

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



December 1, 2020

Jeffrey T. Linam
Vice President of Rates & Regulatory
California-American Water Company
4701 Beloit Drive
Sacramento, CA 95838-2434

Dear Mr. Linam,

The Commission has approved California-American Water Company's Advice Letter No. 1304, filed on July 15, 2020, regarding the Late Payment Fee Tariff Revisions per Resolution W-5223 Directive.

Enclosed are copies of the following revised tariff sheets, effective February 1, 2020, for the utility's files:

P.U.C. Sheet No.	Title of Sheet
9726-W	Rule No. 11 Discontinuance and Restoration of Service, (Sheet 1)
9727-W	Rule No. 11 Discontinuance and Restoration of Service, (Sheet 2)
9728-W	Schedule No. CA-FEES, California American Water, (Sheet 1)
9729-W	Schedule No. H-LC Hillview Service Area, Late Payment Charge
9730-W	Table of Contents, (Page 4)
9731-W	Table of Contents, (Page 2)
9732-W	Table of Contents, (Page 1)

Please contact Eustace Ednacot at ERE@cpuc.ca.gov or 415-703-1492, if you have any questions.

Thank you,

/s/ROBIN BRYANT

Robin Bryant
Water Division

Enclosures

**CALIFORNIA PUBLIC UTILITIES COMMISSION
DIVISION OF WATER AND AUDITS**

Advice Letter Cover Sheet

Utility Name: California American Water **Date Mailed to Service List:** July 15, 2020
District: All California Districts
CPUC Utility #: U210W **Protest Deadline (20th Day):** August 04, 2020
Advice Letter #: 1304 **Review Deadline (30th Day):** August 14, 2020
Tier 1 2 3 Compliance **Requested Effective Date:** Feb 01, 2020
Authorization Res. W-5223 **Rate Impact:** \$See AL
See AL%
Description: Late Payment Fee Tariff Revisions per
Resolution W-5223 Directive

The protest or response deadline for this advice letter is 20 days from the date that this advice letter was mailed to the service list. Please see the "Response or Protest" section in the advice letter for more information.

Utility Contact: Vera Kostikova	Utility Contact: Jonathan Morse
Phone: 916-568-4246	Phone: 916-568-4237
Email: Vera.kostikova@amwater.com	Email: Jonathan.morse@amwater.com
DWA Contact: Tariff Unit	
Phone: (415) 703-1133	
Email: Water.Division@cpuc.ca.gov	

DWA USE ONLY

<u>DATE</u>	<u>STAFF</u>	<u>COMMENTS</u>
_____	_____	_____
_____	_____	_____

[] APPROVED [] WITHDRAWN [] REJECTED

Signature: _____ **Comments:** _____
Date: _____ _____



4701 Beloit Drive
Sacramento, CA 95838
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P (916)-568-4251
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July 15, 2020

ADVICE LETTER NO. 1304

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Pursuant to General Order 96-B, California-American Water Company (“California American Water”) (U210W) hereby submits for review this advice letter, including the following tariff sheets applicable to all of California American Water’s service areas, including the Hillview Service Area, which are attached hereto:

<u>C.P.U.C. Sheet No.</u>	<u>Title of Sheet</u>	<u>Canceling Sheet No.</u>
9726-W	Rule No. 11 DISCONTINUANCE AND RESTORATION OF SERVICE (Sheet 1)	9474-W
9727-W	Rule No. 11 DISCONTINUANCE AND RESTORATION OF SERVICE (Sheet 2)	9475-W
9728-W	Schedule No. CA-FEES California American Water (Sheet 1)	9562-W
9729-W	Schedule No. H-LC Hillview Service Area LATE PAYMENT CHARGE	9564-W
9730-W	Table of Contents (Page 4)	9627-W
9731-W	Table of Contents (Page 2)	9724-W
9732-W	Table of Contents (Page 1)	9725-W

Purpose:

By this advice letter, California American Water requests to revise Tariff Schedule No. CA-FEES, Schedule No. H-LC, and Rule No. 11 to reflect provisions regarding “interest charges” outlined in Section 116914(a)(2) of the California Health and Safety Code, also known as the Water Shutoff Protection Act. This filing is also in accordance with the June 26, 2020 California Public Utilities Commission (“Commission”) Resolution W-5223, requiring such modifications.

