

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

**Advice Letter Cover Sheet**

**Utility Name:** California American Water

**Date Mailed to Service List:** December 20, 2019

**District:** All Service Districts

**CPUC Utility #:** U210W

**Protest Deadline (20<sup>th</sup> Day):** January 9, 2020

**Advice Letter #:** 1276

**Review Deadline (30<sup>th</sup> Day):** January 19, 2020

**Tier**     1     2     3     Compliance

**Requested Effective Date:** February 1, 2020

**Authorization** Senate Bill 998

**Rate Impact:** N/A

**Description:** Implementation of Water Shutoff Protections for Residential Customers as required by Senate Bill 998. Modifying Tariff Schedule No CA-FEES and Rule Numbers 1, 5, 8, 10 and 11.

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:** Vera Kostikova

**Utility Contact:** Jonathan Morse

**Phone:** 916-568-4246

**Phone:** 916-568-4237

**Email:** [Vera.Kostikova@amwater.com](mailto:Vera.Kostikova@amwater.com)

**Email:** [Jonathan.morse@amwater.com](mailto:Jonathan.morse@amwater.com)

**DWA Contact:** Tariff Unit

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

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

**DWA USE ONLY**

<u>DATE</u>	<u>STAFF</u>	<u>COMMENTS</u>

APPROVED

WITHDRAWN

REJECTED

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

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

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

\_\_\_\_\_



4701 Beloit Drive  
Sacramento, CA 95838  
[www.amwater.com](http://www.amwater.com)

P (916)-568-4251  
F (916) 568-4260

December 20, 2019

ADVICE LETTER NO. 1276

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Pursuant to General Order 96-B, California-American Water Company ("California American Water") (U210W) hereby submits for review this advice letter, including the following tariff sheets, which are attached hereto:

<u>C.P.U.C. Sheet No.</u>	<u>Title of Sheet</u>	<u>Canceling Sheet No.</u>
XXXX-W	Schedule No. CA-FEES (Page 1)	9003-W
XXXX-W	Rule No. 1 Definitions (Page 1)	6617-W
XXXX-W	Rule No. 1 Definitions (Page 2)	6618-W
XXXX-W	Rule No. 5 Special Information Required on Forms (Page 1)	8856-W
XXXX-W	Rule No. 5 Special Information Required on Forms (Page 2)	8857-W
XXXX-W	Rule No. 5 Special Information Required on Forms (Page 3)	8858-W
XXXX-W	Rule No. 8 Notices (Page 1)	7395-W
XXXX-W	Rule No. 8 Notices (Page 2)	6628-W
XXXX-W	Rule No. 8 Notices (Page 3)	NEW
XXXX-W	Rule No. 10 Disputed Bills (Page 1)	8859-W
XXXX-W	Rule No. 11 Discontinuance and Restoration of Service (Page 1)	6632-W

<u>C.P.U.C. Sheet No.</u>	<u>Title of Sheet Rule No. 11</u>	<u>Canceling Sheet No.</u>
XXXX-W	Discontinuance and Restoration of Service (Page 2)	6633-W
XXXX-W	Discontinuance and Restoration of Service (Page 3)	6634-W
XXXX-W	Discontinuance and Restoration of Service (Page 4)	8860-W
XXXX-W	Discontinuance and Restoration of Service (Page 5)	7808-W
XXXX-W	Discontinuance and Restoration of Service (Page 6)	6637-W
XXXX-W	Discontinuance and Restoration of Service (Page 7)	6638-W
XXXX-W	Discontinuance and Restoration of Service (Page 8)	NEW
XXXX-W	Discontinuance and Restoration of Service (Page 9)	NEW

### **PURPOSE**

By this advice letter, California American Water requests to revise Tariff Schedule No. CA-FEES and Rules No. 1, 5, 8, 10 and 11 to reflect provisions from the addition of Chapter 6 to Part 12 of Division 104 of the California Health and Safety Code, also known as the Water Shutoff Protection Act. This filing is also in accordance with the December 10, 2019 letter from Bruce DeBerry, Water Division Program Manager, requiring such modifications.

### **BACKGROUND**

On September 28, 2018, California Governor Jerry Brown signed Senate Bill No. 998 ("SB 998") into legislation, thus adding Chapter 6 to Part 12 of Division 104 of the existing Health and Safety Code. Chapter 6 is also known as the Water Shutoff Protection Act.

Section 1 of SB 998 outlines the intent of Legislature. Specifically, section 1(b) states that "[i]t is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay." Section 1(f) also provides that "[i]t is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections."

SB 998 requires public water systems supplying water to more than 200 service connections, such as California American Water, to carefully evaluate their existing policies and procedures relating to discontinuation of water service, and update any necessary policies, procedures,

ordinances, or administrative codes to ensure compliance with the new requirements effective February 1, 2020.

