

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



July 1, 2022

Natalie Wales
Director, Regulatory Policy & Compliance
California Water Service Co.
1720 North First Street
San Jose, CA 95112

Dear Ms. Wales,

The Water Division of the California Public Utilities Commission has approved California Water Service Company's Advice Letter No. 2450, filed on April 29, 2022, regarding Rule 15 corrections for grants and fire services relating to CIAC.

Enclosed are copies of the following revised tariff sheets, effective May 1, 2022, for the utility's files:

| P.U.C. Sheet | |
|---------------------|---|
| No. | Title of Sheet |
| 12943-W | Rule No. 15 Water Main Extensions (Page 8) |
| 12944-W | Rule No. 15 Water Main Extensions (Page 9) |
| 12945-W | Rule No. 15 Water Main Extensions (Page 10) |
| 12946-W | Rule No. 15 Water Main Extensions (Page 13) |
| 12947-W | Table of Contents (Page 13) |
| 12948-W | Table of Contents (Page 1) |

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

Thank you.

Enclosures

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

Advice Letter Cover Sheet

Utility Name: California Water Service Company
All Regulated Districts (including Grand
District: Oaks)
CPUC Utility #: U-60-W
Protest Deadline (20th Day): 05/19/2022
Advice Letter #: 2450
Review Deadline (30th Day): 05/29/2022
Tier: ☒ 1 ☐ 2 ☐ 3 ☐ Compliance
Requested Effective Date: 05/01/2022
Authorization: N/A
Rate Impact: n/a
Description: Rule 15 corrections for grants and fire services relating to CIAC

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: Priya Rawal
Phone: 408-367-8240
Email: prawal@calwater.com

Utility Contact: Natalie Wales
Phone: (408) 367-8566
Email: nwales@calwater.com

DWA Contact: Tariff Unit
Phone: (415) 703-1133
Email: Water.Division@cpuc.ca.gov

DWA USE ONLY

DATE

STAFF

COMMENTS

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

[] APPROVED

[] WITHDRAWN

[] REJECTED

Signature: _____

Comments: _____

Date: _____



CALIFORNIA WATER SERVICE COMPANY
1720 NORTH FIRST STREET
SAN JOSE, CA 95112 ☎ (408) 367-8200 ☐ F (408) 367-8428

April 29, 2022

Advice Letter No. 2450

CALIFORNIA WATER SERVICE COMPANY (U 60 W)

To The Public Utilities Commission of the State of California:

California Water Service Company ("Cal Water") respectfully submits this Tier 1 advice letter requesting authority to make the changes to the tariff sheets in Rule 15 applicable to all regulated ratemaking areas in California.

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.

| C.P.U.C. | | Canceling |
|------------------|---|------------------|
| | | C.P.U.C. |
| <u>Sheet No.</u> | <u>Title of Sheet</u> | <u>Sheet No.</u> |
| 12943-W | Rule No. 15 Water Main Extensions (Page 8) | 12889-W |
| 12944-W | Rule No. 15 Water Main Extensions (Page 9) | 12265-W |
| 12945-W | Rule No. 15 Water Main Extensions (Page 10) | 12266-W |
| 12946-W | Rule No. 15 Water Main Extensions (Page 13) | 12890-W |
| 12947-W | Table of Contents (Page 13) | 12891-W |
| 12948-W | Table of Contents (Page 1) | 12942-W |

Summary

Cal Water requests approval to modify language for the Income Tax Component ("ITC") of the "Contribution" provisions in Tariff Rule 15 related to grants and fire services. This advice letter is submitted as a Tier 1 filing requesting an effective date of May 1, 2022.

Background

Recently, Cal Water filed AL 2440 to reflect IRS law changes related to the income tax component for the "Contribution" provision in H.R. 3684. With the passage of H.R. 3684, now only water and sewer "services" are treated as taxable income. H.R. 3684 also eliminated the taxability of grants received from governmental agencies, except for grants related to water services. The state of California did not conform its laws to the federal 2018 Tax Cuts and Jobs Act ("TCJA"), so no changes to Rule 15 are needed with respect to state taxation. The tariffs approved in AL 2440 were retroactive back to January 1, 2021.



