



January 31, 2013

Advice Letter No. 276-E

(U 913 E)

## California Public Utilities Commission

Golden State Water Company ("GSWC"), on behalf of Bear Valley Electric Service ("BVES"), hereby transmits for filing an original and four conformed copies of this advice letter with the California Public Utilities Commission ("Commission").

**Subject: GHG Environmental Performance Standard ("EPS") Compliance Filing**

### **Purpose**

This Attestation Letter notifies the Commission that BVES did not enter into any financial commitments for power in 2012. A signed Attachment 1 entitled "Compliance Filing for LSEs with no Long-Term Financial Commitments" is enclosed with this Advice Letter.

### **Background**

Commission Decision ("D.") D.07-01-039 requires all Load Serving Entities ("LSE") to file annual Attestation Letters, due February 15 of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the emissions performance standard. D. 07-01-039 requires LSE's to file Attestation Letters as an advice letter and serve the letter on the service list in Rulemaking No. ("R") 06-04-009. Specifically, Ordering Paragraph No. 4 of D. 07-01-039 states:

*4. All LSEs other than PG&E, SCE and SDG&E are required to file annual Attestation Letters, due by February 15 of each year, attesting to the Commission that the financial commitments entered into during the prior calendar year are in compliance with the EPS. The Attestation Letter shall include a certification, including the name and contract information for the LSE officer(s) certifying the following under penalty of perjury:*

- A. *I have reviewed, or have caused to be reviewed, this compliance submittal.*
- B. *Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.*
- C. *Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules and regulations.*

*The Attestation Letter shall be filed as an advice letter and served on the service list in this proceeding, or its successor proceeding. The Attestation Letter shall be subject to the Commission procedures governing advice letter filings, which include opportunity for protests and responses. However, no Attestation Letter shall be "deemed approved" under those procedures.*

*Energy Division shall review each Attestation Letter and approve it if it contains all the elements required by the EPS documentation requirements, includes a certification by the responsible corporate officers, and if the facts stated in the Attestation Letter show compliance with the EPS. Energy Division approval of the Attestation Letter means that the Attestation Letter is in compliance with these rules, and that any procurements as reported in the Attestation Letter comply with the requirements of the EPS program. Energy Division approval does not mean that LSE procurements that are unreported or inaccurately reported comply with the EPS. LSEs shall be subject to penalties if the attestation letters are found, at a later date, to be incomplete, misleading or incorrect.*

This advice letter adheres to the provisions in D. 07-01-039.

#### **Tier Designation**

Pursuant to D. 07-01-024, this advice letter is submitted with a Tier 2 designation.

#### **Effective Date**

GSWC is requesting an effective date of March 2, 2013.

#### **Notices and Protests**

A protest is a document objecting to the granting in whole or in part of the authority sought in this advice letter.

A response is a document that does not object to the authority sought, but nevertheless presents information that the party tendering the response believes would be useful to the CPUC in acting on the request.

A protest must be mailed within 20 days of the date the CPUC accepts the advice letter for filing. The Calendar is available on the CPUC's website at [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

A protest must state the facts constituting the grounds for the protest, the effect that approval of the advice letter might have on the protestant, and the reasons the protestant believes the advice letter, or a part of it, is not justified. If the protest requests an evidentiary hearing, the protest must state the facts the protestant would present at an evidentiary hearing to support its request for whole or partial denial of the advice letter. The utility must respond to a protest with five days.

**All protests and responses should be sent to:**

California Public Utilities Commission, Energy Division

ATTN: Tariff Unit

505 Van Ness Avenue

San Francisco, CA 94102

E-mail: Honesto Gatchalian ([ijnj@cpuc.ca.gov](mailto:ijnj@cpuc.ca.gov)) or Maria Salinas ([mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov))

Copies should also be mailed to the attention of the Director, Energy Division, Room 4004 (same address above).