### **REQUEST**

California American Water requests revisions to its existing Tariff Rules No. 1, 5, 8, 10 and 11 as well as a portion of Schedule No. CA-FEES pertaining to Reconnection Fees to incorporate the new provisions of SB 998 into its Tariffs. The requested changes are all pursuant to SB 998 directives. See Attachment 1-1 for redline details of changes made to each Tariff Rule.

### **SERVICE LIST**

Pursuant to Section 4.3 of General Order No. 96-B, a copy of this advice letter is being sent to those entities listed in the attached service list. Copies of the detailed work papers and the documents supporting this Advice Letter have also been furnished to the Commission Staff.

### **EFFECTIVE DATE**

California American Water submits this as a Tier 1 filing and requests an effective date of February 1, 2020, to meet the deadline in Section 116904(a) of SB 998.

### **RESPONSE OR PROTEST<sup>1</sup>**

Anyone may submit a response or protest for 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 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 grounds<sup>2</sup> 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 relitigating a prior order of the Commission.

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:

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<sup>1</sup> G.O. 96-B, General Rule 7.4.1

<sup>2</sup> G.O. 96-B, General Rule 7.4.2

**Email Address:**  
[Water.Division@cpuc.ca.gov](mailto: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 Cal-Am at:

**Email Address:**

[jonathan.morse@amwater.com](mailto:jonathan.morse@amwater.com)

[sarah.leeper@amwater.com](mailto:sarah.leeper@amwater.com)

[preet.nagra@amwater.com](mailto:preet.nagra@amwater.com)

**Mailing Address:**

4701 Beloit Drive  
Sacramento, CA 95838

555 Montgomery Street, Suite 816  
San Francisco, CA 94111

4701 Beloit Drive  
Sacramento, CA 95838

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.

**REPLIES**<sup>3</sup>

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.

The actions requested in this advice letter are not now the subject of any formal filings with the California Public Utilities Commission, including a formal complaint, nor action in any court of law.

This filing will not cause the withdrawal of service, nor conflict with other schedules or rules.

If you have not received a reply to your protest within 10 business days, please contact me at (916) 568-4255.

CALIFORNIA-AMERICAN WATER COMPANY

*/s/ Jeffrey T. Linam*

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Jeffrey T. Linam  
Vice President of Rates & Regulation

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<sup>3</sup> G.O. 96-B, General Rule 7.4.3

Schedule No. CA-FEES  
California American Water

Sheet 1

**APPLICABILITY**

Applicable to all service areas.

**TERRITORY**

All territories served by California American Water Company

**RATES**

Late Payment Fee: A late charge of 1.5% on unpaid balance will be assessed Customers will be notified on the monthly issued bill that the 1.5% late fee will be applied to any account that is not paid before the past due date shown on the bill. The fee shall be applied at the time a late payment notice is issued. If the Customer pays the balance on the date the late payment notice is mailed then that assessed fee will be forgiven. The fee shall be assessed on all open balances regardless of whether it is an initial or subsequent bill when a total balance has not been paid or there should have been a shut off for non-payment agreement. All bills shall be subject to the PUC reimbursement fee as set forth in Schedule No. UF.

Reconnection Fee: Where service has been discontinued for violation of these rules or nonpayment of bills, the Utility may charge \$10.00 for reconnection of service during regular work hours or **\$150.00** for reconnection of service at other than regular working hours when the Customer has requested that the reconnection be made at other than regular working hours. If payment is received after 3:00PM, service will not be restored until the next business day. All bills shall be subject to the PUC reimbursement fee as set forth in Schedule No. UF.

(C)

Untested Backflow Fees: Where the Utility elects to have an untested backflow assembly tested and, if needed, repaired or replaced, all charges incurred by the Utility from third party service providers will be added to the Customer bill of the account of record, and shall become due and payable as any other charge, including being part of any unpaid balance subject to late fees and discontinuance of service for non-payment.

Facility Fee for each Service Connection to existing distribution systems:

For 3/4-inch connection	\$3,000.00
For 1-inch connection	5,000.00
For 1 1/2-inch connection	10,000.00
For 2-inch connection	16,000.00

Facility Fees are payable in addition to and do not limit any charges for extensions of mains that may be applicable under Rule 15, Main Extension.

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1276	J. T. LINAM	Date Filed	_____
Decision		DIRECTOR - Rates & Regulatory	Effective	_____
			Resolution	_____

