

Memorandum of Understanding
Between the
California High-Speed Rail Authority
And the
Corporation for Education Network Initiatives in California

Purpose

This Memorandum of Understanding (MOU) is entered into between the California High-Speed Rail Authority (Authority") and the Corporation for Education Network Initiatives in California ("CENIC"). The Authority and CENIC will be collectively known as "Parties."

The Parties wish to enter into a strategic relationship in order to foster initiatives that expand the availability and accessibility of high capacity (Gigabit and beyond) broadband to communities and institutions served by the Authority and CENIC.

The project presents a unique opportunity to create the most extensive, scalable, high-capacity broadband infrastructure in the world, an infrastructure that will advance economic development and public benefit, while generating ancillary revenue for the high-speed rail program

The goal of this strategic relationship is to create a scalable, high-capacity, high-performance, secure, and cost-effective broadband network in a way that uses both CENIC's and the Authority's infrastructures, as well as other public and private sector networks, ensuring California maintains and expands a competitive, global economic advantage.

Background

The Authority is responsible for planning, designing, building, and operating the first high-speed rail system in the nation. California high-speed rail will connect the mega-regions of the state, contribute to economic development and a cleaner environment, and create jobs.

By 2029, the system will run from San Francisco to the Los Angeles basin in under three hours, capable of reaching speeds over 200 miles per hour. The system will eventually extend to Sacramento and San Diego, totaling 800 miles with up to 24 stations. In addition, the High-Speed Rail Authority is working with regional partners to implement a statewide rail modernization plan that will invest billions of dollars in local and regional rail lines to improve existing services while preparing for the full build out of the high-speed rail system.

Just as the creation of the high-speed rail system connects the mega-regions of the state with a world-class transportation infrastructure and related economic opportunities so, too, will it provide an exceptional platform for establishing a high-capacity (Gigabit and beyond) telecommunications network

infrastructure required by private and public sector institutions for the 21st Century. For many communities this ultra-fast broadband infrastructure will be as transformative as the accompanying high-speed rail services, and both will create jobs, new opportunities, and increased economic prosperity the state.

In 1996, visionary leadership within California's research and education institutions came together to form CENIC, a non-profit organization providing the world-class broadband network CalREN (the California Research and Education Network), essential for teaching and research, innovation, collaboration, and economic growth statewide. CENIC is a world leader in designing and operating a cost-effective, high-bandwidth networking capacity and connectivity to support research and education conducted by its members: the University of California System, the California State University System, California Community Colleges, Stanford, Caltech, USC, and California's public K-12 schools and libraries, along with affiliated educational, governmental, medical research, and cultural institutions throughout the state. CENIC serves shared long-term public goals of technological innovation, democratic vitality, and opportunity for the next generation. CENIC has the unique capacity to bring together California's public sector institutions or organizations, in collaboration with nearly a thousand private sector businesses operating in California, to provide its leading-edge research and education network.

CENIC connects the state's research and education institutions with peers around the world, with an estimated 20 million Californians using CENIC's services. CENIC is part of a global ecology of research and education, government, and commercial networks, and manages a vast portfolio of integrated networks on behalf of its members and associates, delivering quality, efficiency, and value for all.

As a part of the railway corridor, the Authority and CENIC will create an ultra-fast broadband network, connecting it to CENIC's statewide research and education network, as well as to other public and private sector broadband networks, ensuring that California maintains and expands its competitive, global economic advantage. This network will be interconnected to all third party networks that Authority and CENIC's new network will touch and thereby be capable of reaching all of California.

The new network will provide needed connectivity along the First Construction Segment (FCS) in the Central Valley, assisting state and local government agencies to deliver needed support and broadband services to underserved communities in the Central Valley. According to recent Field Research Corporation Poll, conducted for the California Emerging Technology Fund, the lowest income, least educated, and most rural Californians are living without this essential tool to access the educational, employment, healthcare, and civic engagement opportunities that lead to greater economic opportunities and to a better quality of life. This investment in broadband connectivity will provide access to these much-needed resources for all Californians.

Our state has long been a leader in innovation and scientific breakthrough. As the 6th largest economy in the world, connectivity is the currency of growth and opportunity. California's leaders are dedicated to solving the most pressing issues confronting the globe. In every realm of public and private life, ultra-high bandwidth speed and capacity is a necessity.

This strategic undertaking of the Authority and CENIC is critical to California's continued advancement in all realms of innovation. Our future relies on the engagement of all Californians in the digital economy and this project will provide them with the necessary infrastructure that positions California for a prosperous future.

Scope of MOU Activities

The California High-Speed Rail Authority and CENIC agree that to achieve the objectives above, they will work together to develop a strategic plan that will include

1. Planning and Principles
2. Topology and Design
3. Access and Security
4. Interconnection Policies
5. Business Practices
6. Network Management
7. Funding and Finance
8. Timelines for Development and Implementation
9. Ownership and Governance

To achieve the goals of effectively serving broad California constituencies additional parties will be needed and welcomed – parties from the private, public, and governmental sectors.

Working Group

The Authority and CENIC agree that to achieve the objectives above, they will work together to develop a strategic plan that will include all aspects of network design, deployment, economics, operation and management. Furthermore, to achieve the goals of effectively serving broad California constituencies, the Authority and CENIC will engage parties from private, public, and governmental sectors in the planning process.

Relationship of the Parties

The Parties will constitute a collaborative working relationship, between a state agency and a 501(c)3 organization, which brings together synergistic expertise and engineering opportunities to create two world class integrated infrastructures – transportation and telecommunications.

Each Party is engaged in a business, which is independent from that of the other Party, and nothing contained herein shall be construed to imply a partnership, joint venture, principal and agent, or employer and employee relationship between the Parties.

It is the intention of the Parties to work exclusively with one another to achieve the objectives outlined above.

Non-Binding MOU

The Authority and CENIC agree that this MOU is non-binding. Either Party may terminate this agreement at its discretion at any time by written notification. By signing below, neither Party undertakes any legally binding obligation to each other or to any third party.

For the High-Speed Rail Authority

For CENIC



Name: Jeff Morales

Name: Louis Fox

Title: Chief Executive Officer

Title: President & CEO

Date:

Date: