

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
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April 7, 2021

Natalie Wales  
Director of Regulatory Policy & Compliance  
California Water Service Company  
1720 North First St  
San Jose, CA 95112-4598

Dear Ms. Wales,

The Commission has approved California Water Service Company's Advice Letter No. 2405, filed on March 11, 2021, regarding 2018 GRC Compliance – Retaining Current Pension and Healthcare Costs.

Enclosed is a copy of the advice letter with an effective date of April 10, 2021 for the utility's files.

Please contact Kevin Truong at VT4@cpuc.ca.gov or 415-703-1353, if you have any questions.

Thank you,

/s/ROBIN BRYANT

Robin Bryant  
Water Division

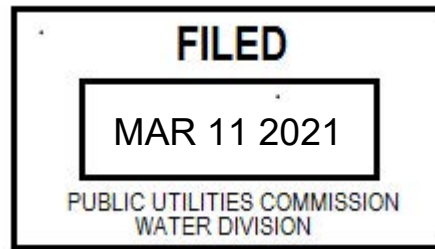
Enclosures



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March 11, 2021

**Advice Letter No. 2405**



To the California Public Utilities Commission:

California Water Service Company ("Cal Water") respectfully submits this Tier 2 advice letter applicable to all Class A regulated areas (excludes Grand Oaks) in accordance with Ordering Paragraph 17 of Decision 20-12-007.

***Please note that, consistent with the Commission's guidelines during the COVID-19 pandemic, this advice letter is only being distributed electronically to the Water Division and the attached service lists.***

**Summary**

This advice letter complies with the requirement of Ordering Paragraph 17 of D.20-12-007 that Cal Water file a Tier 2 advice letter to account for impacts of the COVID-19 pandemic on the health care and pension costs reflected in the rates adopted in D.20-12-007 (current rates). Based on the information currently available, Cal Water does not believe it is appropriate or necessary to adjust its previous forecasts of its health care and pension costs.

**Background**

Since the onset of the pandemic in the State, COVID-19 has been extremely disruptive to all Californians and has had severe economic impacts on many Californians. On March 4, 2020, Governor Gavin Newsom declared a State of Emergency in response to the outbreak of the novel coronavirus, COVID-19. Little was known during the early stages of the pandemic regarding the potential impacts to customers, water utilities, and the economy. Social distancing and shelter-in-place requirements required the closure of non-essential businesses including bars, dine-in restaurants, and shops, and subsequent employee layoffs have created a risk that customers may fall behind on utility payments due to the COVID-19 pandemic. However, the exact impact on the costs for water utilities to continue providing safe and reliable water service was very much uncertain.

In response to the March 17, 2020 letter from then-Executive Director Stebbins to energy, water and communication corporations to retroactively apply customer protection measures from March 4, 2020 onward during the pendency of the COVID-19 pandemic, for up to one year with an option to extend, Cal Water submitted AL 2379 on March 30, 2020 affirming the company's compliance with specific emergency customer protections and outreach activities in light of the COVID-19 pandemic. These actions also complied with Executive Order N-42-20 (April 2, 2020) of Governor Newsom, in that Cal Water suspended shut-offs for nonpayment for



all customers, and has worked to reconnect customers who had been disconnected for nonpayment since February 27, 2020.

On April 17, 2020, the Commission issued Resolution M-4842, which ratified directions provided by the Commission's Executive Director on March 17, 2020. In response, Cal Water filed AL 2383 to provide a more detailed response to address the seven items listed for water companies in Resolution M-4842, as well as Cal Water's outreach regarding those emergency customer protections. In Resolution M-4842, the Commission also directed water utilities to activate their Catastrophic Emergency Memorandum Accounts effective to the date of the Governor's State of Emergency Declaration. These emergency customer protections were later extended through June 30, 2021 by the Commission in Resolution M-4849, adopted February 11, 2021.

Prior to the COVID-19 pandemic, Cal Water had been litigating its 2018 General Rate Case (GRC) (A.18-07-001), which was submitted for the Commission's consideration upon filing of concurrent reply briefs regarding disputed issues in September 2019 and a joint motion for adoption of a proposed settlement agreement with Public Advocates Office in October 2019. Consequently, the Proposed Decision for Cal Water's GRC proceeding was drafted in the throes of the COVID-19 pandemic and was ultimately issued on October 14, 2020.

Acknowledging the challenges in forecasting health care and pension costs due to substantial uncertainty associated by the COVID-19 pandemic at the time,<sup>1</sup> the Proposed Decision provided an opportunity for Cal Water to update its forecasts of healthcare and pension costs at a later time to account for such impacts. This provision of the Proposed Decision was ultimately adopted in December 2020 as Ordering Paragraph 17 of the Final Decision in D.20-12-007, which provided:

17. California Water Service Company shall revise its previously filed forecasts of pension and health care costs by means of a Tier 2 Advice Letter filing with the Water Division within 90 days of the date of issuance of a final decision in this proceeding to account for Covid-19 impacts on its costs of health care and financial investments.

## **Discussion**

In preparation for its Proposed GRC Application due on May 3, 2021, Cal Water has been looking closely at the pension and health care costs incurred since the start of the COVID-19 pandemic, well as prior to the pandemic. For the reasons discussed below, the pension and

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<sup>1</sup> For example, Finding of Fact 21 states: "We take notice of the commonly known fact that the Covid-19 pandemic has caused and continues to cause widespread financial damage to the economy and health of the American workforce on an unprecedented scale."



health care cost estimates currently embedded in rates for 2020-2022 should be retained. The differences between recorded and adopted costs should continue to be tracked in the Pension Cost Balancing Account and Health Cost Balancing Account, for amortization of the three-year net amount in 2023.