Rule No. 1  
DEFINITIONS

Sheet 1

- 1. **Applicant:** The person, association, corporation or governmental agency applying for water service. (L)
- 2. **Business Service:** Provision of water for use in connection with commercial premises devoted primarily to operations for profit including offices, stores, markets, apartments, hotels, motels, automobile trailer parks or courts service station and the like.
- 3. **Commercial Service:** Provision of Water to residential premises or business premises.
- 4. **Customer:** Any person, association, corporation or governmental agency supplied or entitled to be supplied with water service. However, account information can only be discussed with the Customer of Record or his or her authorized representative. (C)  
(C)
- 5. **Customer of Record:** The person, entity, association, corporation or governmental agency who is obligated to pay the water bill. (N)  
(N)
- 6. **Disabled:** Any residential customer whose certified health or physical condition may qualify him or her for special consideration. Proof of handicap must be by certification from a licensed physician, surgeon, public health nurse or social worker. (N)  
(N)  
(N)
- 7. **Date of Presentation:** The date upon which a bill or notice is mailed or delivered by the utility to the Customer of Record. (C)  
(D)
- 8. **Flat Rate Service:** Service for which the charges are based upon the types and numbers of units served. (D)
- 9. **Industrial Service:** Provision of water to industrial premises where the water is used primarily in manufacturing or processing activities. (D)
- 10. **Irrigation Service:** Provision of water for commercial agricultural, floricultural or horticultural use and billed under distinct irrigation rates. (T)
- 11. **Main Extension:** The extension of water distribution mains beyond existing facilities in accordance with the provisions of the rule applicable to main extension filed as part of these tariff schedules.
- 12. **Metered Service:** Service for which the charges are computed on the basis of measured quantities of water.
- 13. **Occupant:** Any adult person residing on premises actively served by the utility. However, account information can only be discussed with the Customer of Record or their authorized representative. (N)  
(N)

(L)

(Continued)

(TO BE INSERTED BY UTILITY)

ISSUED BY

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

Advice 1276

J. T. LINAM

Date Filed \_\_\_\_\_

Decision

DIRECTOR - Rates & Regulatory

Effective \_\_\_\_\_

Resolution \_\_\_\_\_

Rule No. 1 (Continued)  
DEFINITIONS

Sheet 2

- 14. **Premises:** The integral property or area, including improvements thereon, to which water service is, or is to be, provided. (L)
- 15. **Public Utilities Commission:** In these rules the work "Commission" or words "Public Utilities Commission" shall be construed to mean the Public Utilities Commission of the State of California.
- 16. **Residential Service:** Provision of water for household purposes, including water used on the premises for sprinkling lawns, gardens and shrubbery; washing vehicles; and other similar and customary purposes pertaining to single or multiple family dwellings.
- 17. **Service Address:** Address of the property to which water service is provided. (N)
- 18. **Service Connection:** The point of connection of the customer's piping or ditch with the meter, service pipe or ditch owned by the utility.
- 19. **Service Pipe:** The connection between the utility's mains and the service connection, including all the pipe, fittings and valves necessary to make the connection.
- 20. **Tariff Schedules or Tariff Schedule Book:** The entire body of effective rates, rentals, charges, rules, and sample forms collectively, as set forth herein.
- 21. **Tariff Sheet:** An individual sheet of the tariff schedule book.
- 22. **Utility:** The public utility named herein. (L)

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1276	J. T. LINAM	Date Filed	_____
Decision		DIRECTOR - Rates & Regulatory	Effective	_____
			Resolution	_____



Rule No. 5  
SPECIAL INFORMATION REQUIRED ON FORMS

Sheet 1

**A. Contracts**

Each contract for service will contain substantially the following provisions:

1. Unless exempted by the Public Utilities Commission;  
  
"This contract shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction."
  
2. Unless otherwise not required by the Public Utilities Commission;  
  
"It is the understanding of the parties to this contract that it shall not become effective until the authorization of the Public Utilities Commission of the State of California has been first obtained."

**B. Bill for Service**

On each bill for service will be printed substantially the following language;

"This bill is due and payable upon date of presentation. It will become past due if not paid within 19 days from the date of mailing."

"If you believe there is an error on the bill or have a question about your service, please call Customer Support at 1-888-237-1333. We welcome the opportunity to assist you." (N)

If after contacting us, you are not satisfied with California American Water Company's response, submit a complaint to the California Public Utilities Commission (CPUC) by visiting <http://www.cpuc.ca.gov/complaints/>. Billing and service complaints are handled by the CPUC's Consumer Affairs Branch (CAB), which can be reached by the following means if you prefer not to submit your complaint online: (T)

Telephone 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday)  
Mail California Public Utilities Commission, Consumer Affairs Branch,  
505 Van Ness Avenue, Room 2003, San Francisco, CA 94102

If you have limitations hearing or speaking, dial 711 to reach the California Relay Service, which is for those needing direct assistance relaying telephone conversations, as well their friends, family, and business contacts.

If you prefer having your calls immediately answered in your mode of communication, dial one of the toll-free language-specific numbers below to be routed to the California Relay Service provider.

Type of Call	Language	Toll-free 800 Number
TTY/VCO/HCO to Voice	English	1-800-735-2929
	Spanish	1-800-855-3000
Voice to TTY/VCO/HCO	English	1-800-735-2922
	Spanish	1-800-855-3000
From or to Speech-to- Speech	English & Spanish	1-800-854-7784

(Continued)

(TO BE INSERTED BY UTILITY)  
Advice 1276  
Decision

ISSUED BY  
J. T. LINAM  
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)  
Date Filed \_\_\_\_\_  
Effective \_\_\_\_\_  
Resolution \_\_\_\_\_

Rule No. 5 (Continued)
SPECIAL INFORMATION REQUIRED ON FORMS

Sheet 2

B. Bill for Service (continued)

(L,N)

To avoid having service turned off while you wait for the outcome of a complaint to the CPUC specifically regarding the accuracy of your bill, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.

