does the grant project propose to serve a Broadband Forward! Community? (yes/no)
Expected Number of Business Locations that will be Served		Expected Number of Residential Locations that will be Served

This form can be made available upon request in a format accessible to individuals with disabilities.

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1.0 GENERAL INFORMATION

1.1 Introduction and background

The Public Service Commission of Wisconsin is seeking applications for Broadband Expansion Grants. The Commission may award one or more grants during Fiscal Year 2019 to public and private entities that meet the eligibility requirements set forth in Wis. Stat. § 196.504. Successful applicants will demonstrate a clear and achievable plan to improve broadband communications services in one or more underserved areas in the state.

The purpose of this document is to provide interested persons with information to enable them to prepare and submit an application for a Broadband Expansion Grant authorized under Wisconsin Statute § 196.504.

The point of contact for information concerning the Broadband Expansion Grant program is Dennis Klaila, Program Manager, (608) 267-9780, dennis.klaila@wisconsin.gov.

1.2 Scope of the program

1.2.1 Program description

Applicants eligible under Wisconsin Statute § 196.504 may apply for a grant for the purpose of offsetting the construction costs of extending broadband service in underserved areas of the state.

1.2.2 Program objectives

- a. Permit individuals that reside in areas of the state that have fewer than two broadband service providers to subscribe to broadband service.
- b. Ensure that grant funds are used for the construction of broadband facilities and are not used to subsidize the expenses of a telecommunications provider or the monthly bills of telecommunications customers.

1.3 Procuring and contracting agency

This request for applications is issued by the Public Service Commission of Wisconsin, which is the sole point of contact for the State of Wisconsin during the selection process. The person responsible for managing the grant process is Dennis Klaila.

The grant award(s) resulting from this application process will be administered by the Public Service Commission of Wisconsin. The grant administrator will be Kristy Nieto, Deputy Division Administrator, Division of Business and Program Management.

1.4 Definitions

The following definitions are used through the application.

Agency or Commission means the Public Service Commission of Wisconsin.

Applicant means an individual or organization submitting an application in response to this request for grant applications.

Broadband service means a communications service providing to end users, at a minimum, two-way data transmission with speeds of at least 25 mbps for download transmission and 3 mbps for upload transmission, but does not include a commercial mobile radio service or a broadband

service in which a stand-alone satellite provider connects directly to the end user with a satellite connection.

Economic development has the meaning given in Wis. Stat. § 196.796(1)(c).

Fixed wireless service has the meaning given in Wis. Stat. § 77.51(3rn), except that it does not include mobile wireless service, as defined in § 77.51(7k), or telecommunications services, as defined in § 77.51(21n), transmitted through the use of satellite.

Grantee means an applicant awarded a broadband expansion grant.

Scalable means that the broadband network has the ability to increase parameters relating to the size of the network while maintaining the quality of its broadband service.

State means State of Wisconsin and includes the Commission.

Telecommunications has the meaning given in Wis. Stat. § 196.01(9m).

Underserved area means an area delimited by a census block boundary as defined by the US Department of Commerce, that is served by fewer than 2 broadband service providers, or an area that an applicant has demonstrated in its application is underserved notwithstanding the fact that the proposed service area lies within a census block that has been designated as served.

Unserviced area means an area of the state that is not served by an Internet service provider offering Internet service that is all of the following:

1. Fixed wireless service or wired service.
2. Provided at actual speeds of at least 5 mbps for download transmission and 600 kbps for upload transmission for residential and business locations, and at actual speeds of at least 20 mbps for download transmission to schools and libraries.

1.5 Clarification and/or revisions to the specifications and requirements

Any questions concerning this application must be submitted in writing via email on or before June 29, 2018, to:

Email address:

PSCStatebroadbandoffice@wisconsin.gov

Subject line:

Broadband Expansion Grant Application Question

If an applicant discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this application, the applicant should notify the Public Service Commission immediately by emailing pscstatebroadbandoffice@wisconsin.gov. The applicant should describe the error and request modification or clarification of the application.

In the event that it becomes necessary to provide additional clarifying data or information, or to revise any part of this application, revisions/amendments and/or supplements will be provided to all recipients of this initial application.

Any contact with state employees concerning this application is prohibited, except as authorized by the grant administrator (Sarah Klein) during the period from date of release of the application until the date on which the grant award is released.

