



CALIFORNIA WATER SERVICE COMPANY
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December 13, 2018

Advice Letter No. 2331

To the California Public Utilities Commission:

California Water Service Company (“Cal Water”) respectfully submits this Tier 2 advice letter requesting authority to make the following changes to tariffs applicable to multiple ratemaking areas.

New/Revised CPUC Sheet No.	Title of Sheet	Schedule No.	Cancelling CPUC Sheet No.
xxxxx-W	Preliminary Statement AX		xxxxx-W
xxxxx-W	Table of Contents (Page 1)	TOC	xxxxx-W
xxxxx-W	Table of Contents (Page 4)	TOC	xxxxx-W

Purpose

With this advice letter, Cal Water requests authorization from the California Public Utilities Commission (CPUC) to establish a Lead Service Line Memorandum Account (LSL MA) to track the incremental costs associated with studying and potentially replacing lead service lines for the benefit of Cal Water’s customers.

Background

On September 27, 2016, the Governor signed Senate Bill No. 1398 (SB 1398) which added Section 116885 to the Health and Safety Code. The new section stipulates that water systems compile an inventory of known lead service lines used in its distribution system and identify areas that may have lead service lines used in its distribution system by July 1, 2018. After completing the inventory, the bill also requires water systems provide a timeline for replacement of those known lead service lines to the State Water Resources Control Board (SWRCB).

For those that may have lead service lines, the bill requires water systems to either determine the existence or absence thereof by July 1, 2020, and provide that information to the SWRCB or provide a replacement timeline for those service lines whose content cannot be determined. Approval of the timeline rests with the SWRCB.

Cal Water met the July 1, 2018 reporting deadline where it described 52% of its service lines were identified as not containing lead and the remaining 48% unknown.



Discussion

In order to meet the July 1, 2020 deadline, Cal Water needs to determine if the remaining 48% of service lines contain lead. If the absence of lead cannot be determined, plans must be made to replace the line pursuant to the requirements in SB 1398. A significant amount of field research is needed to meet the 2020 reporting deadline. To that end, Cal Water respectfully requests memorandum account treatment to track any study and replacement costs related to this effort.

As discussed below, the proposed LSL MA meets all of the Commission's criteria for the creation of a new memorandum account. The study and potential replacement of lead services is well-suited to memorandum account treatment because it offers the potential for significant customer benefits, but due to the size and scope of the project, the timing and costs are uncertain. A memorandum account will allow Cal Water to proceed, and will give the Commission the opportunity to consider at a later date whether costs tracked in the account are appropriate for recovery through rates. Whether through a general rate case, a separate application, or a Tier 3 advice letter, the Commission will have the opportunity to review all incremental costs tracked in the proposed memorandum account for reasonableness, and to determine the appropriate regulatory treatment of those costs.

Per Standard Practice U-27-W, each advice letter requesting a new memo account must address the following:

- *The expense is caused by an event of an exceptional nature that is not under the utility's control;*

As described above, costs are driven by the enactment of legislation which is not under the utility's control.

- *The expense cannot have been reasonably foreseen in the utility's last general rate case and will occur before the utility's next scheduled rate case;*

At the time of its July 1, 2018 GRC filing, Cal Water was completing the results of the initial inventory. The company didn't have enough data by the filing date to make an informed decision on the level of effort required for compliance. Costs will be incurred well before the next GRC filing in 2021.

- *The expense is of a substantial nature as to the amount of money involved when any offsetting costs decreases are taken into account;*

Preliminary cost estimates of the study developed by Cal Water's tank & pipeline engineering group are approximately \$3.1M¹. The costs of any replacements that might

¹ Preliminary estimate includes direct cost of approximately \$2.5 million plus overhead at a 15% rate and AFUDC at an annualized rate of 7.5%.



result are yet to be determined but will likely be considerable given the approximately 250,000 services that are yet to be categorized.