Discussion

In AL 2440, Cal Water modified its Rule 15 tariffs to reflect the changes made in H.R. 3684 that only Contributions in Aid of Construction ("CIAC") received from developers for water and sewer services ("Services") are considered federal taxable income subject to the ITC component of Rule 15. Cal Water also made few miscellaneous text changes in Section F of Rule 15.

Modifications relating to fire services and grants: Cal Water's tax department determined that fire services are not subject to California franchise taxes, therefore an ITC is no longer necessary for fire services. Cal Water has stopped assessing developers an ITC for fire services back to January 1, 2021. Also, Cal Water discovered that the miscellaneous text changes made in the Rule 15 text erroneously included grants received from government agencies which are also no longer taxable with H.R. 3684 law changes.

Therefore, Cal Water requests approval to update its Tariff Rule 15 to make a few miscellaneous text changes in Section F, as identified below (strikeouts of deleted material).

In Section F.1 –

Contributions in Aid of Construction shall include, but are not limited to, cash, services, ~~facilities, CIAC—facilities fees,~~ labor, property, ~~grants received from government agencies,~~ and income taxes thereon provided by applicant to the utility. The value of all contributions shall be based on the utility's estimates. Contributions shall consist of two components for the purpose of recording transactions as follows:

- a. Income Tax Component gross-up (ITC), and*
- b. The balance of the contribution.*

In Section F.2 –

The ITC shall be calculated by multiplying the balance of the contribution by the ITC factor of:

| <i>Type of Contribution</i> | <i>ITC Factors</i> |
|---|------------------------|
| <i>For service connections (state and federal taxes are applicable)</i> | <i>20.0%</i> |
| <i>For fire services (only State tax is applicable)</i> | <i>5.0%</i> |

Non-substantive modifications: Cal Water also takes this opportunity to make corrections to pages 8, 9, and 10 of Tariff Rule 15 as described below.

1. On page 8 where currently it reads "*Applicable to all subdivisions within a half-mile of the existing system, except those extensions serving four or fewer residential lots or equivalent single-family dwelling units. This fee is in addition to the source of supply fee in Section C.1.e. above it. It is for the installation of 12" transmission main in ¼ section roads in the Visalia district. If the subdivisions are more than a half mile from the existing system, the



applicant shall pay the cost of transmission extension in lieu of the above fee." Cal Water proposes to change the word "subdivisions" to "developments."

2. On pages 9 and 10, Cal Water proposes to fix the format of a percentage from "21/2 percent" or "2 1/2 percent," to "2.5%," in the following locations: in the third line of section 2.c, in the last row on page 9, and in the seventh line on page 10.

Requested Effective Date

Cal Water requests an effective date of May 1, 2022.

Notice

Customer Notice: This is a compliance advice letter that does not require customer notice, as provided in under Water Industry Rule 3.2 of General Order 96-B.

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 **electronically** transmitted on **April 29, 2022** to competing and adjacent utilities and other utilities or interested parties having requested such notification. ***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.***

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
- (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



CALIFORNIA WATER SERVICE COMPANY

Advice Letter 2450, Rule 15 Corrections for CIAC Tax Changes

Page 5

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
E-mail cwsrates@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 and ask for the Rates Department.