The Commission will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of a Utility's service, general level of rates, pending rate applications and sources of fuel or power.

(L,N)

C. Discontinuance of Service for Nonpayment Notice

(C)

All Customers: Every written notice of discontinuance of service for nonpayment of bills shall include all of the following information:

(C)

- (1) The name and address of the Customer whose account is delinquent.
(2) The amount delinquency.
(3) The date by which payment or arrangements for payment is required in order to avoid discontinuance.
(4) A description of the process to apply for an extension of time to pay delinquent charges.
(5) The procedures to petition for bill review and appeal to the Commission.
(6) The procedure by which the Customer may request a deferred (paying at a later date), reduced (spreading payments out over an agreed upon period of time not to exceed 12 months), or some other alternative payment schedule, including an amortization of the unpaid charges.
(7) The procedure for the Customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.
(8) The name, address, and telephone number of a representative of the water Utility who can provide additional information and assist Customers in continuing service or in making arrangements for payment.
(9) The telephone number of the Commission (Consumer Affairs Branch) to which inquiries by the customer may be directed. The number of the Consumer Affairs Branch is 800-649-7570, (Voice to TTY/VCO/HCO) 800-735-2922 (English), 800-855-3000 (Spanish) and (TTY/VCO/HCO to Voice) 800-735-2929 (English) 800-855-3000.

(L)
(L)
(L)

(Continued)

Table with 3 columns: (TO BE INSERTED BY UTILITY), ISSUED BY, (TO BE INSERTED BY C.P.U.C.)

Rule No. 5 (Continued)  
SPECIAL INFORMATION REQUIRED ON FORMS

Sheet 3

C. Discontinuance of Service for Nonpayment Notice (continued) (N)

Residential Customers: Where water service is provided to residential users in a multiunit residential structure, mobile home park, or permanent residential structures in a labor camp, where the owner, manager or operator is listed by the Utility as the Customer of Record, the notice of discontinuance shall further include: (T)(L)

- a. The date on which the service will be discontinued.
- b. What the Occupants are required to do in order to prevent the discontinuance or to reestablish service. (T)
- c. The estimated monthly cost of service (where service is master-metered). (C)
- d. The address and telephone number of a legal services project, as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association, which will assist the Occupants (where service is master-metered). (T)(L)

D. Customer's Deposit Receipt (L)

Each receipt for cash deposit to establish or reestablish credit for service will contain the following statements:

"This deposit may be applied to unpaid balances where service has been discontinued by the Utility for nonpayment of bills.

This deposit, less the amount of any unpaid bills for service, will be refunded together with any interest due at 7/12 percent per month (7% annually) upon discontinuance of service, or after the deposit has been held for 12 consecutive months, provided service has not been discontinued for nonpayment." (L)

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1276	J. T. LINAM	Date Filed _____
Decision	DIRECTOR - Rates & Regulatory	Effective _____
		Resolution _____

Rule No. 8  
NOTICES

Sheet 1

A. Notice to Customers

1. In Writing (T)

Notice to a Customer will normally be in writing. Depending on the type of notice, written notice will either be delivered or mailed to the Customer's last known address, except as otherwise specified by the Utility's tariffs. (C)  
(C)  
(C)

2. Exception

In emergencies or when circumstances warrant, the Utility, where feasible, will endeavor to promptly notify the Customer affected and may make such notification orally, either in person or by telephone.

3. Notice of Discontinuance of Residential Water Service for Nonpayment (C)

a. The Utility shall contact the residential Customer of Record at least 10 days prior to discontinuance by telephone or written notice. (N)

(1) Written notice shall be mailed to the address of the Customer of Record to which the Residential Service is provided. If the Customer of Record's address is not the address of the property to which Residential Service is provided, the notice also shall be sent to the Service Address with "Occupant" as the addressee. The notice shall include the information prescribed in Rule No. 5. C.

(2) Telephone notice shall be to the Customer of Record. In providing such notice by telephone, the Utility shall offer to

- i. Provide the Customer of Record with a written copy of the Utility's policy on discontinuation of service due to nonpayment; and
- ii. Discuss options available to the Customer to avert discontinuance including alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and procedures to petition for bill review and appeal.

