

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
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November 29, 2021

Jeffrey T. Linam
Vice President of Rates & Regulatory
California-American Water Company
4701 Beloit Drive
Sacramento, CA 95838-2434

Dear Mr. Linam,

The Water Division of the California Public Utilities Commission has approved California-American Water Company's Advice Letter No. 1343, filed on July 27, 2021, regarding Creation of Drought Memorandum Account (DRMA).

Enclosed are copies of the following revised tariff sheets, effective July 27, 2021, for the utility's files:

P.U.C.	
Sheet No.	Title of Sheet
10118-W	Preliminary Statement, Summary Table, Sheet 2
10119-W	Preliminary Statement (Continued) BI. Drought Memorandum Account (DRMA), Sheet 1
10120-W	Table Of Contents, Sheet 1

Please contact Bradley Leong at BL4@cpuc.ca.gov or 415-703-2307, if you have any questions.

Thank you.

Enclosures



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July 27, 2021

ADVICE LETTER NO. 1343

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 create a “Drought Memorandum Account” (“DRMA”) to address Governor Gavin Newsom’s Proclamation of State of Emergency concerning drought conditions in 41 of the 58 California Counties.

Background

On April 21, May 10, and July 8, 2021, Governor Gavin Newsom issued an Executive Order proclaiming a state of emergency for a total of 41 counties through two State of Emergency Proclamations. The July 8, 2021, Executive Order mandates several actions, including the following:

Whereas on April 21 and May 10, 2021, I issued proclamations that a state of emergency exists in a total of 41 counties due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment; and

Whereas today, I issued a further proclamation of a state of emergency due to drought conditions in nine additional counties (Inyo, Marin, Mono, Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, and Santa Cruz), and directed state agencies to take further actions to bolster drought resilience and prepare for impacts on communities, businesses and ecosystems;

This request is consistent with the Commission’s Drought Procedures (adopted as Attachment A to Res. W-4976), which state as follows in paragraph 24 on page 9:

24. All monies collected by the utility through water use violation fines shall not be accounted for as income but rather booked to a memorandum account to offset authorized expense incurred and lost revenues from reduced sales due to conservation or rationing. All expenses incurred by utility to activate both Rule 14.1 voluntary conservations and Schedule 14.1 mandatory rationing efforts that have not been considered in a General Rate Case or other proceeding, shall be recoverable by utility if determined to be reasonable by Commission. These monies shall be accumulated by

the utility in a separate memorandum account for disposition as directed or authorized from time to time by the Commission.

Consistent with the limitations in paragraph 24, California American Water affirms that the costs it proposes to track in the DRMA have not been addressed in California American Water's 2019 General Rate Case or a separate proceeding.

California American Water filed Advice Letter 1337 for Geyserville Service Area to establish a Schedule 14.1 and to move Geyserville into Stage 2 of Water Shortage Contingency Plan effective July 5, 2021. On July 21, 2021, Advice Letter 1341 was filed to move Larkfield Service Area from Stage 1 into Stage 2 of its Water Shortage Contingency Plan. Advice letter 1145, effective January 29, 2017, requested approval of the current version of Rule 14.1.1 for Monterey. As stated in Rule 14.1.1 "1. Stage 1 shall be in effect at all times as long as this Rule is active." Advice Letter 1175, effective September 1, 2017, moved all service areas (with the exception of Monterey) from Stage 2 to Stage 1 of Rule and Schedules 14.1. Therefore, all Rule and Schedules 14.1 and 14.1.1 are currently active at Stage 1 with the exception of Geyserville.¹

Request:

This Advice Letter requests the creation of the Drought Memorandum Account ("DRMA") to track incremental operational and administrative cost incurred to implement Rule 14.1 and Schedules 14.1 and Rule 14.1.1 and Schedule 14.1.1. The DRMA will track 1) Incremental operating and administrative cost associated with implementing voluntary and mandatory conservation measures consistent with Rule 14.1 and Schedule 14.1, such as additional staffing, efforts to encourage conservation, and capital expenditures to ensure a safe, reliable water supply; 2) Monies paid by customers for fines, penalties, or other compliance measures associated with use violations; and 3) Penalties paid by California American Water to its wholesalers.

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". This memorandum accounts recently set forth in Resolution W-4824, as follows:

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

The Governor's State of Emergency Proclamation and the severe drought conditions in California are not under California American Water's control.

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

As described above the drought conditions in California are outside of California American Water's control. California American Water does not have an estimate for the expenses and other monies that are proposed for tracking in the DRMA. The expenses will depend on the severity of the ongoing drought conditions, the reactions of water wholesalers, and the reactions of the company's customers to conservation practices.

¹ As noted above, California American Water has a pending request to move Larkfield to Stage 2 of Rule and Schedule 14.1 through Advice Letter 1341.