This approach acknowledges the continuing fluctuations and uncertainties associated with these costs, and avoids subjecting customers to a new set of service charges and quantity rates throughout all of Cal Water's Class A ratemaking areas. Whether or not rates are changed right now, customer bills will again be impacted in 2023 when the balancing accounts are amortized. Given the lack of definitive evidence about what the net, three-year impact of both pension and health care costs will be at the end of 2022, a rate change right now would be unnecessarily disruptive.

Continued Uncertainty in Costs. The proposal to update pension and health care costs to reflect the impacts of COVID was first introduced in the Proposed Decision issued on October 14, 2020. At the time, it was reasonable to believe that there might be greater certainty about the cost impacts of COVID in the immediate subsequent months.

However, Cal Water has been working with its outside actuary to forecast pension and health care costs for Test Year 2023. As a result of this analysis, Cal Water anticipates basing its health care cost estimates on pre-COVID-19 activities because it is not aware of any clear evidence relating to how the COVID-19 pandemic will impact long-term health care costs. Cal Water's pension cost estimates are driven primarily by the financial market (investment returns) and general assumptions regarding discount rates—however, similarly, there is no definitive evidence on how the COVID-19 pandemic may impact these assumptions. Moreover, market fluctuations may dramatically impact pension costs.

As demonstrated in the 2018 GRC proceeding and acknowledged by the Commission, health care and pension costs can fluctuate greatly for multiple reasons. It is in recognition of that volatility that the Commission authorized Cal Water to maintain balancing accounts for pension cost and health care costs in the present rate-case cycle.

Furthermore, with the rollout of COVID-19 vaccines in early 2021, both California and the country more broadly are in a substantially different place today than in mid-2020 when the Commission was drafting the Proposed Decision in Cal Water's 2018 GRC. Projections to have a significant majority of the country vaccinated are a moving target, but are generally thought to be as early as this summer or early fall.

Customers Prefer Rate Stability: Cal Water implemented new base rates (service charges and quantity rates) across its Class A ratemaking areas effective January 1, 2021. In addition, it will be applying surcharges and surcredits to customer bills starting April 15, 2021 to true up the rates billed in 2020 with those adopted for 2020 (by amortizing Cal Water's Interim Rate Memo Account (IRMA), as well as to amortize the 2018 Tax Accounting Memo Account, the Pension



Cost Balancing Account, the Health Care Cost Balancing Account, the General District Balancing Accounts, and the Water Revenue Adjustment Mechanism/Modified Cost Balancing Account.

Given the strong preference expressed by customers to have the charges on their water bills – whether base rates or surcharges/surcredits – remain stable if possible, and given that Cal Water has not observed definitive evidence of COVID-19 impacts on pension and health care costs (and does not anticipate future impacts based on the information currently available), Cal Water believes that adjusting base rates yet again is neither appropriate nor necessary at this time.

### **Requested Effective Date**

Pursuant to Ordering Paragraph 17 of D.20-12-007, this is being filed as a Tier 2 advice letter with a requested effective date of April 10, 2021.

### **Notice**

Customer Notice – Customer notice of this advice letter is not necessary because it does not propose an increase in rates, and is in the nature of a compliance filing (as described in Water Industry Rule 3.2 of General Order 96-B).

Service Lists – In accordance with General Order 96-B, General Rule 4.3 and 7.2 and Water Industry Rule 4.1, a copy of this advice letter will be transmitted ***electronically*** on **March 11, 2021** to competing and adjacent utilities and other utilities or interested parties having requested such notification. ***Please note that, consistent with the Commission's guidelines for service during the COVID-19 pandemic, this advice letter is only being distributed electronically.***

### **Response or Protest**

Anyone may respond to or protest this advice letter. 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**

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- (6) The relief requested in the advice letter 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 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 advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period. The address for mailing or delivering a protest is:

Tariff Unit, Water Division 3<sup>rd</sup> floor  
California Public Utilities Commission,  
505 Van Ness Avenue, San Francisco, CA 94102  
[water\\_division@cpuc.ca.gov](mailto: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:

Natalie Wales  
California Water Service Company  
1720 North First Street,  
San Jose, California 95112  
[cwsrates@calwater.com](mailto:cwsrates@calwater.com)

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.

**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.



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A handwritten signature in black ink, appearing to read "Natalie Wales".

Natalie Wales

Director of Regulatory Policy and Compliance

cc: Syreeta Gibbs (Public Advocates Office)  
[PublicAdvocatesWater@cpuc.ca.gov](mailto:PublicAdvocatesWater@cpuc.ca.gov)



## Antelope Valley District (Los Angeles Region)

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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## Bay Area Region

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

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## Bay Area Region

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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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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## **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 (Monterey Region)**

ADVICE LETTER FILING MAILING LIST

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

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

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## Oroville District

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

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## Palos Verdes District (Los Angeles Region)

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

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## Salinas District (Monterey Region)

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

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**Gavilan Water Company**  
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**Monterey County Administration**  
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## Selma District

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

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## Stockton District

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

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## Travis District

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

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## **Willows District**

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

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