1.6 Reasonable accommodations

The agency will provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified individuals with disabilities upon request. If you think you need accommodations, contact Cath Kittle at 608-266-3546 (voice) or 608-267-1479 / 800-251-8345 (TTY).

1.7 Schedule of events

Listed below are dates and times of actions related to this application. In the event that the state finds it necessary to change any of the dates and times in the schedule of events listed below, it will do so by issuing a supplement to this application.

DATE	EVENT
April 12, 2018	Date of issue of the application instructions
June 29, 2018	Last day for submitting questions and requests for clarification
July 16, 2018	Applications due from applicants
Jul 17 – Aug 7, 2018	Public comment period
August 7, 2018	Last day for submitting comments regarding filed grant applications

The submitted applications will be evaluated and ranked by a screening committee. The screening committee will complete its evaluation in August 2018 after the grant application and public comments have been filed. The applications, public comments and committee evaluation will be taken up at a regularly scheduled open meeting of the Commission. Tentatively, the Commission anticipates announcing its award of Broadband Expansion Grants for Fiscal Year 2019 in September 2018.

Late applications will be rejected. Applications MUST be date and time stamped by the Commission's Electronic Regulatory Filing (ERF) system on or before the date and time that the application is due. Applications dated and time stamped in another office will be rejected. Applications are public unless otherwise specified. All applications will be posted on ERF under the docket number 5-BF-2019 and available for public inspection immediately upon filing.

1.8 Grant term and funding

Any Broadband Expansion Grant award approved by the agency will expire automatically and without notice on the last day of the twenty fourth month following the month in which the agency approves the award. Upon expiration, any unused balance in a grant award account or purchase order will be reallocated to an appropriate reserve fund. A grantee may request a waiver of this expiration. A waiver request should provide an explanation for the project delay and a schedule for completing the project.

2.0 PREPARING AND SUBMITTING AN APPLICATION

2.1 General instructions

The evaluation of an application and selection of an applicant for an award will be based on the information submitted in the application plus references. Failure to respond to each of the requirements in the application may be the basis for rejecting a response.

Elaborate applications (e.g., expensive artwork), beyond that sufficient to present a complete and effective application, are not necessary or desired.

2.2 Incurring costs

Neither the Commission nor the state of Wisconsin is liable for any cost incurred by applicant in preparing this application.

2.3 Submitting the application

Applicants must submit an electronic PDF copy of all application materials by **4:00 pm (16:00) Central Time on JULY 16, 2018.**

To upload documents to the ERF system, you must first register as a user. Instructions for completing the registration are provided on the ERF website. When given a choice between an individual or corporate account, select 'Individual Account.' It is only necessary to register once. The ERF registration will carry over from one year to the next.

Applications **MUST** be **UPLOADED** to ERF by going to the Commission's website, <https://psc.wi.gov/Pages/Home.aspx> ; select 'ERF Upload;' then select 'Upload Document' from the options on the ERF webpage.

- On the webpage entitled 'Upload Document', select 'Public' or 'Confidential, as appropriate; and select the circle for 'Existing Docket.' In the three boxes for 'Docket ID,' enter the docket number: 5-BF-2019. Select 'Check Docket.' If you have correctly entered the docket number, the ERF system will display the docket caption: 'FY 2019 Broadband Expansion Grants.'
- On the first data entry line, use the tab marked 'Browse' to find the application document on your computer, select 'Application' for Document Type, and enter 'Broadband Expansion Grant Application of [insert name]' for Document Description. All applications will be electronically time-stamped when uploaded properly.

Receipt of an application by the state mail system or United States Postal Service does not constitute receipt of an application for purposes of this grant.

The applicant must contact the application manager, Dennis Klaila, by telephone number at (608) 267-9780 or by email at dennis.klaila@wisconsin.gov , by 4:00 p.m. (16:00) on July 13, 2018, if assistance is needed in submitting an application electronically.

2.4 Designation of confidential and proprietary information

If the applicant desires confidential treatment of portions of its application, it must complete the form in Appendix A, "Designation of Confidential and Proprietary Information (Form DOA-3027)," and include the completed form with its application. The applicant must then upload both a confidential version and a redacted public version of the application in accordance with the ERF system procedure for submitting a confidential document.

Notwithstanding the foregoing, the part of the application describing the underserved area(s) that the application proposes to serve must be filed publicly. In addition, the applicant is hereby notified that confidential handling of information in portions of its application is not a determination of confidential treatment by the Commission for purposes of Wisconsin's Open Records Law, Wis. Stat. §§ 19.31 to 19.39.

