

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



August 14, 2023

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

Dear Ms. Wales,

The Water Division of the California Public Utilities Commission has approved California Water Service Company's Advice Letter No. 2489, filed on July 24, 2023, regarding Palos Verdes Landslide Compliance Filing for the Palos Verdes service area.

Enclosed is a copy of the advice letter with an effective date of July 8, 2023 for the utility's files.

Please contact Mahdi Jahami at [MJ4@cpuc.ca.gov](mailto:MJ4@cpuc.ca.gov) or 916-743-5080, 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      **Date Mailed to Service List:** 7/24/2023  
**District:** Palos Verdes service area  
**CPUC Utility #:** U-60-W      **Protest Deadline (20<sup>th</sup> Day):** 8/13/2023  
**Advice Letter #:** 2489      **Review Deadline (30<sup>th</sup> Day):** 8/23/2023  
**Tier:** ☒ 1    ☐ 2    ☐ 3    ☐ Compliance      **Requested Effective Date:** 7/8/2023  
**Authorization:** D.19-07-015  
**Rate Impact:** none  
**Description:** Palos Verdes Landslide Compliance Filing

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:** Albree Jewell

**Phone:** (916) 205-4539

**Email:** [ajewell@calwater.com](mailto:ajewell@calwater.com)

**Utility Contact:** Natalie Wales

**Phone:** (408) 367-8566

**Email:** [nwales@calwater.com](mailto:nwales@calwater.com)

**DWA Contact:** Tariff Unit

**Phone:** (415) 703-1133

**Email:** [Water.Division@cpuc.ca.gov](mailto:Water.Division@cpuc.ca.gov)

**DWA USE ONLY**

**DATE**

**STAFF**

**COMMENTS**

_____	_____	_____
_____	_____	_____

[ ] APPROVED

[ ] WITHDRAWN

[ ] REJECTED

Signature: \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_

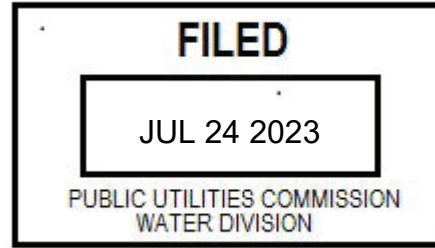
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**CALIFORNIA WATER SERVICE COMPANY**  
1720 NORTH FIRST STREET  
SAN JOSE, CA 95112 • (408) 367-8200

July 24, 2023

**Advice Letter No. 2489**



To the California Public Utilities Commission:

California Water Service Company ("Cal Water") respectfully submits this Tier 1 advice letter to comply with the spirit of 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 landslide in our Palos Verdes service area (part of the Los Angeles County Region ratemaking area). ***Please note that this advice letter will only be distributed electronically to the Water Division and the attached service lists.***

**Summary**

This Tier 1 advice letter confirms Cal Water's compliance with the spirit of the emergency customer protections and outreach activities of D.19-07-015. The landslide has affected City of Rolling Hills Estates residents located in Cal Water's Palos Verdes service area (part of the Los Angeles County Region ratemaking area).

**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 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**

On July 8, 2023, “significant land movement along and in the vicinity of Peartree Lane within the City of Rolling Hills Estates required the evacuation of and caused significant damage to a number of homes.”<sup>1</sup> In order for customer protections ordered in D.19-07-015 to be triggered, the Governor of California or the President of the United States has to declare a state of emergency. As of July 24, 2023, neither the Governor of California nor the President of the United States had declared a state of emergency for the City of Rolling Hills Estates. However, the City of Rolling Hills Estates proclaimed a local emergency on July 11, 2023 (see **Attachment A**).

Cal Water has determined it will comply with the spirit of D.19-07-015 for customers impacted by this landslide. Thus far, this event has impacted 17 homes in Cal Water’s Palos Verdes service area. After the initial destruction of homes, residents were placed under mandatory evacuation orders as a result of the landslide. As of July 24, 2023, twelve customers’ homes have been red-tagged and five homes have been yellow-tagged. There are no current estimates on if or when the five yellow-tagged homes will be able to be occupied.