Background:

On December 10, 2019, Bruce DeBerry, Water Division Program Manager, instructed Commission-jurisdictional water utilities subject to H&S Code § 116904(b) to file individual Advice Letters implementing the provisions mandated in SB-998 into their tariffs effective February 1, 2020.

On December 20, 2019, California American Water filed Advice Letter 1276 to update the necessary policies, procedures, ordinances, and administrative codes to ensure compliance with the new requirements. On January 21, 2020, California American Water filed a supplemental Advice Letter 1276-A to clarify the purpose for reducing reconnection of service fees outside of normal business hours for all customers. Advice Letter 1276-A was approved by the Commission on May 20, 2020.

On June 26, 2020, the Commission issued Resolution W-5223 wherein the Commission examined the provision stated in H&S Code § 11614(a)(2) that for customers with household incomes below 200 percent of the federal poverty level, utilities are to “[w]aive interest charges on delinquent bills once every 12 months.” The Commission determined the interpretation of the term “interest charges” includes late payment fees and charges. Water utilities subject to H&S Code § 116904(b) and which include late-payment fees in their Tariffs were instructed to revise their Tariffs to comply with H&S Code § 116914(a)(2) and Resolution W-5223.

Requests:

California American Water requests revisions to its existing Tariff Rule No. 11, Schedule No. H-LC as well as a portion of Schedule No. CA-FEES pertaining to Late Payment Fees to incorporate the provisions of H&S Code § 11614(a)(2) into its Tariffs. The requested changes are pursuant to the directives outlined in Resolution W-5223 :

- 1a. Revise Tariff Rule 11 to include the provision as stated in Health and Safety Code Section 116914(a)(2) by adding the following language as a new Section B.1.a(3): “Waiving of [Late Payment Charge/Fee/etc.]. For a customer taking Residential Service who demonstrates household income below 200 percent of the federal poverty level (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty level), the [Late Payment Charge/Fee/etc.] on past-due bills as authorized in [Schedule No.] shall be waived once every 12 months.*
- 1b. Add the following language to the Late Payment Fee or Charge Schedule as a separate special condition: “A customer taking Residential Service, whose household income is below 200 percent of the federal poverty level, is entitled to have late payment charges on delinquent bills waived once ever twelve (12) months pursuant to Tariff Rule No. 11.B.1.a(3).”*
- 1c. Revise existing special conditions as necessary in the Late Payment Fee or Charge Schedule consistent with revisions to Tariff Rules pursuant to Water Shutoff Protection Act.*
- 2. Revisions to Utility Tariffs required in Ordering Paragraph No. 1 are effective beginning February 1, 2020.*

Tier Designation:

This advice letter is submitted with a Tier 1 designation pursuant to General Order No. 96-B.

Effective Date:

California American Water requests an effective date of February 1, 2020.

Notice:

Pursuant to Section 4.3 of General Order No. 96-B, a copy of this advice letter is being provided to those entities listed in the attached ‘SERVICE LIST PURSUANT TO SECTION 4.3 OF G.O. NO. 96-B.’ Per guidance from the California Public Utilities Commission’s Water Division, during the COVID-19 pandemic, advice letters will only be delivered electronically to the service list. Hardcopy advice letters will be mailed as soon as administrative staff are able to return to California American Water offices.

Protests and Responses:

Anyone may respond to or protest this advice letter. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

A **response** supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter. A **protest** objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds¹ are:

1. The utility did not properly serve or give notice of the AL;
2. The relief requested in the AL would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
3. The analysis, calculations, or data in the AL contain material error or omissions;
4. The relief requested in the AL is pending before the Commission in a formal proceeding;
or
5. The relief requested in the AL requires consideration in a formal hearing, or is otherwise inappropriate for the AL process; or
6. The relief requested in the AL is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require relitigating a prior order of the Commission.)