(3) If the Utility is unable to make contact with the Customer or an adult occupying the residence by telephone, and written notice is returned as undeliverable, the Utility will make a good faith effort to visit the residence and leave (or make other arrangements for placement in a conspicuous place) a written notice as prescribed herein, along with a written copy of the Utility's policy on discontinuation of service for nonpayment. (N)

(D)  
(D)  
(L)

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1276	J. T. LINAM	Date Filed _____
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		Resolution _____

Rule No. 8 (Continued)  
 NOTICES

Sheet 2

- b. The Utility shall contact the residential Occupants of a detached single-family dwelling, multi-unit residential structure, mobile home park, or permanent residential structures in a labor camp, where the owner, manager, or operator is listed by the Utility as the Customer of Record, as follows:
    - (1) Where individually metered water service is provided, the Utility will make every good faith effort to inform the Occupants by means of a notice at least 10 days prior to any discontinuance, when the account is in arrears, that service will be discontinued.
      - In addition to including the information prescribed in Rule No. 5, the notice will inform the Occupants that, if the Utility's verification and other requirements are met, they have the right to become a Customer to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
    - (2) Where master metered service is provided, the written notice will be at least 15 days prior to discontinuance of service. The notice will be posted on the door of each residential unit. If it is not reasonable or practical to post the notice on the door of each residential unit, the Utility will post two copies of the notice in each accessible common area and at each point of access to the structure or structures.
    - (3) Notice to Occupants shall be independent of, and in addition to, other notice (s) as may be prescribed in the Utility's tariffs.
  - c. All notices of discontinuance for nonpayment relating to Residential Services will be in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the of the Customers in the Utility's service area. The notice will include the information prescribed in Rule No. 5.C.
  - d. Procedures for the discontinuance and restoration of services are outlined in Rule No. 11.
4. Notice of Discontinuance of All Other Services (Nonresidential) for Nonpayment
- The Utility shall make a reasonable attempt to contact: (i) the Customer of Record by mailing a separate notice at least 10 days prior to discontinuance, or (ii) an adult person on the Customer's Premises by telephone or in person at least 24 hours prior to any discontinuance.

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1276	J. T. LINAM	Date Filed _____
Decision	DIRECTOR - Rates & Regulatory	Effective _____
		Resolution _____

(L,C)  
 (L,C)  
 (C,L)  
 (T)  
 (C)  
 (T)  
 (C)  
 (C)  
 (N)  
 (N)  
 (L)

655 W. Broadway, Suite 1410

San Diego, CA 92101

Rule No. 8 (Continued)  
NOTICES

Sheet 3

5. Third-Party Notification

Notice of availability of third-party notification shall be given annually to all Residential Customers.

B. Notice from Customers

- 1. A Customer may make notification in person, by telephone or by letter to the Utility at its commercial office, or to an authorized representative of the Utility.
- 2. Customers who are Disabled must have presented evidence to the Utility establishing their status if they wish to qualify for consideration under Rule No. 8.A.3.b. or under Rule No.11.B.1.e.
- 3. Disabled Customers who desire third-party notification must so inform the Utility with certification of status and with a letter from the third party accepting the responsibility.
- 4. Proof of disability must be by certification from a licensed physician, public health nurse or social worker.

(L)  
(C)  
(C)  
(C)  
(D,C)  
(L)

(Continued)

(TO BE INSERTED BY UTILITY)  
Advice 1276  
Decision

ISSUED BY  
J. T. LINAM  
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)  
Date Filed \_\_\_\_\_  
Effective \_\_\_\_\_  
Resolution \_\_\_\_\_

Rule No. 10  
DISPUTED BILLS

Sheet 1

A. Correctness of Bill

Any Customer (or adult Occupant of a Residential Service Address) who has initiated a complaint to the Utility or requested an investigation by the Utility within five days of receiving a contested bill shall be given an opportunity for review of such complaint or investigation by a review manager of the Utility. The review shall include consideration of whether the Customer should be permitted to amortize the unpaid balance of his or her account over a reasonable period of time. (C)  
(T)

B. Notice of Deposit to Avoid Discontinuance

If an explanation satisfactory to the Customer is not made by the Utility and the bill is not paid within 19 days after its presentation or at the time the explanation is made, whichever is longer, the Utility will notify the Customer in writing substantially as follows:

1. To avoid discontinuance of service, in lieu of paying the bill in question, the residential Customer within 15 days and the nonresidential Customer within 7 days of the date of this notice, must deposit with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, San Francisco, California 94102, the amount of the bill claimed by the Utility to be due.
2. To avoid having service turned off while you wait for the outcome of a complaint to the CPUC **specifically regarding the accuracy of your bill**, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.

C. Commission Appeal

When a Customer and the Utility fail to agree on a bill for service:

1. To avoid discontinuance of service, in lieu of paying the disputed bill the Customer may deposit, with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Ave, San Francisco, California 94102, the amount claimed by the Utility to be due.
2. Checks or other forms of remittance for such deposit should be made payable to the California Public Utilities Commission and should be accompanied with the bill in question and a statement setting forth the basis for the dispute of the amount of the bill.
3. Upon receipt of the deposit, the bill and the Customer's statement of the dispute, the Commission will notify the Utility, will review the basis of the billed amount, and will advise both parties of its findings and disburse the deposit in accordance therewith.
4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission pending the outcome of the Commission's review.
5. Failure of the Customer to make such deposit prior to the expiration of the discontinuance of service notice as given in Rule No. 10 B.1. will warrant a discontinuance of service. (T)
6. If before completion of the Commission's review, additional bills become due which the Customer wishes to dispute, he or she shall also deposit with the Commission the additional amounts claimed by the Utility to be due for such additional bills before they become past due and failure to do so will warrant discontinuance of his or her service in accordance with Rule No. 11. (T)

(Continued)

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			Resolution	_____

Rule No. 11  
DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 1

A. Customer's Request for Discontinuance of Service

- 1. A Customer may have service discontinued by giving not less than two days' advance notice thereof to the Utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.
- 2. When such notice is not given, the Customer may be required to pay for service until two days after the Utility has knowledge that the Customer has vacated the Premises or otherwise has discontinued water service. (T)

B. Discontinuance of Service by Utility

1. For Nonpayment of Bills

a. Past-Due Bills.

