

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



September 23, 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. 2417, filed on September 3, 2021, regarding French Fire Compliance Filing.

Enclosed is a copy of the advice letter, effective September 3, 2021, for the utility's files.

Please contact Kevin Truong at [VT4@cpuc.ca.gov](mailto:VT4@cpuc.ca.gov) or 415-703-1353, if you have any questions.

Thank you,

/s/ROBIN BRYANT

Robin Bryant  
Water Division

Enclosures



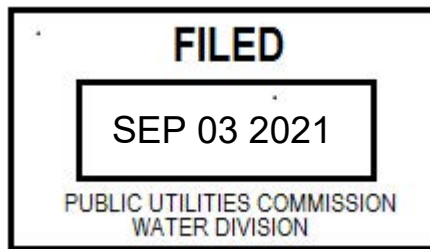


**CALIFORNIA WATER SERVICE COMPANY**

1720 NORTH FIRST STREET  
SAN JOSE, CA 95112 • (408) 367-8200 • F (408) 367-8428

September 03, 2021

**Advice Letter No. 2417**



To the California Public Utilities Commission:

California Water Service Company (“Cal Water”) respectfully submits this Tier 1 advice letter in compliance with Ordering Paragraph 9 of D.19-07-015, *Decision Adopting an Emergency Disaster Relief Program for Electric, Natural Gas, Water and Sewer Utility Customers* with regard to the impact on Cal Water’s customers during the French Fire within Kern County.

***Please note that, due to limitations on non-essential travel as a result of the COVID-19 virus, this advice letter will only be distributed electronically to the Water Division and the attached service lists. If applicable, paper copies will be distributed when administrative staff are able to return to company offices.***

**Summary**

This Tier 1 advice letter confirms Cal Water’s compliance with the emergency customer protections and outreach activities required by D.19-07-015 triggered by the Fire Management Assistance Declaration declared on August 25, 2021.<sup>1</sup> Currently, the French Fire is affecting Cal Water’s Kern River Valley ratemaking area (Specifically Split Mountain and Arden systems in Wofford Heights), and other areas may be impacted in the future if the wildfire continues<sup>2</sup>.

**Background**

D.19-07-015 requires water and sewer companies to file a Tier 1 advice letter within 15 days after a state of emergency is proclaimed for an event affecting the water or sewer company. The Tier 1 advice letter is intended to affirm to the California Public Utilities Commission that the company is complying with the emergency customer protections and outreach activities as indicated below:

In D.19-07-015, the Commission provided as follows in Ordering Paragraph 9:

- 9. In the event the Governor of California or the President of the United States declares a state of emergency because a disaster has either resulted in the loss or disruption of the delivery or receipt of utility service and/or resulted in the degradation of the quality of utility service, all Class-A Water utilities ... shall file a Tier 1 Advice Letter within 15 days of the Governor’s or the President of the United States state of emergency proclamation

<sup>1</sup> <https://www.fema.gov/disaster/5416>

<sup>2</sup> As of the date of this advice letter filing the French fire is still burning, but away from homes and communities resulting in a low risk for future concerns from this event.



reporting compliance with implementing this Decision's mandated emergency customer protections and outreach activities.

The Commission also adopted the following Conclusion of Law relevant to Ordering Paragraph 9:

25. It is reasonable to require the water and sewer corporations, as identified in Conclusion of Law 2, to file a Tier 1 advice letter with the Commission's Water Division within 15 days of a governor's state of emergency proclamation and/or a presidential state of emergency demonstrating implementation of the following emergency customer protections: (1) activation of their CEMA [Catastrophic Event Memo Account] effective to the time of the declaration of emergency; (2) make insurance claims on all costs and expenses incurred as a result of the fires, and credit insurance payments to their CEMA; (3) work cooperatively with affected customers to resolve unpaid bills, and minimize disconnections for non-payment; (4) waive reconnection or facilities fees for affected customers and suspend deposits for affected customers who must reconnect to the system; (5) provide reasonable payment options to affected customers; and (5) [sic] waive bills for victims who lost their homes or if their homes are rendered uninhabitable; and (6) [sic] authorize a pro rata waiver of any fixed element of a water bill for the time that the home is uninhabitable, even if the reason for it being uninhabitable is not loss of water service.

## Discussion

Since July 16, 2021 and as of August 30, 2021, Governor Gavin Newsom has signed six Emergency Proclamations relating to statewide wildfires in the State of California.<sup>3</sup> On August 24, 2021, President Biden approved California's disaster declaration. President Biden "declared that a major disaster exists in the State of California and ordered Federal aid to supplement State, tribal, and local recovery efforts in the areas affected by wildfires beginning on July 14, 2021, and continuing."<sup>4</sup> On August 25, 2021, Governor Newsom "announced that California has secured a Fire Management

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<sup>3</sup> <https://www.gov.ca.gov/wp-content/uploads/2021/07/7-16-21-SOE-Proc-Lava-and-Beckwourth.pdf>  
<https://www.gov.ca.gov/wp-content/uploads/2021/07/7.23.21-SOE-Dixie-Fly-Tamarack.pdf>  
<https://www.gov.ca.gov/wp-content/uploads/2021/08/8.5.21-River-and-Antelope-SOE.pdf>  
<https://www.gov.ca.gov/wp-content/uploads/2021/08/8.10.21-Monument-McFarland-Dixie-Fire.pdf>  
<https://www.gov.ca.gov/wp-content/uploads/2021/08/8.17.21-Caldor-Fire-Proclamation.pdf>  
<https://www.gov.ca.gov/wp-content/uploads/2021/08/8.30.21-Caldor-Fire-SOE.pdf>