A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

A response must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

¹ G.O. 96-B, General Rule 7.4.2

Tariff Unit, Water Division, 3rd floor
California Public Utilities Commission,
505 Van Ness Avenue, San Francisco, CA 94102
water_division@cpuc.ca.gov

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy by mail (or e-mail) to us, addressed to:

Email Address:

vera.kostikova@amwater.com

sarah.leeper@amwater.com

ca.rates@amwater.com

Mailing Address:

4701 Beloit Drive
Sacramento, CA 95838

555 Montgomery Street, Suite 816
San Francisco, CA 94111

4701 Beloit Drive
Sacramento, CA 95838

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division, within the 20-day protest period, so that a late filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on.

If you have not received a reply to your protest within 10 business days, please contact Vera Kostikova at (916) 568-4246.

CALIFORNIA-AMERICAN WATER COMPANY

/s/ Vera Kostikova

Vera Kostikova
Financial Analyst - Rates & Regulatory

Rule No. 11
DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 1

A. Customer's Request for Discontinuance of Service

1. A Customer may have service discontinued by giving not less than two days' advance notice thereof to the Utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.
2. When such notice is not given, the Customer may be required to pay for service until two days after the Utility has knowledge that the Customer has vacated the Premises or otherwise has discontinued water service.

B. Discontinuance of Service by Utility

1. For Nonpayment of Bills

a. Past-Due Bills.

When bills are rendered monthly or bi-monthly, they will be considered past due if not paid within 19 days from the date of mailing.

(1) Residential Service

For the purposes of this rule, Residential Service means water service to a Residential Connection that includes single-family residences, multifamily residences, mobile homes including, but not limited to mobile homes in mobile home parks, or farmworker housing.

When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing. The Utility shall allow every residential Customer a total of 79 days from the date of mailing its bill for services, postage prepaid, to make payment of the bill prior to discontinuance of service.

Notice. The Utility shall not discontinue Residential Service for nonpayment of a delinquent account unless the Utility first gives notice of the delinquency and impending discontinuance, in conformance with Rule No. 8.A.3, which establishes notice periods ranging from 7 to 15 days, depending on the occupancy type. The Utility will provide notices timely to ensure that the applicable notice period is included in the total 79-day period referenced above.

(2) All Other Non-Residential Services

Notice. The Utility shall not discontinue nonresidential service for nonpayment of a delinquent account unless the Utility first gives notice of the delinquency and impending discontinuance in conformance with Rule No. 8.A.4.

(3) Waiving of Late Payment Fee

For a customer taking Residential Service who demonstrates household income below 200 percent of the federal poverty level (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty level), the Late Payment Fee on past-due bills as authorized in Schedule No. CA-FEES and Schedule H-LC shall be waived once every 12 months in a fiscal year beginning and ending on February 1.

(N)
|
(N)
(L)

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1304	J. T. LINAM	Date Filed <u>07/15/2020</u>
Decision	DIRECTOR - Rates & Regulatory	Effective <u>02/01/2020</u>
		Resolution <u>W-5223</u>

Rule No. 11 (Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

b. When a bill for water service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if bill is not paid in full (or alternative payment arrangements acceptable to the Utility have not been made) within the time required by such notice. The Customer's service, however, will not be discontinued for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.

(L)

c. Petition for Utility Review

(1) Any Customer, (or adult Occupant of a Residential Service Address) may petition the Utility for review of a bill for water service in accordance with Rule Nos. 5 and 10.

(2) Such Customer shall not have water service discontinued for nonpayment during the pendency of an investigation by the Utility of a complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the Utility.

(3) The review shall include consideration of whether a Customer shall be permitted to make installment payments on any unpaid balance of the delinquent account over a reasonable period of time, not to exceed 12 months.

Such service shall not be discontinued for nonpayment for any Customer complying with an installment payment agreement entered into with the Utility, provided the Customer also keeps current his or her account for water service as charges accrue in each subsequent billing period.