Cal Water has been performing various outreach activities related to the landslide. In compliance with the spirit of 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 will activate the CEMA as needed, and provide greater specificity about potential

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<sup>1</sup> City of Rolling Hills Staff Report recommending adoption of “Resolution No. 2558 – A Resolution of the City Council of the City of Rolling Hills Estates Proclaiming the Existence of a Local Emergency Arising from Significant Land Movement Along and in the Vicinity of on Peartree Lane in the City of Rolling Hills Estates” (July 11, 2023) at 1 (provided as Attachment A).



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 event, 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 landslide, Cal Water will work cooperatively to resolve unpaid bills.
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 landslide, 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 this event.
6. Waive bills for victims who lost their homes or if their homes were rendered uninhabitable.
  - Cal Water has waived the bills for victims who lost their homes or if their homes were rendered uninhabitable as a result of this event.
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 this event.
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>2</sup>

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<sup>2</sup> D.19-07-015



## CALIFORNIA WATER SERVICE COMPANY

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Since D.19-07-015 is not formally triggered, Cal Water does not intend to submit the follow up advice letters normally required twelve months after an event. However, Cal Water has taken measures to ensure the customer protections are in place for the entire twelve months.

### **Requested Effective Date**

This is being submitted 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. Although this compliance filing does not require any changes to Cal Water's tariffs, Cal Water still requests an effective date of July 8, 2023, when the landslide occurred in our service area.

### **Notice**

*Customer Notice* – This is a Tier 1 compliance filing under Water Industry Rule 7.3.1(3) of General Order 96-B. Water Industry Rule 3.2 indicates that this kind of Tier 1 filing does not require customer notice.

*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 **July 24, 2023**, to competing and adjacent utilities and other utilities or interested parties having requested such notification.

***Please note that this advice letter will only be 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.)



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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, 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 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](mailto: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/

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Albree Jewell  
Rates Analyst

Enclosures

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

## **ATTACHMENT A**

### **RHE Staff Report and Resolution**





## STAFF REPORT

**DATE:** JULY 11, 2023

**TO:** MAYOR AND CITY COUNCIL

**FROM:** GREG GRAMMER, CITY MANAGER  
JESSICA SLAWSON, MANAGEMENT ANALYST

**SUBJECT:** RESOLUTION NO 2558 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY ARISING FROM SIGNIFICANT LAND MOVEMENT ON PEARTREE LANE

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### OVERVIEW

The City of Rolling Hills Estates has experienced a local emergency due to significant land movement in a residential community requiring immediate and ongoing action from the City, first responder agencies, and utility companies.

### BACKGROUND AND ANALYSIS

On July 8, 2023, the City of Rolling Hills Estates activated its Emergency Operations Center to respond to significant land movement along and in the vicinity of Peartree Lane within the City of Rolling Hills Estates that has required the evacuation of and caused significant damage to a number of homes (the "Peartree Lane Land Movement Incident").

To date, the emergency remains very active requiring the ongoing support of the local jurisdiction in coordination with fire and law enforcement departments, utility companies, and other resources as required.

### FISCAL IMPACT

The estimated costs in responding to the Peartree Lane Land Movement Incident are unknown at this time due to the evolving nature of the situation. Adoption of this resolution will facilitate the ability for the City to request resources including financial support and reimbursement from the State Office of Emergency Services (OES) and Federal Emergency Management Agency (FEMA) for costs incurred for the response of this emergency.

## **PUBLIC OUTREACH**

The agenda and staff report for this item were posted and noticed as special meeting items.

## **RECOMMENDATION**

It is recommended that the City Council adopt Resolution No. 2558 proclaiming the existence of a local emergency arising from significant land movement on Peartree Lane.

### ***Attachments:***

- A. Resolution No.2558 – A Resolution of the City Council of the City of Rolling Hills Estates Proclaiming the Existence of a Local Emergency Caused by Significant Land Movement on Peartree Lane.*

**CITY OF ROLLING HILLS ESTATES**  
**LOS ANGELES COUNTY, CALIFORNIA**  
**RESOLUTION NO. 2558**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ROLLING HILLS ESTATES PROCLAIMING THE  
EXISTENCE OF A LOCAL EMERGENCY ARISING FROM  
SIGNIFICANT LAND MOVEMENT ALONG AND IN THE  
VICINITY OF PEARTREE LANE IN THE CITY OF ROLLING  
HILLS ESTATES**

**The City Council of the City of Rolling Hills Estates resolves as follows:**

**SECTION 1. Findings.** The City Council finds as follows:

A. The California Emergency Services Act (Government Code section 8550 and following) confers upon the City Council emergency powers necessary to protect health and safety and preserve lives and property.