CALIFORNIA WATER SERVICE COMPANY

/s/

Priya Rawal, Sr. Rates Analyst

Enclosures

cc: Syreeta Gibbs (Public Advocates Office), PublicAdvocatesWater@cpuc.ca.gov

CALIFORNIA WATER SERVICE COMPANY

1720 North First Street

San Jose, CA 95112

(408) 367-8200

Revised
CancellingCal. P.U.C. Sheet No. 12943-W
Cal. P.U.C. Sheet No. 12889-W**Rule No. 15**
Main Extensions

Page 8

| District | Facilities Fee | District | Facilities Fee |
|-------------|-------------------|------------|-------------------|
| Bakersfield | \$5,500 | Marysville | \$2,350 |
| Bayshore | \$4,500 | Salinas | \$2,200 |
| Bear Gulch | \$4,500 | Selma | \$2,100 |
| Chico | \$2,000 | Visalia | \$1,500 |
| Dixon | \$2,800 | Willows | \$4,250 |
| King City | \$1,500 | | |

This fee is per equivalent 1-inch service and is applicable to all subdivisions requiring a main extension except those extensions serving four or fewer residential lots or equivalent single-family dwelling units.

The following factors are used to determine equivalents for larger service connections:

| Service Size | Factor | Service Size | Factor |
|--------------|--------|--------------|--------|
| 1-inch | 1 | 6-inch | 20 |
| 2-inch | 3.2 | 8-inch | 32 |
| 4-inch | 10 | 10-inch | 46 |

f. **Advances – Transmission Backbone Installation Fee**

| District | Unitized Transmission Fee |
|----------|--|
| Visalia* | \$1,400 Per residential lot not to exceed 12,000 square feet |
| Visalia* | \$5,350 Other development, per acre |

*Applicable to all developments within a half-mile of the existing system, except those extensions serving four or fewer residential lots or equivalent single-family dwelling units. This fee is in addition to the source of supply fee in Section C.1.e. above. It is for the installation of 12" transmission main in 1/4 section roads in the Visalia District. If the developments are more than a half mile from the existing system, the applicant shall pay the cost of transmission extension in lieu of the above fee. (T)

(Continued)

| (To be inserted by utility) | Issued By | (To be inserted by CPUC) |
|-----------------------------|-------------------------|------------------------------|
| Advice Letter <u>2450</u> | <u>Greg A. Milleman</u> | Date Filed <u>04/29/2022</u> |
| Decision | <u>Vice President</u> | Effective <u>05/01/2022</u> |
| | | Resolution _____ |

Rule No. 15
Main Extensions

Page 9

g. Contribution – Facility Fee

This fee is applicable to all new services in the following districts:

| District | Facilities Fee |
|-------------------|-----------------------------|
| Antelope Valley | \$1,000 Per residential lot |
| Kern River Valley | \$1,000 Per residential lot |

2. Refunds

a. The amount advanced under Section C.1.a., C.1.b., C.1.c., C.1.e., and C.1.f. shall be subject to refund by the utility, in cash, without interest, to the party or parties entitled thereto as set forth in the following two paragraphs with the exception of extensions funded wholly or in part by State or Federal grants, the portion of which that is covered by grant funds is non-refundable. The total amount so refunded shall not exceed the total of the amount advanced and for a period not to exceed 40 years after the date of the contract.

b. Payment of refunds shall be made not later than June 30 of each year, beginning the year following execution of contract, or not later than 6 months after the contract anniversary date if on an anniversary basis.

c. Whenever costs of main extensions and/or special facilities have been advanced pursuant to Section C.1.a., C.1.b., C.1.c., C.1.e. or C.1.f., the utility shall annually refund to the contract holders an amount equal to 2.5% of the advances until the principal amounts of the contracts have been fully repaid.

(C)(L)
(L)

Whenever costs of special facilities have been advanced pursuant to Section C.1.b. or C.1.c., the amount so advanced shall be divided by the number of lots (or living units, whichever is greater) which the special facilities are designed to serve, to obtain an average advance per lot (or living unit) for special facilities. When another builder applies for a main extension to serve any lots for which the special facilities extension to serve any lots for which the special facilities are to be used, the new applicant shall, in addition to the costs of his proposed main extension, also advance an amount for special facilities. This amount shall be the average advance per lot for special facilities for each lot to be used less 2.5% of the average advance for each year in which

(C)

(Continued)

| (To be inserted by utility) | | Issued By | (To be inserted by CPUC) | |
|-----------------------------|-------------|-------------------------|--------------------------|-------------------|
| Advice Letter | <u>2450</u> | <u>Greg A. Milleman</u> | Date Filed | <u>04/29/2022</u> |
| Decision | | <u>Vice President</u> | Effective | <u>05/01/2022</u> |
| | | | Resolution | |

Rule No. 15
Main Extensions

Page 10

refunds have been due and payable on the original contract, prorated to June 30 on a monthly basis.

