



A Season of Change

As we transition to autumn weather, we are also seeing changes in the leadership for the School Facility Program (SFP). Two members of the State Allocation Board (SAB), Assembly Members Joan Buchanan and Curt Hagman, will be leaving the State Assembly at the end of November 2014. In addition, Mr. Juan Mireles, Deputy Executive Officer of the Office of Public School Construction (OPSC), has transferred to a new position at the Department of Finance. I am personally grateful to each of them for their commitment and hard work on behalf of California's school children.



Lisa Silverman
Executive Officer

Assembly Member Buchanan began serving as a member of the SAB in January 2010. During her tenure, she assisted the SAB in apportioning over \$6.6 billion for the School Facility Program, and served as the SAB Vice Chair since January 2013. She also served on several SAB subcommittees, and chaired the School Facility Program Review subcommittee.

Ms. Buchanan displayed a high degree of expertise and concern for the best interests of school districts, and her experience as a former school board member

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Governor, State of California

MARYBEL BATJER
Secretary, Government Operations Agency

ESTEBAN ALMANZA
Acting Director, Department of General Services



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A Season of Change, continued...

provided her with a strong understanding of complex and sensitive issues that districts face.

Assembly Member Hagman joined the SAB in January 2011. He assisted the SAB in apportioning over \$3.6 billion for the School Facility Program, and served on several SAB subcommittees, including the Rules and Procedures and School Facility Program Review subcommittees. His participation helped promote transparency in SAB processes.

Mr. Hagman demonstrated a strong sense of fairness and integrity as an SAB member. In addition to his commitment to school children, he showed a strong commitment to taxpayers and bond accountability.

Juan Mireles joined OPSC in 1998 as an office assistant in the Mail/File Room. Over the next 16 years, Mr. Mireles gained expertise in the School Facility Program as a project manager, supervisor, policy manager, section chief, and finally as the Deputy Executive Officer. Mr. Mireles worked cooperatively and effectively with school districts, SAB members, and our customers to make a positive impact on the educational environment for school children of California.

Mr. Mireles displayed loyalty and service to California's school districts, as well as the staff of the OPSC.

We are indebted to Assembly Member Buchanan, Assembly Member Hagman, and Mr. Juan Mireles for their years of leadership, expertise, and commitment. I personally extend my sincere thanks and best wishes to each of them.

Please send comments and suggestions for future editions of *Building Blocks* to opscnews@dgs.ca.gov.

Lisa Silverman, Executive Officer

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Charter School Facilities Program 2014 Funding Round - \$89.9 Million Awarded!

By Erin Cunneen

At its November 2014 meeting, the State Allocation Board (SAB) provided unfunded Preliminary Charter School Apportionments (PCSAs) totaling \$89.9 million dollars to the successful applicants of the Charter School Facilities Program (CSFP) funding round.

This was the latest funding round for the CSFP, which was created in 2002 with the passage of Assembly Bill 14. The SAB approved the creation of the round at its November 2013 meeting. Applications were accepted from April 1, 2014 through May 30, 2014. The Office of Public School Construction received a total of 59 eligible applications totaling \$656.5 million for consideration. Because the value of the eligible applications exceeded the \$89.9 million available for providing preliminary apportionments, a preference points system and funding matrix were used, as provided for in law. Information on how preference points are assigned and how projects are ranked can be found in the [Preference Points and Funding Matrix Guidelines](#), located on the [Charter School Facilities Program Web page](#).

The SAB provided unfunded PCSAs to the applicants in the order they appeared on the funding matrix until the \$89.9 million in bond authority was exhausted. Three projects, comprised of four applications, were completely funded and one project was partially funded before the bond authority ran out.

The funding matrix presented at the meeting will remain active for eight months. If bond authority returns to the CSFP during the eight-month period, it will be used to continue funding projects submitted during the filing round. Once the eight months have expired, any unfunded projects will be returned to the applicants and the filing round will be closed.

PCSAs are reservations of bond authority that can be used for the new construction of charter school facilities or the rehabilitation of existing school district facilities for charter school use. The PCSA must be converted within a four-year period to an adjusted grant apportionment meeting all the School

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Charter School Facilities Program 2014 Funding Round Results, continued...

Facilities Program criteria, unless a single one-year extension is granted. The deadline for the PCSAs awarded at the November 2014 meeting to convert will be November 25, 2018.