2.5 Multiple Applications

Multiple applications from an applicant are permissible; however, each application must conform fully to the requirements for submission. Each application must be submitted separately and labeled as Application #1, Application #2, etc. or "(location) project."

2.6 Withdrawal of application

Applicant may withdraw an application in writing at any time up to the application closing date and time. To accomplish this, the applicant must submit a written request to withdraw the application, and the request must be signed by an authorized representative of the applicant and submitted to the application project manager. If a previously submitted application is withdrawn before the due date and time, the applicant may submit another application at any time up to the application closing date and time.

3.0 GENERAL APPLICATION REQUIREMENTS

3.1 Application organization and format

The application should be typed. A handwritten application will not be accepted. The application should be assembled as follows:

- The first page of the application should be the cover sheet of these application instructions. Fill in the information requested in the blank boxes, and then scan and include as the first page of the grant application.
- The following pages of the application should be prepared in a profile format on 8.5" x 11" paper size. The application must respond to the headings and subheadings in Section 3.2 that are marked in bold font. Each response to a heading and subheading should be separated by tabs or otherwise clearly marked.
- If the applicant is requesting confidential treatment of a portion of its application, then the completed form in Appendix A should be included as the last page of the application.

The applicant should convert the entire application to pdf format and upload to the Commission server using the ERF system. See System 2.3.

3.2 Mandatory application requirements

The following requirements are mandatory and the applicant must satisfy them.

3.2.1 An applicant must include the following information in its application to be eligible for this grant and the application must demonstrate satisfaction of indicated requirements.

3.2.1.1 Applicant identification and contact information

- a. The name of the entity applying for the grant, and the mailing address, telephone number and e-mail address of one or more contact persons representing the applicant.
- b. If the application proposes a public-private partnership, the identity and contact information for all application partners.
- c. **Requirement.** The application must show that the applicant is an organization, a telecommunications utility, or a city, village, town, or county that has established a legal partnership or joint venture arrangement with an otherwise qualified organization or telecommunications utility, and as such meets the eligibility requirements set forth in Wis. Stat. § 196.504(1).

3.2.1.2 Description of the project

- a. A map and description of the area of the state that will be affected by the proposed project. If the area to be served lies within a census block designated as served, additional documentation to demonstrate the actual broadband service available in the proposed area of service.
 - If possible, the map should be accompanied with a URL reference to a spatial file formatted as a Geodatabase / Feature Class showing the proposed service area for the project. If ArcGIS software is not available, a Shapefile or KML showing the proposed project area is acceptable.
 - If mapping software is not available, provide a list of address ranges within the project area (spreadsheet format), or a list of census blocks within the proposed project area (spreadsheet or spatial data).
 - If neither mapping software nor a description of the project area by address ranges is available, provide a map using Google Maps with the boundaries of the project area drawn onto the map.
- b. If the project area lies within a census block designated as served on the PSC Broadband Map, provide additional documentation to demonstrate the actual broadband service that is available in the proposed project area.
- c. An explanation of how the proposed project will increase broadband access.
 - Potential and expected number of households served.
 - Potential and expected number of businesses served.
 - Expected number of seasonal residents and tourists served.
 - Estimated download and upload speed of the broadband service.
- d. A statement whether the proposed project is targeting the “last mile,” “middle mile,” or backbone portion of the broadband infrastructure.
- e. A description of the broadband service to be provided, including estimated download and upload speeds, whether the speed is based on dedicated or shared bandwidth, and the technology that will be used. This description may be illustrated by a map or schematic diagram, as appropriate.
- f. A schedule by which the applicant intends to complete the components of the proposed project.

3.2.1.3 Itemized statement of funding request

- a. An itemized statement of the investment and construction costs of the proposed project. This statement should include a price list or quote for any equipment the applicant intends to purchase, and salary information or similar information for any labor and training expenses associated with the project. This statement should also indicate whether the facilities involved would be owned, rented or leased.
- b. **Requirement.** The application must show that the grant, if awarded, will not subsidize the expenses of a telecommunications provider or the monthly bills of telecommunications customers. For purposes of this grant program, subsidy means a contribution to the operating costs, including profit, of the telecommunications provider.
- c. A summary showing the revenue source, including grant funds and matching funds, for each expenditure itemized above.
- d. **Requirement.** The application must show that the grant funds requested will be used for the sole purpose of constructing broadband infrastructure in the

underserved areas covered by the application. Construction of broadband infrastructure may include any of the following:

- Project planning.
- Obtaining construction permits.
- Construction of facilities, including construction of both “middle mile” and “last mile” infrastructure.
- Installation and testing of the broadband service.