- *The ratepayers will benefit by the memo account treatment.*

The work to be performed under the memorandum account will likely create significant ratepayer benefits. The removal of potential lead services provides an important public health benefit. Additionally, since unknown services will have to be replaced under the legislation, further identification of services in this category through a study is vital. If the study can make an adequate determination for certain services which results in a lower number of replacements, it will reduce the overall cost of compliance to ratepayers.

Requested Effective Date

This advice letter is submitted with a Tier 2 designation pursuant to Water Industry Rules 7.3.2(5) of General Order 96-B. Cal Water requests that the new Lead Service Memorandum Account become effective on the date of filing.

Notice

Customer Notice: This is a Tier 2 advice letter that does not require customer notice because there is no increase in rates.

Service List: In accordance with General Order 96-B, General Rules 4.3 and 7.2, and Water Industry Rule 4.1, a copy of this advice letter will be mailed or electronically transmitted on December 13, 2018 to competing and adjacent utilities and other utilities or interested parties having requested such notification.

Response or Protest

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 grounds are:

- (1) The utility did not properly serve or give notice of the advice letter;
- (2) The relief requested in the advice letter 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 advice letter contain material error or omissions;
- (4) The relief requested in the advice letter is pending before the Commission in a formal proceeding; or
- (5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or



CALIFORNIA WATER SERVICE COMPANY

Advice Letter 2331 Lead Service Memorandum Account Establishment

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(6) The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided 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 or protest 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:

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 Cal Water at the following address:

Natalie Wales
California Water Service Company
1720 North First Street,
San Jose, California 95112
Fax 408/367-8430 or
E-mail nwales@calwater.com

Cities and counties requiring Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division within the 20-day protest period so a late-filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on. The advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period.

Replies: The utility shall reply to each protest and may reply to any response. Each reply must be received by the Water Division within 5 business days after the end of the protest period and shall be served on the same day to the person who filed the protest or response. If you have not received a reply to your protest within 10 business days, contact California Water Service Company at (408) 367-8200.

CALIFORNIA WATER SERVICE COMPANY

/s/

Todd Pray, Regulatory Program Manager

cc: Ting-Pong Yuen, Public Advocates Office

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The following listed tariff sheets contain all effective rates and rules affecting the rates and service of the Utility together with information relating thereto:

<u>Sheet Subject Matter</u>	<u>Service Area</u>	<u>Schedule No.</u>	<u>CPUC Sheet No.</u>
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Table of Contents			
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Page 4	Preliminary Statements		XXXXX-W (C)
Page 5	Rate Schedules - All Districts		11677-W
Page 6	Rate Schedules - District Specific		-W
Page 7	Rate Schedules - District Specific		-W
Page 8	Rate Schedules - District Specific		-W
Page 9	Rate Schedules - District Specific		-W
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Page 11	Service Area Maps		11618-W
Page 12	Rules		11621-W
Page 13	Rules		-W
Page 14	Sample Forms		11681-W
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(continued)

(To be inserted by utility)
 Advice Letter No. 2331
 Decision No. _____

Issued by
PAUL G. TOWNSLEY
 Name
Vice President
 TITLE

(To be inserted by CPUC)
 Date Filed _____
 Effective _____
 Resolution No. _____