If a Customer fails to comply with an installment payment agreement, the Utility will give a discontinuance of service notice no less than 5 business days before discontinuing such service, but such notice shall not entitle the Customer to further investigation.

d. Appeal to the Commission

Any Customer (or adult Occupant of a Residential Service Address) whose complaint or request for an investigation pursuant to subdivision (c) has resulted in a determination by the Utility adverse to such Customer or adult Occupant, may appeal the determination to the Commission in accordance with Rule Nos 5 and 10 (including depositing the disputed amount with the Commission).

e. Residential Health and Safety Exception

(1) Service to a residential water Customer will not be discontinued for nonpayment when such Customer establishes to the satisfaction of the Utility that all three of the following conditions are met:

(i.) The residential Customer submits certification from a primary care provider*, as defined by the Water Shutoff Protection Act, that discontinuation of residential water service will be life threatening to or pose a serious threat to the health and safety of a resident of the Premises where Residential Service is provided.

(Continued)

Table with 3 columns: (TO BE INSERTED BY UTILITY), ISSUED BY, (TO BE INSERTED BY C.P.U.C.). Rows include Advice/Decision, Issued by J. T. LINAM, Date Filed 07/15/2020, Effective 02/01/2020, and Resolution W-5223.

Schedule No. CA-FEES
California American Water

Sheet 1

APPLICABILITY

Applicable to all service areas.

TERRITORY

All territories served by California American Water Company

RATES

Late Payment Fee:

(excludes Fruitridge Vista and Hillview Service Areas)

A late charge of 1.5% on unpaid balance will be assessed Customers will be notified on the monthly issued bill that the 1.5% late fee will be applied to any account that is not paid before the past due date shown on the bill. The fee shall be applied at the time a late payment notice is issued. If the Customer pays the balance on the date the late payment notice is mailed then that assessed fee will be forgiven. The fee shall be assessed on all open balances regardless of whether it is an initial or subsequent bill when a total balance has not been paid or there should have been a shut off for non-payment agreement. All bills shall be subject to the PUC reimbursement fee as set forth in Schedule No. UF.

Special Condition: A customer taking Residential Service, whose household income is below 200 percent of the federal poverty level, is entitled to have late payment charges on delinquent bills waived once every twelve (12) months in a fiscal year beginning and ending on February 1 pursuant to Tariff Rule No. 11.B.1.a(3). (N)
(N)
(N)
(N)

Reconnection Fee: Where service has been discontinued for violation of these rules or nonpayment of bills, the Utility may charge \$10.00 for reconnection of service during regular work hours or **\$150.00** for reconnection of service at other than regular working hours when the Customer has requested that the reconnection be made at other than regular working hours. If payment is received after 3:00PM, service will not be restored until the next business day. All bills shall be subject to the PUC reimbursement fee as set forth in Schedule No. UF.

Untested Backflow Fees: Where the Utility elects to have an untested backflow assembly tested and, if needed, repaired or replaced, all charges incurred by the Utility from third party service providers will be added to the Customer bill of the account of record, and shall become due and payable as any other charge, including being part of any unpaid balance subject to late fees and discontinuance of service for non-payment.

Facility Fee for each Service Connection to existing distribution systems:
(excludes Fruitridge Vista and Hillview Service Areas)

For 3/4-inch connection	\$3,000.00
For 1-inch connection	\$5,000.00
For 1 1/2-inch connection	\$10,000.00
For 2-inch connection	\$16,000.00

Facility Fees are payable in addition to and do not limit any charges for extensions of mains that may be applicable under Rule 15, Main Extension.

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(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1304	J. T. LINAM	Date Filed	<u>07/15/2020</u>
Decision		DIRECTOR - Rates & Regulatory	Effective	<u>02/01/2020</u>
			Resolution	<u>W-5223</u>

Schedule No. H-LC
Hillview Service Area
LATE PAYMENT CHARGE

Sheet 1

APPLICABILITY

Applicable to all metered service.