Additional information, including a checklist of all the items necessary to convert a PCSA to an adjusted grant apportionment, can be found on the [Charter School Facilities Program](#) page on the OPSC website.

If you have any questions, please contact the following staff for assistance:

- Jason Casillas, Project Manager, at jason.casillas@dgs.ca.gov, or 916-375-4229
- Erin Cunneen, Project Manager, at erin.cunneen@dgs.ca.gov, or 916-375-4741
- Janna Shaffer, Supervisor, at janna.shaffer@dgs.ca.gov, or 916-376-1822

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Emergency Repair Program

By Adrian Felseghi

The Emergency Repair Program (ERP) is a grant/reimbursement program that provides funding to Local Educational Agencies (LEAs) for the cost of repairing or replacing existing building systems or structural components that are broken or not functioning properly, and which pose a health and safety threat to students and staff at eligible school sites. As of October 16, 2014, the State Allocation Board (SAB) had apportioned \$526.9 million for funded projects and approved \$271 million for unfunded projects.

The Office of Public School Construction (OPSC) received \$188.5 million through the 2014-15 State Budget process to fund some of the ERP projects on the ERP Unfunded List. The OPSC has presented eligible projects to the SAB for an apportionment at the August and October 2014 SAB meetings.

Pursuant to ERP Regulations, cash proceeds will be distributed to school districts having applications on the ERP Unfunded List for the amount already approved by the SAB in the order of OPSC date received, with grant requests to be funded first and grant adjustments to be funded second. The ERP fund release is automatic and does not require the submittal of the [Fund Release Authorization](#) (Form SAB 50-05); OPSC requested the State Controller’s Office (SCO) to release funds to all school districts receiving an SAB apportionment. The SCO releases funding to school districts based on their workload (typically 4-5 weeks).

As a reminder for the LEAs receiving funding, if the funded application is a reimbursement, the *Expenditure Report* (Form SAB 61-04) has already been submitted and no further action is needed. If the funded application is a grant, the LEA has 15 months from the date of SAB apportionment (or 21 months if approval is required from the Division of the State Architect on any of the projects) to complete the project and submit the [ERP Expenditure Report](#).

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Emergency Repair Program, continued...

A copy of the funded and unfunded ERP applications list, as well as additional information about the program, is located on the [ERP Web page](#). The OPSC has also created a list of [Frequently Asked Questions regarding the ERP funding provided by the 2014-15 State Budget](#).

If you have any questions, please contact the following staff for assistance:

- Adrian Felseghi, Project Manager, at adrian.felseghi@dgs.ca.gov or 916-375-5987
- Theodore Rapozo, Operations Manager, at tj.rapozo@dgs.ca.gov or 916-376-5187

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Improving Results for the Seismic Mitigation Program

By Tasha Brennan

At the June 2014 State Allocation Board (SAB) meeting the Office of Public School Construction (OPSC) presented a status update on the Seismic Mitigation Program (SMP). As a result of the report, the SAB requested the Implementation Committee to reconvene to evaluate the process and discuss the reasons why districts are not progressing with projects after obtaining Division of the State Architect (DSA) eligibility approval. The SAB's direction intended to seek input from stakeholders as to why this might be occurring.

The Implementation Committee met on August 7, 2014, to discuss methods to increase participation in the SMP. The committee and represented school districts made several recommendations, including the following:

- OPSC and DSA will work together to examine whether there is any overlap or duplication of work occurring in the cost estimate and plan review process. District representatives suggested that ideally only one agency should be reviewing the work contained in the plans and corresponding cost estimate.
- Create a reservation of funds at the conceptual approval stage. A conceptual approval allows a school district and its stakeholders to receive acknowledgement from the SAB that the project meets program requirements and is eligible to apply for funding, assuming bond authority is available and all other application requirements have been completed. District representatives indicated that conceptual approval from the SAB is helpful when determining whether to spend additional time and funds designing and finalizing the construction plans, and that adding a reservation of funds to the conceptual approval would give added assurance that the funds would be available for the project after the design and plan approval process is complete.
- Provide additional grant funding for the cost to prepare engineer reports that are required as part of an SMP application package.

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Improving Results for the Seismic Mitigation Program, continued...

- Consider the possibility of allowing partial seismic upgrades.
- Give SMP projects priority review at DSA to expedite the plan approvals.