3.2.1.4 Priority factors supporting the application

- a. **Matching funds.** A description of the matching funds the applicant will invest in the proposed project, if any.
 - For each element of matching funds in the description, indicate the type of match (cash, salary expense, or in-kind contribution).
 - If the application is submitted by a partnership, identify the partner responsible for providing each element of the proposed matching funds.
- b. **Public-private partnerships.** A description of any public-private partnership involved in the project.
 - If the public-private partnership is memorialized in a joint venture agreement or other writing, provide a copy of that agreement.
 - If the partnership has not been reduced to a written agreement, provide a short description of the management role, financial commitment, or other contribution to the project for each participating partner.
- c. **Existing broadband service.** A list of the broadband service providers, if any, currently serving the area the applicant proposes to serve.
 - Provide a list of all landline broadband service providers (DSL, cable or fiber to the home) and fixed wireless broadband service providers that overlap the footprint of the proposed broadband project. If known, provide an estimate of the customers within the proposed footprint that are served by competing landline and fixed wireless broadband service providers, and the download/upload speeds offered by those competing service providers.
 - Provide a list of mobile wireless broadband service providers that overlap the footprint of the proposed project. If known, provide an estimate of the customers within the proposed footprint that are served by competing mobile wireless broadband service providers, and the download/upload speeds offered by those competing service providers. (The presence of existing mobile wireless providers does not contribute to or affect the evaluation of existing broadband service in the project area for purposes of priority consideration, but provides a more complete picture of the broadband options available to residents.)
- d. **Project impact.** A description of the geographic area and the population, both in terms of absolute numbers and likely users, which will be served by the proposed project. Indicate the number of anticipated residential and business customers in the project area, if known.
- e. **Scalability.** A description of how the proposed project could expand or improve the broadband service it delivers, while maintaining the quality of its broadband service. This description should include specific projected increases in the following parameters that are known at the time of the application:

- The number of users.
- The number of network nodes.
- The number of services provided.
- The geographic area served by the project.

This description may also include a discussion of possible growth potential that is outside the commitment the applicant is making as part of its application.

- f. **Economic development.** A description of how the proposed project will promote job growth or retention, expand the property tax base or improve the overall economic vitality of the municipality or region. This description may be supplemented with a letter from one or more persons discussing the potential economic impact the project could have for that individual or business.
- g. **Affect upon broadband service to adjacent areas.** A description of whether the proposed project will or will not impair the ability of a broadband service provider or competing broadband service provider to extend broadband service to areas adjacent to the proposed project area.

3.2.1.5 Other information supporting the application

An applicant may include additional information in the application to draw attention to aspects of the proposed project that serve the public interest in other ways than those identified with the priority factors above. Some examples of relevant additional information include:

- a. A description of applicant’s history or experience constructing broadband communications facilities in the state and elsewhere.
- b. A description of how the proposed project will or will not duplicate existing broadband infrastructure.
- c. A description of how the proposed project will affect the ability of individuals to access health care service from home, including any impact upon the costs of those services.
- d. A description of how the proposed project will affect the ability of students to access educational opportunities from home.
- e. A description of actions taken by a city, village, town, or county in support of the grant application, including but not limited to:
 - The contribution of funds, easements or permissions to use publically-owned real estate, construction materials, or other items of value to the grant project.
 - The contribution of in-kind assistance to the grant project in the form of waived fees and expenses for obtaining use permits and permissions.
 - The contribution of other items of benefit to the grant project, such as public outreach and education.
 - Certification as a Broadband Forward! Community.
- f. Any other equitable factor that the applicant desires to include.

4.0 APPLICATION SELECTION AND AWARD PROCESS

4.1 Public comment period

The Commission will provide a public comment period so that interested persons may review the grant applications that have been submitted and file written comments concerning the relative merits of the applications under review.

The Commission will only accept public comments. Criticism of applications based upon confidential and other non-public service data will not be given weight in the evaluation process.