**Copies of any such protests should be sent to this utility at:**

Golden State Water Company

ATTN: Nguyen Quan

630 East Foothill Blvd.

San Dimas, CA 91773

Fax: 909-394-7427

E-mail: [nquan@gswater.com](mailto:nquan@gswater.com)

If you have not received a reply to your protest within 10 business days, contact Nguyen Quan at (909) 394-3600 ext. 664.

Distribution of this advice letter is being made to the attached service list in accordance with General Order No. 96-B. A copy of this advice letter is also being furnished to the entities listed on the service list for R.06-04-009.

**Correspondence**

Any correspondence regarding this compliance filing should be sent by regular mail or e-mail to the attention of:

Nguyen Quan  
Manager, Regulatory Affairs  
Golden State Water Company  
630 East Foothill Blvd.  
San Dimas, California 91773  
Telephone: (909)-394-3600  
Email: nquan@gswater.com

**Certification**

**I have reviewed, or have caused to be reviewed, this compliance submittal.**

**Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.**

**Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission Orders, rules and regulations.**

**GOLDEN STATE WATER COMPANY**



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**Keith Switzer**  
**Vice President, Regulatory Affairs**  
**(909) 394-3600 ext. 759**  
**[kswitzer@gswater.com](mailto:kswitzer@gswater.com)**

**Attachment 1**  
**Compliance Filing for LSEs with no Long-Term Financial Commitments**

January 31, 2013

CA Public Utilities Commission  
Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102-3298

Re: GHG Environmental Performance Standard (EPS) Compliance Filing 2013

Pursuant to Ordering Paragraph No. 4 of Decision (“D.”) 07-01-039, issued in R. 06-04-009 on January 25, 2007, Golden State Water Company (“GSWC”) on behalf of Bear Valley Electric Service (“BVES”) submits this annual Attestation Letter affirming that the financial commitments GSWC has entered into for generation during the prior calendar year are in compliance with the greenhouse gas (“GHG”) emissions performance standard (“EPS”). Specifically, GSWC is in compliance with the EPS as it has no generation facilities and no long-term financial commitments for generation.

**Effective Date:** March 2, 2013

**Tier Designation:** Tier 2 Designation

**Purpose**

This Attestation Letter provides information and documentation required by D.07-01-039. This Attestation Letter demonstrates that for **2012** GSWC has not entered into financial commitments that are in compliance with the EPS (long-term financial commitments defined on Page 3 of Attachment 7 in D.07-01-039).

**Background**

D.07-01-039 requires all Load Serving Entities (“LSEs”) to file annual Attestation Letters, due February 15<sup>th</sup> of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the EPS. D.07-01-039 requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in Rulemaking (“R.”) 06-04-009. This Attestation Letter is filed pursuant to that process.

D.07-01-039 requires LSEs to include a listing of long-term financial commitments of five years or longer that they have entered into during the prior year. Furthermore, D.07-01-039 requires additional documentation demonstrating that LSEs have complied with the EPS. Specifically, D.07-01-039 requires LSEs to provide documentation to demonstrate:

- (a) That the commitments were not “covered procurements” under the interim EPS rule and/or
- (b) For those that represent covered procurements, documentation demonstrating that such procurements are EPS-compliant, including any contracts with a term of five years or longer that include provisions for substitute energy purchases.
- (c) For any requested reliability-based exemptions that have been pre-approved by the Commission, a reference to the application and Commission decision number.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the powerplant should include historical annual averages in order to help determine whether the plant is “designed and intended” to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates and corresponding emissions rates that reflect the actual, expected operations of the plant.

This Attestation Letter comports with the requirements outlined above.

### **Protests**

This compliance filing is not subject to protest pursuant to General Order 96-B, Energy Industry Rule 9.

### **Correspondence**

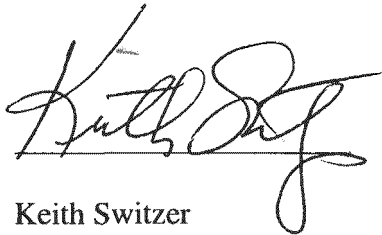
Any correspondence regarding this compliance filing should be sent by email to the attention of:

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San Dimas, California 91773  
Telephone: (909)-394-3600  
Email: nquan@gswater.com

### **Certification**

I have reviewed, or have caused to be reviewed, this compliance submittal.