OPSC presented the discussion points at the October SAB meeting. The SAB accepted the report, and asked staff to come back with a follow-up report at the January 2015 SAB meeting. The SAB asked staff to conduct a more in-depth analysis of the options in the item and to evaluate what steps would be needed to implement the proposed changes.

To stay apprised of any changes in the SMP process, visit the following OPSC Web pages:

- [OPSC home page](#) – refer to the Meeting Information box for information about upcoming SAB meetings, as well as any future Implementation Committee meetings.
- [Seismic Mitigation Program Web page](#) – for general information on the Seismic Mitigation Program, and for [SMP Frequently Asked Questions](#).

For more information, please contact:

- Tasha Brennan, SMP Supervisor, at tasha.brennan@dgs.ca.gov or 916-375-4138

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Prevailing Wage Monitoring Grant

By Travis Williams

At the October 16, 2014 State Allocation Board (SAB) meeting, the SAB approved regulatory amendments to remove the additional prevailing wage monitoring (PWM) grant for projects with a public works contract awarded on or after June 20, 2014, due to changes in the Labor Code (LC).

Senate Bill (SB) 854, Chapter 28, Statutes of 2014, was signed into law on June 20, 2014. The new law repealed LC Section 1771.3, which required school districts to provide payment to the Department of Industrial Relations (DIR) for PWM. As a result, school districts awarding a construction contract on or after June 20, 2014, are not mandated to provide payment for DIR monitoring and enforcement of prevailing wage requirements. Under the new law, contractors and subcontractors must register with DIR and pay registration fees to be listed in a bid proposal or engage in the performance of any public works project. These fees will be used to cover the cost of DIR monitoring and enforcement of prevailing wage requirements.

SB 854 still requires DIR to monitor and enforce prevailing wage compliance. The statute only changes the manner in which DIR monitoring and enforcement is funded.

Under the new statute, LC Section 1773.3, school districts are still required to notify DIR within five days of the award of any public works contract, regardless of whether or not the school district is seeking state funding for the project. The only exceptions to the new requirements are small projects in which the awarding body has enforced an approved Labor Compliance Program pursuant to LC Section 1771.5, and projects where the awarding body has entered into a collective bargaining agreement binding contractors and providing a mechanism for resolving disputes.

Once the regulations implementing SB 854 changes take effect, school districts will no longer be required to submit a copy of the DIR form PWC-100 and a DIR confirmation email upon submittal of the PWC-100 as part of the Fund Release Authorization (Form SAB 50-05) submittal package. The PWC-100 is an online form used to notify DIR that a public works contract has been awarded and to provide specific details about the project.

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Prevailing Wage Monitoring Grant, continued...

School districts will continue to adhere to the statutory requirements that were in effect at the time of the contract award. Therefore, districts seeking funding for which construction contracts were awarded on January 1, 2012 through June 19, 2014, may be required to provide documentation to support compliance with the applicable LC at the time.

Once the proposed regulations become effective, staff will bring an item to a future SAB meeting to amend existing unfunded approvals. Projects on the Unfunded List (Lack of AB 55 Loans) and Unfunded List (Lack of Authority) that received the PWM grant and awarded a construction contract(s) on or after June 20, 2014 will have the PWM grant removed.

Additional information concerning prevailing wage monitoring and enforcement can be found on the [DIR Public Works Division website](#).

Workshops Held on New Department of Industrial Relations' Requirements

In August and September 2014, the Office of Public School Construction (OPSC) representatives participated in workshops on new labor compliance requirements due to creation of the Public Works Contractor Registration Program within the Department of Industrial Relations (DIR).

At the workshops, held in Sacramento, Ontario, and Bakersfield, OPSC managers presented information on how the new DIR requirements will impact the processing of school construction projects under the School Facility Program (SFP). The OPSC presentation is available on the OPSC website on the [Presentations Web page](#). If you have any questions about how the new requirements impact SFP funding, please contact your [OPSC project manager](#).

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Priority Funding Process Extended to Three Additional Programs

By John Gouveia and Valerie Castro

Earlier this year the State Allocation Board (SAB) approved amendments to School Facility Program Regulation Section 1859.90.3 that extended the Priority Funding (PF) process to the Overcrowding Relief Grant (ORG) program, Career Technical Educational Facilities Program (CTEFP) and Charter School Facilities Program (CSFP).