TERRITORY

Hillview Service Area including Coarsegold Highlands, Raymond, and subdivisions in and near Oakhurst, Madera County.

RATES

Late Charge: A late charge of \$5.00 on unpaid balance subject to special conditions below

SPECIAL CONDITIONS

1. The balance is unpaid if it is not received by the end of the billing period. This will always provide at least 19 days to pay the bill and avoid the late charge.
2. The late charge should be imposed only once on a delinquent bill since the account would be shut off before a subsequent bill and then subject to the reconnection fee as authorized by Tariff Rule 11.
3. All bills shall be subject to the reimbursement fee as set forth on Schedule UF.
4. A customer taking Residential Service, whose household income is below 200 percent of the federal poverty level, is entitled to have late payment charges on delinquent bills waived once every twelve (12) months in a fiscal year beginning and ending on February 1 pursuant to Tariff Rule 11.B.1.a(3).

(N)
(N)
(N)
(N)

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(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1304	J. T. LINAM	Date Filed	<u>07/15/2020</u>
Decision		DIRECTOR - Rates & Regulatory	Effective	<u>02/01/2020</u>
			Resolution	<u>W-5223</u>

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(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
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(TO BE INSERTED BY UTILITY)

Advice 1304
Decision

ISSUED BY

J. T. LINAM
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)

Date Filed 07/15/2020
Effective 02/01/2020
Resolution W-5223

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

BY MAIL:

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Jim Sandoval, City Manager City of Chula Vista 276 Forth Avenue Chula Vista, CA 91910	Gary E. Hazelton County Clerk – Recorder Santa Cruz County 701 Ocean Street, Room 210 Santa Cruz, CA 95060	Steven J. Thompson 5224 Altana Way Sacramento, CA 95814
Sacramento County WMD 827 7th Street, Room 301 Sacramento, CA 95814	Henry Nanjo Department of General Services Office of Legal Services, MS-102 PO Box 989052 West Sacramento, CA 95798-9052	Hatties Stewart 4725 S. Victoria Avenue Los Angeles, CA 90043
Citrus Heights Water District 6230 Sylvan Road Citrus Heights, CA 95610 rchurch@chwd.org	City of Chula Vista Director of Public Works 276 Forth Avenue Chula Vista, CA 91910	Anne Moore, City Attorney City of Chula Vista 276 Forth Avenue Chula Vista, CA 91910
San Gabriel County Water District 8366 Grand Ave Rosemead, CA 91770	City of Camarillo 601 Carmen Drive Camarillo, CA 93010	Karen Crouch City Clerk, Carmel-By-The-Sea PO Box CC Carmel-by-the-Sea, CA 93921
Louis A. Atwell Director of Public Works City of Inglewood One W. Manchester Blvd. Inglewood, CA 90301	Los Angeles Docket Office California Public Utilities Commission 320 West 4th Street, Suite 500 Los Angeles, CA 90013	Marcus Nixon Asst. Public Advisor 320 W. 4th Street, Suite 500 Los Angeles, CA 90013

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

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Imperial Beach, CA 91932

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Rex Ball
SR/WA, Senior Real Property MGMT
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222 South Hill Street, 3rd Floor
Los Angeles, CA 90012

City of San Gabriel
City Clerk
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San Gabriel, CA 91776

Michelle Keith
City Manager
City of Bradbury
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Bradbury, CA 91008

Ventura County Waterworks District
7150 Walnut Canyon Road
P.O. Box 250
Moorpark, CA 93020

Michelle Keith
City Manager
City of Bradbury
600 Winston Avenue
Bradbury, CA 91008

City of Sand City
City Hall
California & Sylvan Avenues
Sand City, CA 93955
Attn: City Clerk

Yazdan Enreni, P.E.
Public Works Director
Monterey County DPW
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Salinas. CA 93901-4303

Fruitridge Vista Water Company
P.O. Box 959
Sacramento, CA 95812

Monterey Regional Water Pollution
Control Agency (MRWPCA)
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Monterey, CA 93940

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