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Preliminary Statements

<u>Sheet</u>	<u>Subject Matter</u>	<u>Service Area</u>	<u>CPUC Sheet No.</u>
<u>Preliminary Statements (continued)</u>			
AI	Chromium 6 Memorandum Account (CHROMIUM-6 MA)		11317-W
AJ	Low-Income Ratepayer Assistance Balancing Account (LIRA BA)		9671-W
AK	2012 GRC Interim Rate Memorandum Account (2012 IRMA)		10101-W
AL	Drought Memorandum Account (DRMA)		10208-W
AM	Rate Support Fund Balancing Account (RSF BA)		11316-W
AN	Infrastructure Memorandum Account (IMA)		10447-W
AO	Memorandum Account Water Contamination (WCL MA)		10448-W
	Litigation		
AP	General District Balancing Accounts (District BAs)		10449-W
AQ	East Los Angeles Memorandum Account (ELA MA)		10450-W
AR	Sales Reconciliation Mechanism Balancing Account (SRM BA)		10467-W
AS	Asbestos Remediation Memorandum Account		
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AT	School Lead Testing Memorandum Account (SLTMA)		11359-W
AU	Phase 1 Sites Reservoir Memorandum Account (PHASE 1 SITES MA)		11468-W
AV	2018 Tax Accounting Memorandum Account (TAMA)		11626-W
AW	Cost of Capital Interim Rate Memorandum Account (COC IMA)		11667-W
AX	Lead Service Memorandum Account (LSMA)		XXXXX-W (N)

(continued)

(To be inserted by utility)
 Advice Letter No. 2331
 Decision No. _____

Issued by
PAUL G. TOWNSLEY
 Name
Vice President
 TITLE

(To be inserted by CPUC)
 Date Filed _____
 Effective _____
 Resolution No. _____

Preliminary Statement
(continued)

AX. Lead Service Line Memorandum Account (LSL MA)

(N)

- 1. PURPOSE: The purpose of the memorandum account is to track the incremental costs associated with studying and potentially replacing lead service lines for the benefit of Cal Water's customers.
- 2. APPLICABILITY: The LSL MA may be applicable to all regulated operations in California. A request for recovery of amounts in this account will identify the proposed ratemaking areas from which recovery is being sought.
- 3. RATES: The memorandum account currently has no rate component.
- 4. ACCOUNTING PROCEDURE: The entries made to the memorandum account may include the following:

The LSL MA shall include, but will not be limited to:

- a. Project management costs
- b. Consultant expenses for record research, statistical analysis, and replacement plan development
- c. Contractor costs for field data collection
- d. Constructions costs related to the replacement of identified services

These entries are not cumulative and are tracked in order to preserve the range of potential regulatory outcomes the Commission may elect if recovery is granted.

Expenditure Entries

- a. Cal Water shall record all LSL MA related costs including but not limited to, the cost of engineering and design, permitting, equipment, installation, outside contractors, administrative support, compliance review, and verification.

Revenue Requirement Entries

- b. Amounts equal to the revenue requirement of each expenditure recorded in (a.) as if it were shareholder-funded (including return on investment, income taxes, ad valorem tax, depreciation, other taxes and fees).

Interest

- c. Interest calculated based on the average balance in each segment of the account multiplied by 1/12th of the most recent month's interest rate on Commercial Paper (prime, 90-day), published in Federal Reserve Statistical Release H-15.

5. REGULATORY PROCEDURE:

Upon completion of the study, the study may be considered used and useful for utility services. Requests for recovery of any balance in the memorandum account shall be made in a general rate case, separate application, or Tier 3 advice letter. Requests for recovery shall include a showing that the costs requested for recovery are not included in rates.

(N)

(To be inserted by utility)
Advice Letter No. 2331
Decision No. _____

Issued by
PAUL G. TOWNSLEY
Name
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Title

(To be inserted by Cal. P.U.C.)
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Effective _____
Resolution No. _____



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ADVICE LETTER FILING MAILING LIST
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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Bay Area Region

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East Los Angeles District
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 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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Kern River Valley District
 ADVICE LETTER FILING MAILING LIST
 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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King City District
ADVISE LETTER FILING MAILING LIST
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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Livermore District
ADVISE LETTER FILING MAILING LIST
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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Los Altos District

ADVICE LETTER FILING MAILING LIST
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ADVICE LETTER FILING MAILING LIST
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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 ADVICE LETTER FILING MAILING LIST
 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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 ADVICE LETTER FILING MAILING LIST
 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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 PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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