Any communication with the Program Manager or other member of the Commission staff by letter or e-mail message during the public comment period or during the evaluation period prior to the open meeting decision for the purpose of informing or influencing the commission decision will be treated as a public comment and posted on ERF.

The deadline for submitting public comment is **August 7, 2018**.

4.2 Supplemental information

An applicant may request that the Commission accept supplemental information relating to an application that was otherwise timely filed. The Commission may also request that an applicant submit supplemental or clarifying information, consistent with the application requirements. If accepted and received, supplemental information will be incorporated into the application and evaluated by the Commission using the criteria set forth in Section 4.5 to determine which applications should receive a grant award.

4.3 Evaluation for eligibility

Applications will be reviewed by an evaluation committee for eligibility. An applicant must submit information in its response that demonstrates that it meets the eligibility requirements in Section 3.2.1.1.c. Commission staff will prepare a summary briefing memorandum for the Commission's consideration, and will identify in that briefing memo any application that the evaluation committee or staff do not believe meets the eligibility criteria set forth in Wis. Stat. § 196.504(1).

4.4 Evaluation for merit

Applications will also be reviewed by the evaluation committee on the basis of merit and ranked using the criteria stated in Section 4.5. The applications, public comments, the evaluation committee's merit ranking, and the staff briefing memorandum will then be forwarded to the Commission for final decision.

An applicant may not contact any member of the evaluation committee without the express approval of the grant administrator (Kristy Nieto).

4.5 Evaluation criteria

- 4.5.1 Applications will be evaluated using the applicant's response to the topics and questions in Section 3.2 that are marked in bold font.
- 4.5.2 An applicant must include information in its response that demonstrates and verifies it meets the requirements in 3.2.1.3.b and d.
- 4.5.3 An applicant must submit a response to each provision of Sections 3.2.1.1 through 3.2.1.5. The information provided in response to these sections will be used by the evaluation committee and the Commission to determine the relative merit of each application.
- 4.5.4 After review pursuant to Section 4.3, the committee shall evaluate and rank the applications based upon the following factors:

- a. Matching funds. An application will receive higher priority based on the amount and type of matching funds the applicant proposes to invest in its project.
- b. Public-private partnerships. An application that includes a city, village, town, or county as a participating partner, in partnership with a telecommunication provider or other private organization, shall receive priority.
- c. Existing broadband service. An application proposing to serve an unserved area shall receive priority. The application of a wireless broadband service provider proposing significant overlap with existing broadband service in addition to service to an unserved area is not entitled to priority under this subsection.
- d. Project impact. An application that proposes to serve a larger geographic area or a larger number of customers or communities in an area shall receive higher priority than one that serves a comparatively smaller geographic area or a fewer number of potential customers or communities in an area.
- e. Scalability. An application that demonstrates a commitment to increase the size or scope of its broadband network in the future shall receive priority. An application that discusses possible growth potential, but declines to make a specific commitment regarding future growth of the broadband network, shall receive a lesser priority.
- f. Economic development. An application that demonstrates the potential to promote job growth or retention, expand the property tax base or improve the overall economic vitality of the municipality or region shall receive priority.
- g. Affect upon broadband service to adjacent areas. An application that would impair the ability of a broadband service provider or competing broadband service provider to extend broadband service to areas adjacent to the proposed project shall receive a reduction in priority.

4.5.5 In addition to the above factors, the evaluation committee may give weight to the following additional criteria:

- a. The total number of persons served by a given application when compared to applications of equal priority.
- b. The degree to which the proposed project will duplicate existing broadband infrastructure.
- c. The degree to which the proposed project will enhance the ability of individuals to access health care service from home.
- d. The degree to which the proposed project will enhance the ability of students to access educational opportunities from home.
- e. The download and upload transmission speeds the application proposes to provide.
- f. Any one or more of the factors in Wis. Stat. § 196.03(6) that the applicant believes its project would specifically and materially advance for benefit of the public interest with respect to communications facilities. However, applicant should note that the Commission has not made any determination that the criteria in Wis. Stat. § 196.03(6) respecting telecommunications services and facilities are specifically or necessarily applicable to grants for broadband facilities under Wis. Stat. § 196.504.

4.6 Right to reject applications and negotiate grant terms

The Commission reserves the right to reject any application as filed, and negotiate the terms of the grant award, including the award amount, with the selected applicant prior to offering the

grant. If negotiations cannot be concluded successfully with an applicant, as determined solely by the Commission, the Commission may withdraw its award offer.

