

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
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January 13, 2022

Kamilah Jones
Senior Financial Analyst – Rates & Regulatory
California-American Water Company
4701 Beloit Drive
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Dear Ms. Jones,

The Water Division of the California Public Utilities Commission has approved California-American Water Company's Advice Letter No. 1350, filed on December 15, 2021, regarding the creation of Drinking Water Fees Memorandum Account (DWFMA).

Enclosed are copies of the following revised tariff sheets, effective December 15, 2021, for the utility's files:

P.U.C.	
Sheet No.	Title of Sheet
10158-W	Preliminary Statement Summary Table, Sheet 3
10159-W	Preliminary Statement (Continued) BO. Drinking Water Fees Memorandum Account (DWFMA) Sheet 1
10160-W	Table Of Contents, Sheet 1

Please contact Eustace Ednacot at ERE@cpuc.ca.gov or 415-703-1492, if you have any questions.

Thank you.

Enclosures



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December 15, 2021

ADVICE LETTER NO. 1350

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California-American Water Company (California American Water) (U210W) hereby submits for review this advice letter, including the following tariff sheets applicable to all service areas.

Purpose:

The purpose this Advice Letter is to request authority to establish a Drinking Water Fees Expense Memorandum Account (DWFMA) to track increased public water systems annual fees as charged to California American Water by the State Water Resources Control Board.

Background

On September 22, 2021, the State Water Resources Control Board (State Water Board) adopted emergency regulations that adjusted drinking water fees to conform to the revenue levels set forth in the Budget Act for fiscal year (FY) 2021-22. The proposed emergency regulation will adjust the fee schedule adopted in FY 2019-20 to increase fees approximately 26.6 percent on average for community water systems, including California American Water. The Noticed of Proposed Emergency Rulemaking from the State Water Board from October 14, 2021 is attached as Attachment 1.

The State Water Board's new drinking water fees result in a dramatic increase in expenses to California American Water for the same level of service. The new and higher expenses are not included in presently-authorized rates. The requested memorandum account will track the actual difference between drinking water fees charged by the State Water Board under its new billing methodology and the drinking water fees authorized by the California Public Utilities Commission in California American Water's most recent general rate case decision, D.21-11-018. California American Water will incorporate drinking water fees under the new State Water Board billing methodology into its next general rate case (to be filed in 2022), and the requested memorandum account will expire when those new rates go into effect.

Request:

This Advice Letter requests the authority to establish a DWFMA.

Memorandum Account Justification

General Order 96-B, Water Industry Rule 7.3.2, allows a tier 2 advice letter filing for a "New Memorandum Account request".

1. *The expense is caused by an event of an exceptional nature that is not under California American Water's control;*

The action by the State Water Board was taken in an emergency rulemaking. The State Water Board, of course, is not under California American Water's control, making the new, higher expenses both exceptional in nature and not under California American Water's control.

2. *The expense is of a substantial nature in the amount of money involved;*

The State Water Board estimates that its action will increase drinking water fees by approximately 26.6 percent, which is a substantial increase over the drinking water fee expenses authorized in D.21-11-018 (which are based upon normal increases and not the substantial increase in drinking water fee expenses that will result from the recent State Water Board action).

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

Because the action by the State Water Board was taken in an emergency rulemaking, the expenses could not have been reasonably foreseen in California American Water's most recent general rate case (A.19-07-004) and will be incurred before the next scheduled general rate case to be filed in July of 2022.

4. *The ratepayers will benefit by the memorandum account treatment; and*

Payment of drinking water fees provides funding to the State Water Board for issuing permit amendments, reviewing compliance data, and conducting sanitary inspections, all of which are activities directly benefitting ratepayers by ensuring a safe drinking water supply.

California American Water is aware that the authorization of the DWFMA is not a guarantee of eventual recovery of costs, nor is it carried as a regular account under the uniform system of accounts for water utilities. It is carried "off the books" as a memorandum account. Further, it is also known that Commission policy on memorandum account treatment has always been that the burden of proof of the reasonableness of expenses charged to the account is the responsibility of the utility requesting reimbursement of such expenses.

Tier Designation:

California American Water is submitting this as a tier 2 advice letter pursuant to General Order 96-B and Water Industry Rule 7.3.2(5) (New Memorandum Account request).

Effective Date:

California American requests an effective date of December 15, 2021, based on the State Water Resources Control Board Emergency regulations and the filing date of this advice letter.

NOTICE

Pursuant to Section 4.3 of General Order No. 96-B, a copy of this advice letter is being provided to those entities listed in the attached "SERVICE LIST PURSUANT TO SECTION 4.3 OF G.O. NO. 96-B." Per guidance from the California Public Utilities Commission's Water Division, during the COVID-19 pandemic advice letters will only be delivered electronically to

the service list. Hardcopy advice letters will be mailed as soon as administrative staff are able to return to California American Water offices.