When bills are rendered monthly or bi-monthly, they will be considered past due if not paid within 19 days from the date of mailing.

(1) Residential Service

For the purposes of this rule, Residential Service means water service to a Residential Connection that includes single-family residences, multifamily residences, mobile homes including, but not limited to mobile homes in mobile home parks, or farmworker housing.

When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing. The Utility shall allow every residential Customer a total of 79 days from the date of mailing its bill for services, postage prepaid, to make payment of the bill prior to discontinuance of service.

Notice. The Utility shall not discontinue Residential Service for nonpayment of a delinquent account unless the Utility first gives notice of the delinquency and impending discontinuance, in conformance with Rule No. 8.A.3, which establishes notice periods ranging from 7 to 15 days, depending on the occupancy type. The Utility will provide notices timely to ensure that the applicable notice period is included in the total 79-day period referenced above.

(2) All Other Non-Residential Services

Notice. The Utility shall not discontinue nonresidential service for nonpayment of a delinquent account unless the Utility first gives notice of the delinquency and impending discontinuance in conformance with Rule No. 8.A.4.

- b. When a bill for water service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if bill is not paid in full (or alternative payment arrangements acceptable to the Utility have not been made) within the time required by such notice. The Customer's service, however, will not be discontinued for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.

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Rule No. 11 (Continued)  
DISCONTINUANCE AND RESTORATION OF SERVICE

c. Petition for Utility Review

(1) Any Customer, (or adult Occupant of a Residential Service Address) may petition the Utility for review of a bill for water service in accordance with Rule Nos. 5 and 10.

(N)  
(C)  
(C)

(2) Such Customer shall not have water service discontinued for nonpayment during the pendency of an investigation by the Utility of a complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the Utility.

(T)  
(T)  
(T)

(3) The review shall include consideration of whether a Customer shall be permitted to make installment payments on any unpaid balance of the delinquent account over a reasonable period of time, not to exceed 12 months.

(T)

Such service shall not be discontinued for nonpayment for any Customer complying with an installment payment agreement entered into with the Utility, provided the Customer also keeps current his or her account for water service as charges accrue in each subsequent billing period.

(T)

If a Customer fails to comply with an installment payment agreement, the Utility will give a discontinuance of service notice no less than 5 business days before discontinuing such service, but such notice shall not entitle the Customer to further investigation.

(C)  
|  
(C)

d. Appeal to the Commission

Any Customer (or adult Occupant of a Residential Service Address) whose complaint or request for an investigation pursuant to subdivision (c) has resulted in a determination by the Utility adverse to such Customer or adult Occupant, may appeal the determination to the Commission in accordance with Rule Nos 5 and 10 (including depositing the disputed amount with the Commission).

(N)  
(C)  
|  
(C)

e. Residential Health and Safety Exception

(N)

(1) Service to a residential water Customer will not be discontinued for nonpayment when such Customer establishes to the satisfaction of the Utility that all three of the following conditions are met:

(C)

(1) The residential Customer submits certification from a primary care provider\*, as defined by the Water Shutoff Protection Act, that discontinuation of residential water service will be life threatening to or pose a serious threat to the health and safety of a resident of the Premises where Residential Service is provided.

(C)

(L)

(Continued)

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Rule No. 11 (Continued)  
DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 3

B.1.e. (continued)

\*Proof must be by certification from any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or primary care clinic, rural health clinic, community clinic or hospital outpatient clinic. A "nonphysician medical practitioner" means a physician assistant or certified nurse-midwife performing services under physician supervision or a nurse practitioner performing services in collaboration with a physician. (See Section 14088(b)(1)(A) and (c) of the California Welfare and Institutions Code.

(L)  
(N)  
(N)  
(C)  
(C)  
(N)  
(N)  
(C)  
(C)  
(D)  
(N)  
(N)  
(C)  
(C)  
(L)

(ii) The residential Customer demonstrates that she or he is financially unable to pay for Residential Service within the urban and community water system's normal billing cycle. The Customer shall be deemed financially unable to pay for Residential Service within the system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level; and

(iii.) The residential Customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment.