The SAB approved the regulatory amendments on a non-emergency basis to provide affected applicants adequate time to prepare for their first PF filing round. The amended regulations went into effect on October 1, 2014. The first applicable PF filing period began on November 12, 2014. The second PF filing period will begin on May 13, 2015.

Two occurrences of nonparticipation in these filing periods could result in a rescission by June 2015 as shown in the chart below.

Two Occurrences of Nonparticipation in a Filing Round: Non-Emergency Timeline

OAL REGULATION EFFECTIVE DATE	FIRST PRIORITY FUNDING FILING PERIOD	SECOND PRIORITY FUNDING FILING PERIOD	RESCISSION
October 1, 2014	NO November 12, 2014	NO May 13, 2015	June 11, 2015

If the applicant does not participate in the first filing round, participates in the second filing round and receives an apportionment in December 2015, but does not submit a Fund Release request within 90 days, a possible rescission would occur in March 2016 as shown in the chart below.

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Priority Funding Process Extended to Three Other Programs, continued...

One Occurrence of Nonparticipation + One Occurrence of No Submittal of a Valid Fund Release

OAL REGULATION EFFECTIVE DATE	FIRST PRIORITY FUNDING FILING PERIOD	SECOND PRIORITY FUNDING FILING PERIOD	APPORTIONMENT GRANTED	VALID FUND RELEASE NOT RECEIVED RESCISSION
October 1, 2014	NO November 12, 2014	YES May 13, 2015	YES December 2015	March 2016

Special Consideration for CTEFP

Applying the PF regulations to the CTEFP required additional considerations by the SAB. The PF regulations only apply to CTEFP projects that have a "reservation of funds" as described in SFP Regulation Section 1859.193(d). Under existing regulations, CTEFP applications can be approved without having California Department of Education (CDE) and Division of the State Architect (DSA) approved plans and specifications. After an apportionment is approved, the applicant has up to 12 months to submit these documents to the Office of Public School Construction (OPSC). When the required approvals are submitted, the applicant is eligible for a fund release.

The amendments approved by the SAB maintain the 12-month period, enabling applicants time to acquire CDE and DSA approvals; however, the 12-month period would begin on the date of apportionment. Receipt of the CDE- and DSA-approved plans and specifications would trigger the 90-day period for the applicant to meet the requirements of a PF apportionment fund release.

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Priority Funding Process Extended to Three Other Programs, continued...

The chart below illustrates the new process that applies to CTEFP projects as of October 1, 2014.



Eighth Priority Funding Request Period

- Filing period began: November 12, 2014
- Filing period ends: December 11, 2014
- Requests valid: January 1, 2015 through June 30, 2015

For more information, please see the [Priority Funding Information](#) section on the OPSC website, or contact your [OPSC project manager](#).

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Did You Know?

Newly Updated State-Funded Public School Construction Website

Recently, the Office of Public School Construction, the Division of the State Architect, and the California Department of Education came together to create a one-stop Web portal that would facilitate districts obtaining information on state-funded projects. The Web portal provides a high level overview and flowchart of the process for a state-funded public school project, as well as links to pertinent areas of each agency’s website where information is maintained.

The Internet address of the new joint agency website is:
<http://www.calschoolconstruction.dgs.ca.gov>.

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All photos courtesy of Glendale Unified School District

School of the Month: Mark Keppel Elementary School

Glendale Unified School District, Los Angeles County

Mark Keppel Elementary is a visual and performing arts magnet school that reflects the creative spirit of the Glendale community it serves. As part of its modernization plan, the Glendale Unified School District (GUSD) received a \$4.3 million Overcrowding Relief Grant from the State Allocation Board to remove 13 very old portable classrooms, some dating from the 1960s. The GUSD worked with PSWC Group Architects, Neff Construction, and American Modular Systems to design, build, and install a two-story classroom wing that integrates academics and the arts in an energy-efficient environment. The modular building, with an elevator, cultivates creativity with 14 classrooms that provide flex-space for dance, theatre, music and visual arts, as well as a teacher workroom, custodial room, and handicap-accessible restrooms. A separate Gen7 building features a dedicated art lab including a kiln room with special ventilation to ensure superior indoor air quality.

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School of the Month, continued...