RESPONSE OR PROTEST¹

Anyone may submit a response or protest for this AL. 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 AL. A **protest** objects to the AL in whole or in part and must set forth the specific grounds on which it is based. These grounds² are:

1. The utility did not properly serve or give notice of the AL;
2. The relief requested in the AL 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 AL contain material error or omissions;
4. The relief requested in the AL is pending before the Commission in a formal proceeding; or
5. The relief requested in the AL requires consideration in a formal hearing, or is otherwise inappropriate for the AL process; or
6. The relief requested in the AL is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require re-litigating a prior order of the Commission.
7. A protest may not rely on policy objections to an AL where the relief requested in the AL follows rules or directions established by statute or Commission order applicable to the utility. A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

DWA must receive a response or protest via email (**or** postal mail) within 20 days of the date the AL is filed. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

The addresses for submitting a response or protest are:

Email Address:

Water.Division@cpuc.ca.gov

Mailing Address:

CA Public Utilities Commission
Division of Water and Audits
505 Van Ness Avenue
San Francisco, CA 94102

On the same day the response or protest is submitted to DWA, the respondent or protestant shall send a copy of the protest to California American Water at:

Email Address:

ca.rates@amwater.com

Mailing Address:

4701 Beloit Drive
Sacramento, CA 95838

¹ G.O. 96-B, General Rule 7.4.1

² G.O. 96-B, General Rule 7.4.2

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Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform DWA, 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.

REPLIES³

The utility shall reply to each protest and may reply to any response. Any reply must be received by DWA within five business days after the end of the protest period, and shall be served on the same day on each person who filed the protest or response to the AL.

CALIFORNIA-AMERICAN WATER COMPANY

/s/ Kamilah Jones

Kamilah Jones
Senior Financial Analyst – Rates & Regulatory

³ G.O. 96-B, General Rule 7.4.3

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
10158-W	PRELIMINARY STATEMENT Summary Table Sheet 3	10097-W
10159-W	PRELIMINARY STATEMENT (Continued) Sheet 1	
10160-W	TABLE OF CONTENTS Sheet 1	10157-W

PRELIMINARY STATEMENT
Summary Table

Sheet 3

Reference	Account	Tariff
BM	East Pasadena Purchased Water Balancing Account (EPPWBA)	10100-W
BN	East Pasadena Pumping Assessment Cost Balancing Account (EPPACBA)	10101-W
BO	Drinking Water Fees Memorandum Account (DWFMA)	10159-W

(N)

(Continued)

(TO BE INSERTED BY UTILITY)

Advice 1350
Decision

ISSUED BY

J. T. LINAM
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)

Date Filed 12/15/2021
Effective 12/15/2021
Resolution _____

PRELIMINARY STATEMENT
(Continued)

Sheet 1

BO. Drinking Water Fees Memorandum Account (DWFMA)

(N)

1. PURPOSE:

The purpose of the Drinking Water Fees Memorandum Account (DWFMA) is to track the difference between all actual drinking water fees charged by the State Water Resources Control Board (State Water Board) (based upon the revised fee schedule adopted by the State Water Board on September 22, 2021) and the drinking water fees authorized in rates.

2. APPLICABILITY:

All areas serviced by California American Water

3. ACCOUNTING PROCEDURE:

The following entries shall be recorded to the memorandum account:

- a. The DWFMA will track the difference between the annual drinking water fees charged by the State Water Board and the drinking water fees authorized in rates.
- b. Interest shall accrue on a monthly basis by applying a rate equal to one-twelfth of the 3-month non-financial Commercial Paper rate, as reported in the Federal Reserve Statistical Release, to the average of the beginning-of-month and the end-of-month balances.

5. EFFECTIVE DATE:

The DWFMA shall go into effect on the effective date of Advice Letter 1350. The DWFMA shall sunset with the effective date of the Utility's rates from its 2022 general rate case application.

6. RATEMAKING PROCEDURE:

The memorandum account currently has no rate component.

(N)

(Continued)

(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

Advice 1350

J. T. LINAM

Date Filed 12/15/2021

Decision

DIRECTOR - Rates & Regulatory

Effective 12/15/2021

Resolution _____

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<u>SERVICE AREA MAP:</u> California-American Water Company	5470-W
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(Continued)

(TO BE INSERTED BY UTILITY)

Advice 1350

Decision

ISSUED BY

J. T. LINAM

DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)

Date Filed 12/15/2021

Effective 12/15/2021

Resolution _____

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ADVICE LETTER 1350

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