<sup>4</sup> <https://www.whitehouse.gov/briefing-room/statements-releases/2021/08/24/president-joseph-r-biden-jr-approves-california-disaster-declaration/>



Assistance Grant (FMAG) from the Federal Emergency Management Agency (FEMA) to help ensure the availability of vital resources to suppress the French Fire in Kern County.”<sup>5</sup>

Thus far, the fire has destroyed several structures in the area. In the areas served by Cal Water, only one of our pumping stations and one customer home have been destroyed or damaged in Split Mountain and Arden service areas, and customers in these Cal Water systems had been under mandatory or voluntary evacuation orders during parts of this event. Cal Water is performing various outreach activities related to this event, including notifying customers of “Do not drink, do not boil” the water and of the various customer protections related to wildfire disasters. As of August 30, 2021 the fire has moved away from Cal Water’s Split Mountain and Arden systems. Cal Water is making system repairs, pressurizing the water systems, flushing the systems and conducting water quality sampling in coordination with the State Water Resources Control Board’s Division of Drinking Water (DDW). The water quality samples were negative, so on September 2, 2021 DDW allowed the “No drink, no boil” order to be lifted and we notified our customers accordingly.

In compliance with Ordering Paragraph 9 and Conclusion of Law 25 of D.19-07-015, Cal Water stipulates as follows:

1. Activation of the CEMA (Catastrophic Event Memo Account);
  - Cal Water is evaluating the costs associated with this event and tracking its costs using an accounting “product code.” Cal Water will activate the CEMA for these events as needed, and provide greater specificity about potential incremental costs, within the 30-day deadline in Preliminary Statement AG (CEMA).
2. Make insurance claims on all costs and expenses incurred as a result of the fire, and credit insurance payments to CEMA;
  - If Cal Water determines that there have been losses related to this event, Cal Water will file insurance claims as appropriate. Any funds received as a result of such insurance claims will be credited to the CEMA.
3. Work cooperatively with affected customers to resolve unpaid bills and minimize disconnections for non-payment;
  - For customers who may have difficulty paying their bills as a result of the fires, Cal Water will work cooperatively to resolve unpaid bills. Due to COVID-19, all disconnections for non-payment have already been suspended<sup>6</sup>.

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<sup>5</sup> <https://www.gov.ca.gov/2021/08/25/california-secures-federal-assistance-to-support-response-to-french-fire-in-kern-county/>

<sup>6</sup> Due to the impacts of the Covid 19 pandemic, California has a statewide moratorium prohibiting disconnection of water service until September 30, 2021. Additionally, the Cal Water’s “Transition Plan” approved in Advice Letter 2407-A on June 28, 2021 prohibits disconnecting water service, reconnection fees, and payment plan options no sooner than September 30, 2021.



4. Waive reconnection or facilities fees for affected customers and suspend deposits for affected customers who must reconnect to the system;
  - For customers who may have difficulty paying their bills as a result of the fires, Cal Water will waive reconnection fees. Cal Water does not require customer deposits.
5. Provide reasonable payment options to affected customers; and
  - Cal Water has various payment options available to customers, and will ensure that those plans are offered and adjusted as needed to take into account the needs of customers affected by these events.
6. Waive bills for victims who lost their homes or if their homes were rendered uninhabitable.
  - Cal Water will waive bills for victims who lost their homes or if their homes were rendered uninhabitable as a result of these events.
7. Authorize a pro rata waiver of any fixed element of a water bill for the time the home is uninhabitable, even if the reason for it being uninhabitable is not loss of water service.
  - Cal Water will provide a pro rata credit to customers impacted by the mandatory evacuation triggered by these events.
8. Customer outreach regarding emergency disaster relief program.
  - Cal Water is providing information about its emergency relief protections to customers in compliance with Commission requirements<sup>7</sup>.

### **Requested Effective Date**

This is being filed pursuant to General Order 96-B, Water Industry Rule 7.3.1(3), as modified by Resolution W-4664, is a Tier 1 advice letter. Even though this is a compliance filing that does not require any changes to Cal Water's tariffs, Cal Water still requests an effective date of August 19, 2021, when the fire began threatening the community.

### **Notice**

Customer Notice – Customer notice of Tier 1 advice letters is not required under General Order 96-B, General Rule 7.3.1.

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 electronically transmitted on **September 03, 2021**, to competing and adjacent utilities and other utilities or interested parties having requested such notification. ***Please note that, due to limitations on non-essential travel as a result of the COVID-***

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<sup>7</sup> D.19-07-015



***19 virus, this advice letter will only be distributed electronically. If applicable, paper copies will be distributed when administrative staff are able to return to company offices.***

### **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
- (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  
Fax 408-367-8566 or  
[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



**CALIFORNIA WATER SERVICE COMPANY**

Advice Letter 2417, French Fire Compliance Filing

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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.

CALIFORNIA WATER SERVICE COMPANY

A handwritten signature in cursive script that reads "Greg Milleman".

Greg Milleman  
Vice President, California Rates

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





## **Kern River Valley District**

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

DARLENE STUDDARD, COMMITTEE  
MEMBER  
**Residents Against Water Rates RAW**  
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