These buildings combine smart design with affordable energy-efficient upgrades. Tubular skylights and oversized south and east facing windows maximize daylighting, while louvered aluminum sunshades and programmable thermostats optimize climate control for comfortable learning. A PVC cool roof, high efficiency gas heating, ventilation, and air conditioning systems, R-19 insulation, and exterior light timers reduce energy costs. Eco-friendly restrooms are equipped with low-flow toilets and Xlerator® hand-dryers that use 80 percent less electricity. Custom-tinted stucco, cantilevered balconies and a decorative metal fascia and railing system create a distinctive façade in harmony with the school's artistic roots.



"The State Allocation Board and the Office of Public School Construction are dedicated partners with the Glendale Unified School District and Glendale Community as we work together to improve the educational environment for all our students."

Mr. Greg Krikorian
 President, Board of Education
 Glendale Unified School District

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School of the Month, continued...



"The entire Keppel community is so grateful for our beautiful new facilities. The bright, high-tech learning environment allows our students to thrive as creative vibrant learners."

Lise Sondergaard
Principal, Mark Keppel Elementary School
Glendale Unified School District

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Bond Proceeds Released

The Office of Public School Construction has processed the following fund releases from 2009–2014 bond sales, as of October 31, 2014:

November 2009 Bond Sale and December 2009 Commercial Paper:

Total funds released: \$111.3 million of \$111.4 million — 99 percent
Total projects: 39 projects have received funds

March 2010 Bond Sale:

Total funds released: \$1,351.2 million of \$1,351.3 million — 99 percent
Total projects: 298 projects have received funds

November 2010 Bond Sale:

Total funds released: \$1,471.4 million of \$1,483.1 million — 99 percent
Total projects: 541 projects have received funds

October 2011 Bond Sale:

Total funds released: \$994.4 million of \$1,003.5 million — 99 percent
Total projects: 518 projects have received funds

March 2013 Bond Sale:

Total funds released: \$499.0 million of \$500.0 million — 99 percent
Total projects: 182 projects have received funds

October 2013 Commercial Paper:

Total funds released: \$238.3 million of \$253.0 million — 94 percent
Total projects: 111 projects have received funds

March 2014 Bond Sale and Commercial Paper:

Total funds released: \$304.9 million of \$331.3 million — 95 percent
Total projects: 96 projects have received funds

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Bond Proceeds Released, continued...

August 2014 Commercial Paper:

Total funds released: \$7.0 million of \$7.0 million — 100 percent
Total projects: 2 projects have received funds

September 2014 Bond Sale:

Total funds released: \$0 million of \$43.3 million — 0 percent
Total projects: 0 projects have received funds

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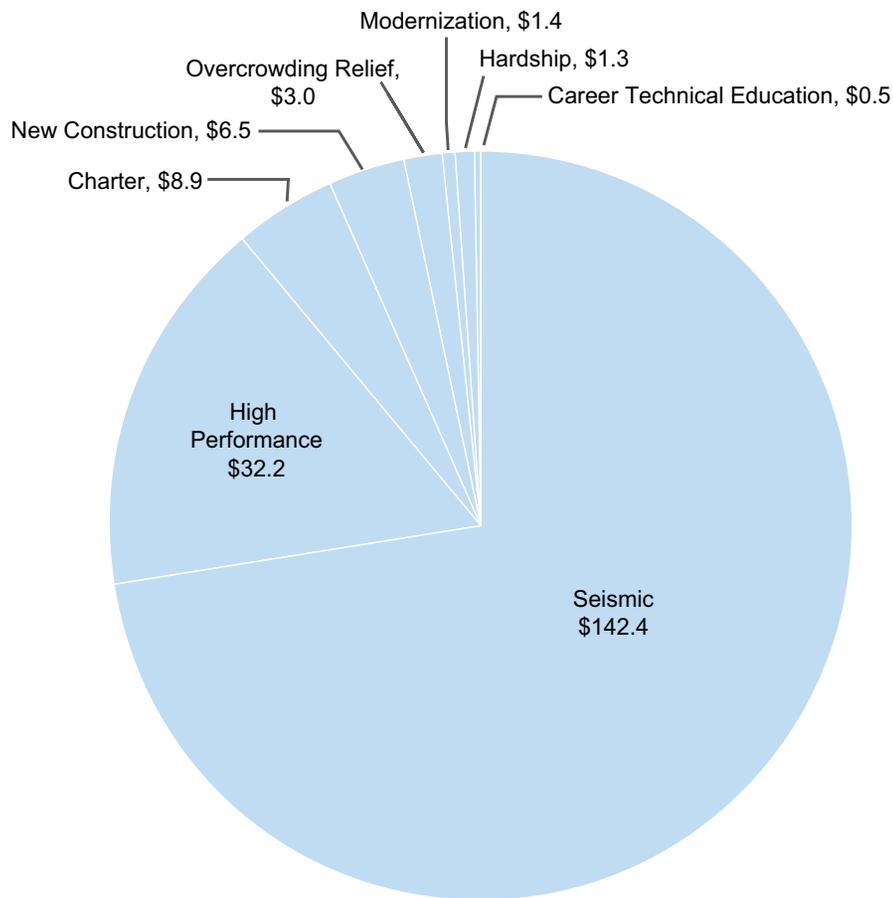
*Assistant Executive Officer
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Remaining Bond Authority

