

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

Advice Letter Cover Sheet

Utility Name: Lukins Brothers Water
Company, Inc.

Date Mailed to Service List: May 26, 2020

CPUC Utility #: WTC 142

Protest Deadline (20th Day): Jun. 15, 2020

Advice Letter #: 84-W

Review Deadline (30th Day): Jun. 25, 2020

Tier 1 2 3 Compliance

Requested Effective Date: May 26, 2020

Compliance with Executive
Director March 26, 2020

Authorization instructions

Rate Impact: \$0
%

Description: Emergency Disaster Customer Protections –
COVID19

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: Jennifer Lukins

Utility Contact 2:

Phone: (530) 541-2606

Phone 2:

Email: jennifer@lukinswater.com

Email 2:

DWA Contact: Tariff Unit

Phone: (415) 703-1133

Email: Water.Division@cpuc.ca.gov

DWA USE ONLY

DATE

STAFF

COMMENTS

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

APPROVED

WITHDRAWN

REJECTED

Signature: _____

Comments: _____

Date: _____

LUKINS BROTHERS WATER COMPANY, INC.

2031 West Way, So. Lake Tahoe, CA 96150

Telephone (530)541-2606

Advice Letter 84-W

Lukins Brothers Water Company, Inc. to the California Public Utilities Regarding Implementation of Emergency Customer Protections

Lukins Brothers Water Company, Inc. (LBWC) transmits this Tier 1 informational advice letter filing to notify the California Public Utilities Commission (“CPUC” or “Commission”) that LBWC has already voluntarily implemented certain customer protections and is complying with the May 7, 2020 letter from Bruce DeBerry, CPUC Water Division Manager, to all Class C and D water and sewer utilities to provide applicable “*Customer Protections directed in D.19-07-015 and D.19-08-025 in response to the declared state of emergency cause (sic) by the COVID-19 pandemic and activation of the Catastrophic (Event) Memorandum Account (CEMA)*”.

Background and Compliance with Executive Director Stebbins’ Instructions

On April 2, 2020, LBWC responded to the March 26, 2020 Alice Stebbins letter and provided information regarding the applicable customer protection measures voluntarily taken by LBWC thus far to protect customers by continuing water service to residential customers who are unable to pay their bills because of the COVID-19 State of Emergency. (See copy of LBWC’s “Emergency Customer Protections to Support Customers Affected by the COVID-19 State of Emergency” letter, attached hereto). That letter described additional steps taken by LBWC to keep its customers and workforce healthy. Some of these actions include:

- Staggering work schedules.
- Closing business office lobby to the public.
- Increasing frequency and intensity of cleanings and disinfection of facilities and equipment.
- Limiting meeting sizes.
- Providing soap, hand sanitizers, disinfecting wipes, gloves, masks and other safety equipment and materials in all common areas and field trucks.
- Frequently communicating with employees on developments, company updates, social distancing measures and personal hygiene best practices.
- Reminding employees to stay home if sick.

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- Working with local health officials and emergency personnel to advise LBWC and ensure the utility takes all appropriate steps to support a healthy workforce and community.

On May 7, 2020 Bruce DeBerry, CPUC Water Division Manager, sent a letter to all Class C and D water and sewer utilities requesting them to file a Tier 1 advice letter “to provide Customer Protections directed in D.19-07-015 and D.19-08-025 in response to the declared state of emergency cause (sic) by the COVID-19 pandemic and activation of the Catastrophic (Event) Memorandum Account (CEMA).”

On March 20, 2020, LBWC invoked its Catastrophic Event Memorandum Account (CEMA) starting to track costs, starting March 4, 2020, incurred by LBWC in response to a catastrophic event that has been officially declared a disaster or state of emergency by government authorities. (See copy of LBWC’s CEMA invocation letter to CPUC Executive Director Alice Stebbins and Water Division Manager Bruce DeBerry, attached hereto).

Discussion

CPUC Decision 19-07-015 states, in pertinent part,

Conclusions of Law...

2. The water and sewer corporations under this Commission’s jurisdiction that are covered under this Decision are: all Class-A water utilities (California Water Service Company, California American Water Company, Golden State Water Company, Great Oaks Water Company, Liberty Utilities (Apple Valley Ranchos Water, and Park Water), San Jose Water Company, San Gabriel Valley Water Company, and Suburban Water Systems; and all Class-B water utilities (Fruitridge Vista Water Company, Bakman Water Company, Del Oro Water Company, East Pasadena Water Company, Santa Catalina Island Water (a division of Southern California Edison Company), and Alco Water Service).

3. It is reasonable to require the electric and natural gas utilities, as identified in Conclusion of Law 1, and the water, and sewer utilities, as identified in Conclusion of Law 2, to provide emergency customer protections when the governor of California or the president of the United States declares a state of emergency where the state of emergency has disrupted the delivery or receipt of utility service and/or the degradation of the quality of utility service to utility residential and small business customers.....