(2) If all three of the above conditions are met, the Utility shall offer the Customer one or more of the following options:

- a. Amortization of the unpaid balance
- b. Participation in an alternative payment schedule
- c. A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers
- d. Temporary deferral of payment

(3) The Utility may choose which of the payment options the Customer undertakes and may set the parameters of that payment option. The repayment option offered should result in repayment of any remaining outstanding balance within 12 months.

(4) Notwithstanding the above, Residential Service may be discontinued to any customer meeting the conditions above who:

i. Does not agree to or comply with an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment after incurring delinquent charges for 60 days or more,

OR

ii. The Customer does not pay for his or her current Residential Service charges for 60 days or more after agreeing to an amortization agreement, an alternative payment schedule or a plan for deferred or reduced payment for delinquent charges.

(Continued)

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Rule No. 11 (Continued)  
 DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 4

- f. Other Disconnection Terms (L)  
 A Customer's Residential Service may be discontinued for nonpayment of a bill for Residential Service previously rendered her or him at any location served by the Utility. (N)  
 (T)  
 The discontinuance of service notice as set forth in subdivision (b) of Tariff Rule No. 11 will be given in both cases stated above before discontinuance of service takes place. (N)  
 Residential Services will not, however, be discontinued for nonpayment of bills for separate nonresidential service. (N)
- g. Timing of Disconnection (N)  
 Service will not be discontinued by reason of delinquency in payment for service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the utility are not open to the public. The Utility will avoid disconnection of service on Fridays and a day prior to a holiday. The Utility will inform Customers of the option to reconnect during regular business hours to avoid the more costly fees associated with after-hours service. (N)  
 (N)  
 (N)
- h. Residential Landlord-Tenant Properties (N)  
 Where the owner, manager, or operator of the dwelling, structure, or park is listed by the Utility as the Customer of Record, and water service is provided to residential Occupants in a detached single-family dwelling, a multi-unit residential structure, mobile home park, or permanent residential structure in a labor camp, the utility will make every good faith effort to inform the residential occupants, by written notice in conformance with Rule No. 8.A.3.b (C)  
 (D)  
 (1) Where said Occupants are individually metered: (T)  
 The Utility is not required to make service available to these Occupants unless each Occupant agrees to the terms and conditions of service and meets the requirement of the law and the Utility's rules and tariffs. (T)  
 (T)  
 However, if one or more Occupants are willing and able to assume responsibility for subsequent charges by these Occupants to the account to the satisfaction of the Utility, or if there is a practical physical means, legally available to the Utility of selectively providing services to these Occupants who have met the requirements of the Utility's rules and tariffs, the Utility will make service available to these Occupants. (T)

(L)

(Continued)

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Rule No. 11 (Continued)  
 DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 5

- For these selected Occupants establishment of credit may be as prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the Utility, proof that is acceptable to the Utility of residence and prompt payment of rent or other credit obligation during that period of time is a satisfactory equivalent. (T) (L)
- (2) Where said Occupants are master metered: (T)
- The Utility is not required to make service available to these Occupants unless each Occupant agrees to the terms and conditions of service and meets the requirements of the law and the Utility's rules and tariffs and the following: (T) (T)
- The same Rule No. 11, item B.1.h. (1) above, which applies to individually metered Occupants also applies to master metered Occupants, except a representative may act on the behalf of a master metered Occupant, and the Utility will not discontinue service in any of the following situations: (T) (T) (T)
- (a) During the pendency of an investigation by the Utility of a master metered Customer dispute or complaint.
  - (b) When the master metered Customer has been granted an extension of the period for repayment of a bill.
  - (c) For an indebtedness owed by the master metered Customer to any other person or corporation or when the obligation represented by the delinquent account or other indebtedness was incurred with a person or corporation other than the Utility demanding payment therefore.
  - (d) When a delinquent account relates to another property owned, managed, or operated by the master-metered Customer.
  - (e) When a public health or building officer certifies that termination would result in a significant threat to the health or safety of the residential Occupants or the public. (C)
- i. Residential Customer's Remedies Upon Receipt of Discontinuance Notice for Nonpayment (T)
- (1) If upon receipt of a discontinuance notice, a residential Customer is unable to pay, he or she must contact the Utility before discontinuance of service to make payment arrangements to avoid discontinuance of service. Information pertaining to alternative payment options and other options for averting discontinuation of Residential Service for nonpayment will be provided on the discontinuance notice as described in Rule No.5, or can be obtained by calling 1-888-237-1333. (D) (T) (T) (N) (N) (L)

(Continued)

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Rule No. 11 (Continued)  
DISCONTINUANCE AND RESTORATION OF SERVICE