4.7 Notification of award decision

All entities and organizations that submit a grant application will be notified in writing of the Commission's decision whether to award the grant as a result of this process. See Section 5.1.

4.8 No appeal process

Wisconsin Statute § 196.504 does not specify an appeal process. However, the applicant may have other general remedies under other provisions of Wis. Stat. chs. 196 and 227 if the applicant believes it is aggrieved by any final award determination. This provision is for information purposes only and is not a determination by the Commission that the applicant has any protest or appeal rights with respect to the Commission's decision in this grant cycle.

5.0 GRANT AWARD AND TERMS AND CONDITIONS

5.1 Order awarding grants

The Commission will determine in writing which applicants will receive a Broadband Expansion Grant in the current grant cycle by issuing an Order awarding grants in the appropriate proceeding. The Order will also specify certain terms and conditions that the Commission finds appropriate and necessary for the administration of the approved grant projects. The Order will require that each approved grant applicant inform the Commission whether it accepts the grant award as ordered, including the amount of the grant award and the terms and conditions ordered by the Commission. The grant award is not final until the Commission issues its Order and the applicant accepts the award as ordered.

5.1.1 The Order awarding grants and the applicant's acceptance will constitute Grant Award Agreement will constitute the entire agreement of the state and the applicant and will supersede any representations, commitments, conditions, or agreements made orally or in writing prior to the issuance of the Order.

5.1.2 The Commission reserves the right to incorporate standard State contract provisions into any Grant Award Agreement negotiated with any individual or organization submitting a response to this application, insofar as consistent with terms and purpose of Wis. Stat. § 196.504. See the forms setting forth state contract provisions, Standard Terms and Conditions (DOA-3054) and Supplemental Standard Terms and Conditions for Procurements for Services (DOA 3681)(both documents are available on ERF under docket 5-BF-2019). Failure of the successful grantee to accept these obligations in a contractual agreement may result in cancellation of the award.

5.1.3 Failure of a grantee to comply with the Commission's order, including any terms and conditions specified or incorporated in the order, may result in cancellation of the award.

5.2 Termination of grant award

The agency may terminate a grant award, at any time at its sole discretion by delivering ten (10) days written notice to the applicant/grant award recipient. Upon termination, the agency's liability will be limited to the pro rata cost of the services performed as of the date of termination plus expenses incurred with the prior written approval of the agency. In the event that the applicant terminates the grant award, for any reason whatsoever, it will refund to the agency within 30 days of said termination, all payments made hereunder by the agency to the applicant

for work not completed or not accepted by the agency. Such termination will require written notice to that effect that is delivered by the applicant to the agency not less than ten (10) days prior to said termination.

DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFORMATION

The attached material submitted as an application to the Broadband Expansion Grant includes proprietary and confidential information which qualifies as a trade secret, as provided in s. 19.36(5), Wis. Stats., or is otherwise material that can be kept confidential under the Wisconsin Open Records Law. As such, we ask that certain pages, as indicated below, of this application be treated as confidential material and not be released without our written approval.

Prices always become public information when bids/proposals/applications are opened, and therefore cannot be kept confidential.

Other information cannot be kept confidential unless it is a trade secret. Trade secret is defined in s. 134.90(1)(c), Wis. Stats. as follows: "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique or process to which all of the following apply:

1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

We request that the following pages not be released. Please state the reasons.

Section	Page #	Topic

IN THE EVENT THE DESIGNATION OF CONFIDENTIALITY OF THIS INFORMATION IS CHALLENGED, THE UNDERSIGNED HEREBY AGREES TO PROVIDE LEGAL COUNSEL OR OTHER NECESSARY ASSISTANCE TO DEFEND THE DESIGNATION OF CONFIDENTIALITY AND AGREES TO HOLD THE STATE HARMLESS FOR ANY COSTS OR DAMAGES ARISING OUT OF THE STATE'S AGREEING TO WITHHOLD THE MATERIALS.

Failure to include this form in the bid/proposal/application response may mean that all information provided as part of the bid/proposal/application response will be open to examination and copying. The state considers other markings of confidential in the bid/proposal/application document to be insufficient. The undersigned agrees to hold the state harmless for any damages arising out of the release of any materials unless they are specifically identified above.

Company Name _____

Authorized Representative _____
Signature

Authorized Representative _____
Type or Print

Date _____

This document can be made available in accessible formats to qualified individuals with disabilities