- (1) Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.
  
- (2) Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules, and regulations.



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**GOLDEN STATE WATER COMPANY**

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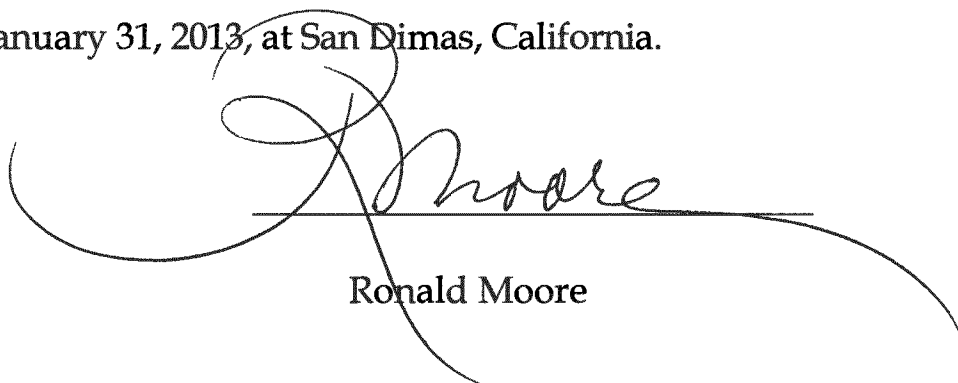
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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Golden State Water Company (doing business as Bear Valley Electric Service) and on this 31th day of January 2013, I served each party on the CPUC website listed in Docket No. R.06-04-009 with a copy of Golden State Water Company's Advice Letter 276-E, via electronic mail. U. S. Mail will be used if electronic service cannot be effectuated.

Executed on January 31, 2013, at San Dimas, California.

A handwritten signature in cursive script, appearing to read "R. Moore", is written over a horizontal line. The signature is highly stylized with large loops and flourishes, particularly a large loop on the left side that extends downwards and then curves back up to cross the line. The name "Ronald Moore" is printed in a simple, sans-serif font directly below the line.

Ronald Moore

**CALIFORNIA PUBLIC UTILITIES COMMISSION**  
**Service Lists**

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**PROCEEDING: R0604009 - CPUC - PG&E, SDG&E,**  
**FILER: CPUC - PG&E, SDG&E, SOCALGAS, EDISON**  
**LIST NAME: LIST**  
**LAST CHANGED: OCTOBER 9, 2012**

[Back to Service Lists Index](#)

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# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. Golden State Water Company (DBA Bear Valley Electric Service)/ 913-E

Utility type:

ELC       GAS  
 PLC       HEAT     WATER

Contact Person: Nguyen Quan

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E-mail: nquan@gswater.com

EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas  
PLC = Pipeline      HEAT = Heat      WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 276-E

Subject of AL: GHG Environmental Performance Standard (EPS) Compliance Filing

Keywords (choose from CPUC listing): Compliance

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other \_\_\_\_\_

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: D.07-01-039

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL No

Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: N/A

Resolution Required?  Yes  No

Tier Designation  1  2  3

Requested effective date: March 2, 2013

No. of tariff sheets: 0

Estimated system annual revenue effect: (%): None

Estimated system average rate effect (%): None

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: None

Service affected and changes proposed<sup>1</sup>: None

Pending advice letters that revise the same tariff sheets: None

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:**

**CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Ave.,  
San Francisco, CA 94102  
[inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)**

**Golden State Water Company  
Attention: Nguyen Quan, Reg. Affairs  
630 E. Foothill Blvd.  
San Dimas, CA 91773  
[nquan@gswater.com](mailto:nquan@gswater.com)**

<sup>1</sup> Discuss in AL if more space is needed.