B. California Government Code section 8630 and Rolling Hills Estates Municipal Code (RHEMC) Chapter 2.24 provide that the City Council of the City of Rolling Hills Estates may proclaim the existence of a local emergency as defined by California Government Code section 8558(c).

C. Government Code section 8558 and RHEMC section 2.24.020 includes “the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons and property within this city” as an emergency.

D. On July 8, 2023, the City was alerted as to significant land movement along Peartree Lane, which is a private street in a residential neighborhood within the City of Rolling Hills Estates (the “Peartree Lane Land Movement Incident”).

E. In response to the Peartree Lane Land Movement Incident, the City activated its Emergency Operations Center.

F. The residents of multiple homes in the neighborhood were evacuated with the displaced residents requiring alternate shelter and other services.

G. The incident is evolving with active land movement daily requiring further safety assessments, and the continuing presence of fire department, sheriff’s department, City building officials and other emergency responders.

H. Additional residential structures in the area are currently being monitored and assessed for potential evacuation.

I. The City is seeking additional emergency assistance in response to the Peartree Lane Land Movement Incident.

**SECTION 2. Emergency Proclamation.** Based on the facts and conditions set forth in Section 1 the City Council hereby proclaims that a local emergency exists and will be deemed to continue to exist until the City Council takes action to terminate the proclamation of the local emergency.

**SECTION 3. Activation of Emergency Powers and Duties.** During the existence of the local emergency, the powers, functions, and duties of the City Council, City Manager, and the emergency organization of this City will be those prescribed by state law, by the ordinances and resolutions of this City, and by the approved emergency plans of the City.

**SECTION 4. Transmission to State Office of Emergency Services.** Staff is directed to transmit a copy of this proclamation to the Los Angeles County Office of Emergency Management, to be forwarded to the Director of the Governor’s Office of Emergency Services, requesting that the Director find it acceptable in accordance

with State law; that the Governor of California, pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in the City of Rolling Hills Estates within Los Angeles County; that the Governor waive regulations that may hinder response and recovery efforts; that response and recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate Federal disaster relief programs.

**ADOPTED on July 11, 2023.**

\_\_\_\_\_  
Britt Huff, Mayor

Attest:

\_\_\_\_\_  
Lauren Pettit, City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2558 was duly adopted by the City Council of the City of Rolling Hills Estates at a regular meeting held on July 11, 2023, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
LAUREN PETTIT, CITY CLERK



## Palos Verdes District (Los Angeles Region)

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

ANDY DARLAK

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GEORGE CHEN, RATES MANAGER

**City of Los Angeles, Department of  
Water & Power**

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JANE LIN

**City of Rancho Palos Verdes**

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CARLA DILLON

**City of Lomita**

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MIKE WHITEHEAD

**City of Rolling Hills Estates**

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TRANG NGUYEN, DEPUTY DIRECTOR OF  
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MARK PRESTWICH, CITY MANAGER

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VINA RAMOS, ACCOUNTING  
SUPERVISOR

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GREG GRAMMAR

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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

KIKI CARLSON, REGULATORY AFFAIRS  
MANAGER

**Suburban Water Systems**

1325 N. Grand Avenue, Suite 100

Covina, CA 91724

[kcarlson@swwc.com](mailto:kcarlson@swwc.com)

**ONLY FOR SERVICE AREA MAPS:**

ALFIE BLANCH

**Los Angeles County Fire Department**

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Commerce, CA 90040

[ablanch@fire.lacounty.gov](mailto:ablanch@fire.lacounty.gov)

EXECUTIVE OFFICER

**Los Angeles LAFCO**

383 Hall of Administration

Los Angeles, CA 95012