The amount advanced to the utility by the new applicant shall be immediately refunded to the holder of the original contract, which included the cost of the special facilities and the original contract advance will be reduced accordingly. The utility will thenceforth refund 2.5% annually on each of the contract amounts, as determined above, to the holders of the contracts.

(C)(L)
(L)

Advances and refunds based on additional builder participation will be determined in a similar manner.

In no case shall the refund on any contract exceed the amount advanced.

- d. With respect to a contract entered into before the effective date of this tariff sheet if, at any time during the 20-year refund period, 80 percent of the bona fide customers for which the extension or special facilities were designed are being served therefrom, the utility may, with the approval of the contract holder, modify the contract so that the utility shall become obligated to pay, in cash, any balance which may remain unrefunded at the end of said 20-year period. Such balance shall be refunded in five equal annual installments, payable beginning 21 years after the date of the contract.

3. Termination of Main Extension Contracts

- a. Any contract whose refunds are based on a percentage of the amount advanced may be purchased by the utility and terminated provided that the terms are mutually agreed to by the parties or their assignees and Section C.3.c. and Section C.3.d. are complied with.

The maximum price that may be paid by the utility to terminate a contract shall be calculated by multiplying the remaining unrefunded contract balance times the appropriate termination factor set out below. No contract that has been in effect for less than 10 years shall be terminated without prior Commission approval.

(Continued)

| (To be inserted by utility) | Issued By | (To be inserted by CPUC) |
|-----------------------------|-------------------------|------------------------------|
| Advice Letter <u>2450</u> | <u>Greg A. Milleman</u> | Date Filed <u>04/29/2022</u> |
| Decision | <u>Vice President</u> | Effective <u>05/01/2022</u> |
| | | Resolution _____ |

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| No. 14.1 Water Conservation and Rationing Plan | |
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| No. 15 Water Main Extensions | |
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| No. 17 Standard for Measurement of Service | 3895-W |
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(continued)

(To be inserted by utility)
Advice Letter No. 2450
Decision No. _____

Issued by
GREG A. MILLEMAN
Name
Vice President
TITLE

(To be inserted by CPUC)
Date Filed 04/29/2022
Effective 05/01/2022
Resolution No. _____

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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</u> | <u>Subject Matter</u> | <u>Service Area</u> | <u>Schedule No.</u> | <u>CPUC Sheet No.</u> |
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(To be inserted by utility)
Advice Letter No. 2450
Decision No.

Issued by
GREG A. MILLEMAN
Name
Vice President
TITLE

(To be inserted by CPUC)
Date Filed 04/29/2022
Effective 05/01/2022
Resolution No.



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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JOSEPH S. LUCIDO
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ONLY FOR SERVICE AREA MAPS:

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CDF, Battalion 11
8723 Elizabeth Lake Rd
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Bakersfield District

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

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ONLY FOR SERVICE AREA MAPS:

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Bakersfield, CA 93301
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FIRE CHIEF
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Bakersfield, CA 93301



Bayshore District (Bay Area Region)

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

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Bayshore District (Bay Area Region)

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

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Mid-Peninsula Water District

P.O. Box 129

Belmont, CA 94002

tammyr@midpeninsulawater.org

TONY BRENNER, WATER DIVISION
SUPERVISOR

Town of Hillsborough

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tbrenner@hillsborough.net

RACHEL JONES

Cox Castle & Nicholson LLP

50 California Street, Suite 3200

San Francisco, CA 94111

rjones@coxcastle.com

ONLY FOR SERVICE AREA MAPS:

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County Government Center

Redwood City, CA 94063

rbartoli@smcgov.org



Bear Gulch 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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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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