- (2) If, after contacting the Utility, the residential Customer alleges to the Commission an inability to pay and that he or she is unable to make payment arrangements with the Utility he should write to the Commission's Consumer Affairs Branch (CAB) to make an informal complaint. To maintain uninterrupted service, this action must be taken prior to discontinuation of service as defined in the provided notice. (C)  
(C)  
(C)
- (3) The CAB's resolution of the matter should be reported to the Utility and the residential Customer within ten business days after receipt of the informal complaint. If the Customer is not satisfied with such resolution, such Customer may file, within ten business days after the date of the CAB's letter, a formal complaint with the Commission under Public Utilities Code Section 1702 on a form provided by the CAB. (N)  
|  
(N)
- (4) To avoid having service turned off while you wait for the outcome of a complaint to the CPUC specifically regarding the accuracy of your bill, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.
- (5) Failure of any Customer to observe these time limits prescribed herein shall entitle the Utility to insist upon payment or, upon failure to pay, to proceed to discontinue the Customer's residential water service in accordance with the Utility's rules. (C)  
|  
(C)
- j. Designation of a Third-Party Representative (C)
  - (1) Customer must inform Utility if he or she desires that a third party receive discontinuance or other notices on his or her behalf. (T)  
(T)
  - (2) Utility must be advised of name, address, and telephone number of third party with a letter from third party accepting this responsibility. (D)  
(D)

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Rule No. 11 (Continued)  
DISCONTINUANCE AND RESTORATION OF SERVICE

2. For Noncompliance with Rules

The Utility may discontinue service to any Customer for violation of these rules after it has given the Customer at least five days written notice of such intention. Where safety of water supply is endangered, service may be discontinued immediately without notice.

3. For Waste of Water

- a. Where negligent or wasteful use of water exists on a Customer's Premises, the Utility may discontinue the service if such practices are not remedied within five days after it has given the Customer written notice to such effect.
- b. In order to protect itself against serious and unnecessary waste or misuses of water, the Utility may meter any Flat Rate Service and apply the regularly established meter rates where the Customer continues to misuse or waste water beyond five days after the Utility has given the Customer written notice to remedy such practices.

4. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the Utility or its Customers

If an unsafe or hazardous condition is found to exist on the Customer's Premises, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the Utility or its Customers, the service may be shut off without notice. The Utility will notify the Customer immediately of the reasons for the discontinuance and the corrective action to be taken by the Customer before service can be restored.

5. For Fraudulent Use of Service

When the Utility has discovered that a Customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that Customer may be discontinued without notice. The Utility will not restore service to such Customer until that Customer has complied with all rules and reasonable requirements of the Utility and the Utility has been reimbursed for the full amount of the service rendered and the actual cost to the Utility incurred by reason of the fraudulent use.

C. Restoration of Service

1. Reconnection Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the Utility may charge \$10.00 for reconnection of service during regular working hours or \$150.00 for reconnection of service outside of regular working hours when the Customer has requested that the reconnection be made outside of regular working hours, except as otherwise provided by the Utility's tariffs.

(L)

(C)

(C)

(C)

(L)

(Continued)

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Rule No. 11 (Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

1. Reconnection Charge (continued)

Low-income Customers enrolled in the Program for Alternative Rates ("PAR") in the Monterey County District will not be charged a reconnection fee. Customers who face the fee and reside in the area the PAR program is offered will be notified of the PAR program at the time the request for reconnection is made

2. To Be Made During Regular Working Hours

The Utility will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit, otherwise reconnections will be made on the regular working day following the day the request is made.

3. To Be Made at Outside of Regular Working Hours

When a Customer has requested that the reconnection be made outside of regular working hours, the Utility will reasonably endeavor to so make the reconnection if practicable under the circumstances.

4. Wrongful Discontinuance

A service wrongfully discontinued by the Utility, must be restored without charge for the restoration to the Customer within 24 hours.

5. Limits on Certain Reconnection Charges

For a residential Customer who demonstrates household income below 200 percent of the federal poverty line (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty line), charges shall be limited as follows:

- i. For reconnections during regular working hours, the lesser of the actual cost or \$50.00; and
ii. For reconnections outside of regular working hours, the lesser of the actual cost or \$150. The cap on these reconnection fees (\$50 and \$150, respectively) shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(L)

(T)

(T)

(L)

(N)

(N)

(Continued)

Table with 3 columns: (TO BE INSERTED BY UTILITY), ISSUED BY, (TO BE INSERTED BY C.P.U.C.)

Rule No. 11  
DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 9

D. Refusal to Serve

1. Conditions for Refusal

The Utility may refuse to serve an Applicant for service under the following conditions:

The Utility may refuse to serve an Applicant for service under the following conditions:

- a. If the Applicant fails to comply with any of the rules as filed with the Public Utilities Commission.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.
- c. If, in the judgment of the Utility, the Applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.
- d. Where service has been discontinued for fraudulent use, the Utility will not serve an Applicant until it has determined that all conditions of fraudulent use or practice has been corrected.
- e. In accordance with California Public Utilities Code Section 2714, the Utility, in case of nonpayment of charges by a tenant, may require that subsequent service be furnished on the account of the landlord or property owner.

2. Notification to Customers

When an Applicant is refused service under the provisions of this rule, the Utility will notify the Applicant promptly of the reason for the refusal to service and of the right of Applicant to appeal the Utility's decision to the Public Utilities Commission.

(L)

(T)

(L)

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**ADVICE LETTER 1276**

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