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;*

California American Water filed its last General Rate Case July 1, 2019, at that time there were no drought conditions. California America Water's next General Rate Case is July 1, 2022, it is unknown magnitude of the current drought and if water supplies will be normal at that time.

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

Ratepayers will benefit from California American Water's commitment to inspire water voluntary and mandatory conservation, and to offset its expenses by any monies collected from customers for water use violations.

California American Water is aware that the authorization of the Drought Memorandum Account 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 April 21, 2021, based on the first Proclamation of drought from the Governor.

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 PROTEST²

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 grounds³ are:

² G.O. 96-B, General Rule 7.4.1

³ G.O. 96-B, General Rule 7.4.2

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

Kamilah.Jones@amwater.com

4701 Beloit Drive
Sacramento, CA 95838

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555 Montgomery Street, Ste. 916
San Francisco, CA 94111

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.

REPLIES⁴

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

⁴ 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.
10118-W	PRELIMINARY STATEMENT Summary Table Sheet 2	10096-W
10119-W	PRELIMINARY STATEMENT (Continued) Sheet 1	
10120-W	TABLE OF CONTENTS Sheet 1	10117-W

PRELIMINARY STATEMENT
Summary Table

Sheet 2

Reference	Account	Tariff	
AG	School Lead Testing Memorandum Account (SLTMA)	9667-W	
AH	The Memorandum Account for Environmental Improvement and Compliance Issues for Acquisitions	10091-W	
AI	Dunnigan Consulting Memorandum Account	9669-W	
AJ	Water-Energy Nexus Program Memorandum Account (WENMA)	9670-W	
AK	Special Facilities Fee Memorandum Account	9671-W	
AL	Monterey Service Area Pre-2015 Residential Water Revenue Adjustment Mechanism/Modified Cost Balancing Account ("WRAM/MCBA") Under-collection/recovery Balancing Account	9673-W	
AM	Monterey Service Area Pre-2015 Non-Residential Water Revenue Adjustment Mechanism/Modified Cost Balancing Account ("WRAM/MCBA") Under-collection/recovery Balancing Account	9674-W	
AN	Public Safety Power Shut-Off Memorandum Account (PSPSMA)	9675-W, 9676-W	
AO	General Rate Case Interim Rate True-up Memorandum Account	9677-W	
AP	Central Division Leak Adjustment Balancing Account	9678-W	
AQ	Two-Way Tax Accounting Memorandum Account (TMA)	9679-W	
AR	Sustainable Groundwater Management Act Memorandum Account (SGMA)	9680-W	
AS	Group Insurance Balancing Account (GIBA)	9681-W	
AT	Rio Plaza Groundwater Management Memorandum Account	9682-W	
AU	Rio Plaza Transaction Memorandum Account	9683-W	
AV	MPSWP Phase 1 Project Cost Memorandum Account (PCMA)	9684-W	
AW	MPSWP Operations and Maintenance Memorandum Account (MOMMA)	9685-W	
AX	Meadowbrook CIAC Regulatory Asset	9686-W	
AY	All District Conservation Rationing Memorandum Account	9687-W	
AZ	Monterey Wastewater Purchased Power Balancing Account	9688-W	
BA	Sand City Desalination Plant Purchased Water Balancing Account (SCDPPWBA)	9689-W	
BB	Chromium-6 Balancing Account	9690-W	
BC	Fruitridge Vista Meter Installation Memorandum Account (FVMIMA)	9691-W	
BD	Fruitridge Vista Transaction Memorandum Account (FVTMA)	9692-W	
BE	Sacramento Service Area Voluntary Conservation or Mandatory Rationing Memorandum Account (VCMRMA)	9693-W	
BF	Hillview Service Area Memorandum & Balancing Accounts	9758-W	
BG	Hillview Memorandum Account for Deferred Income Taxes (HMADIT)	9759-W	
BH	Central Basin Contamination Memorandum Account	10047-W	
BI	Drought Memorandum Account (DRMA)	10119-W	(N)
BJ	Fruitridge Vista Multifamily Meter Retrofit Memorandum Account (MFMRMA)	XXXXX-W	(P)
BK	East Pasadena Transaction Memorandum Account (EPTMA)	10092-W	
BL	East Pasadena Purchased Power Balancing Account (EPPPBA)	10099-W	(N)

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(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1343	J. T. LINAM	Date Filed	<u>07/27/2021</u>
Decision		DIRECTOR - Rates & Regulatory	Effective	<u>07/27/2021</u>
			Resolution	_____

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(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1343	J. T. LINAM	Date Filed <u>07/27/2021</u>
Decision	DIRECTOR - Rates & Regulatory	Effective <u>07/27/2021</u>
		Resolution _____

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