\$196.2 million as of November 25, 2014
(by program, in millions)



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Regulatory Update

School Facility Program (SFP) Regulatory Amendments: Construction Cost Publication

- Amends the title of the construction cost publication that is currently used for calculating certain grants in the SFP.
- Amends SFP Regulation Sections 1859.73.2, 1859.76, 1859.78.7, and 1859.82.
- 45-day public comment period ended September 15, 2014.
- Office of Administrative Law (OAL) approval: November 20, 2014.
- Effective Date: January 1, 2015.

Charter School Facilities Program Rehabilitation Supplemental Grants

- Aligns Charter School Facilities Program Rehabilitation supplemental grants with Education Code requirements (50/50 cost share rather than 60/40 cost share).
- Amends various Regulation Sections (22).
- Amends the [Application for Funding](#) (Form SAB 50-04), and [Application for Charter School Preliminary Apportionment](#) (Form SAB 50-09).
- Adopts SFP Regulation Sections 1859.167.1, 1859.167.2, and 1859.167.3.
- 45-day public comment period ended October 13, 2014.
- Submitted to OAL on November 3, 2014.

Implementation of Assembly Bill 308 Proposed Regulations*

- Implements the return of monies from the SFP following the sale of a school site.
- Amends Regulation Section 1700.*
- Adopts Regulation Sections 1701, 1702, and Form SAB 308.*
- 45-day public comment period ended November 17, 2014.

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Regulatory Update, continued...

General Site Development One-Year Extension

- Extends for one-year (until January 1, 2016) the additional grant for General Site Development.
- Amends SFP Regulation Section 1859.76.
- 45-day public comment period ends December 8, 2014.

Charter School Facilities Program New Construction Supplemental Grant (General Site Development)

- Provides consistency when calculating the General Site Development grant for preliminary apportionments.
- Amends SFP Regulation Section 1859.163.1.
- Currently in the administrative review process.

Implementation of Senate Bill 854 Proposed Regulations

- Eliminates the additional prevailing wage monitoring grant for projects with a public works contract awarded on or after June 20, 2014.
- Amends various Regulation Sections (13).
- Amends the [Application for Funding](#) (Form SAB 50-04), [Fund Release Authorization](#) (Form SAB 50-05), [Application for Joint-Use Funding](#) (Form SAB 50-07), [Application for Preliminary Apportionment](#) (Form SAB 50-08), [Application for Charter School Preliminary Apportionment](#) (Form SAB 50-09), and [Application for Career Technical Education Facilities Funding](#) (Form SAB 50-10).
- Currently in the administrative review process.

*These regulations are outside Chapter 12.5, the School Facility Program.

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Community Corner

Past Events

Green California Schools Summit

November 5-6, 2014

Pasadena Convention Center

Pasadena, CA

Please visit the [Green Technology](#) (link) Web page for more information.

If you would like to share an upcoming event, please send an email to opscommunications@dgs.ca.gov

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OPSC Deadlines and Key Dates

Upcoming Meetings

State Allocation Board

- January 28, 2015 (Wednesday) 4 p.m. – Location TBD

Active Certifications

Seventh Priority Funding Request Period

- Filing Period Began: May 14, 2014
- Filing Period Ended: June 12, 2014
- Requests Valid: July 1, 2014 through December 31, 2014

Eighth Priority Funding Request Period

- Filing Period Began: November 12, 2014
- Filing Period Ended: December 11, 2014
- Requests Valid: January 1, 2015 through June 30, 2015

For additional information, please see the [OPSC Events Calendar](#) online.

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