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6. It is reasonable to define, for the water and sewer utilities as identified in Conclusion of Law 2, that “delivery or receipt” of water utility service should be considered “disrupted” when a disaster(s): that is the subject of a qualifying emergency proclamation results in a temporary or permanent interruption in the customer’s receipt of, or ability to benefit from, utility service at the service address. Disruption may occur, but is not limited to, when a disaster(s) has resulted in the destruction of, or damage to, either a structure where a customer receives utility service or the utility’s infrastructure or equipment that delivers service, such that utility service is disrupted voluntarily or involuntarily due to safety concerns or reconstruction activities to address the damage from a declared state of emergency event, including but not limited to evacuation orders prohibiting customers from returning to their home and/or business .

7. It is reasonable to define, for the water and sewer utilities as identified in Conclusion of Law 2, “quality of utility service” as “degraded” when a disaster has affected water quality or delivery such that a customer’s usage must change.....

9. It is reasonable to require the electric and natural gas utilities, as identified in Conclusion of Law 1, and the water, and sewer utilities, as identified in Conclusion of Law 2, to provide the mandated customer protections to residential and small business customers upon the commencement of the governor of California or president of the United States’ state of emergency declaration.

LBWC is a Class C water utility and is not one the water or sewer corporations covered under the Commission’s Decision 19-07-015 or Decision 19-08-025; see Conclusion of Law 2 from Decision 19-07-015 above. The COVID-19 State of Emergency declared by both the Governor of California on March 4, 2020 and by the President of the United States on March 13, 2020, has not “disrupted the delivery or receipt of utility service and/or the degradation of the quality of utility service” to any of LBWC’s customers. LBWC has not experienced any loss, disruption, or degradation of the water service that it provides to its customers due to the COVID-19 state of emergency.

Although the customer protection measures adopted in CPUC Decision 19-07-015 and Decision 19-08-025 do not apply to Class C water or sewer utilities, and although there has been no loss, disruption, or degradation of LBWC’s service provided to its customers, LBWC has voluntarily taken certain actions and implemented certain applicable customer protections to assist its customers in response to the COVID-19 State of Emergency Declarations. LBWC has previously informed the CPUC’s Water Division by letters dated March 20, 2020 and April 2, 2020 of such actions and applicable customer protections.

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With this Tier 1 information only advice letter filing, LBWC is confirming these voluntary actions and voluntarily implemented applicable customer protections taken by LBWC as described in the previous letters from LBWC to the Commission. Further, LBWC states that such applicable customer protections will continue during the pendency of the COVID-19 State of Emergency. Again, these voluntary actions and voluntarily implemented applicable customer protections are as follows:

Other Actions by LBWC

LBWC voluntary actions and voluntarily implemented applicable customer protections are as follows:

- Activated its Catastrophic Event Memorandum Account (CEMA) starting March 4, 2020 and notified the Executive Director of the CPUC and Water Division.
- Temporarily suspended discontinuation of service for non-payment of water bills.
- Offered extended payment plan options to customers.
- Working cooperatively with customers to resolve unpaid bills.
- Expedited start/end of service requests.
- Posted information regarding LBWC COVID-19 response to its customers to our homepage at www.lukinswater.com.
- Notified customers via bill insert / direct mailer to contact LBWC if they are having difficulty paying their water bill due to financial hardships that they may be experiencing as a result of the COVID-19 health crisis.
- Notified local governments and local elected officials of LBWC's actions.

Further, with the April 2, 2020 letter to the Commission, LBWC described additional steps taken by LBWC to keep its customers and workforce healthy, some of which include:

- Staggering work schedules.
- Closing business office lobby to the public.
- Increasing frequency and intensity of cleanings and disinfection of facilities and equipment.

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- Limiting meeting sizes.
- Providing soap, hand sanitizers, disinfecting wipes, gloves, masks and other safety equipment and materials in all common areas and field trucks.
- Frequently communicating with employees on developments, company updates, social distancing measures and personal hygiene best practices.
- Reminding employees to stay home if sick.
- Working with local health officials and emergency personnel to advise LBWC and ensure the utility takes all appropriate steps to support a healthy workforce and community.

No Effect on Water Service

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

TIER DESIGNATION

This is a Tier 1 Advice Letter pursuant to General Order 96-B and Water Industry Rule 7.3.1(3) (Compliance with mandatory statute, decision, or resolution).

NOTICE AND SERVICE

As this Advice Letter is for compliance with Executive Director Stebbins' March 26, 2020 letter, no additional notice to customers is required.

RESPONSE OR PROTEST¹

Anyone may respond to or protest this advice letter. A response supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter. A protest objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds are:

¹ GO. 96-B, General Rule 7.4.1

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1. The utility did not properly serve or give notice of the advice letter;
2. The relief requested in the advice letter would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
3. The analysis, calculations, or data in the advice letter contain material error or omissions;
4. The relief requested in the advice letter is pending before the Commission in a formal proceeding; or
5. The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or
6. The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided 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 Advice Letter where the relief requested in the Advice Letter 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. The Water Division must receive a response or protest via email (**or** postal mail) within 20 days of the date the Advice Letter is filed. The addresses for submitting a response or protest are:

Mailing Address:

Tariff Unit
Water Division, 3rd Floor
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Email Address:

Water.Division@cpuc.ca.gov

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy of the protest to LBWC at:

LUKINS BROTHERS WATER COMPANY, INC.

2031 West Way, So. Lake Tahoe, CA 96150

Telephone (530)541-2606

Mailing Address:

LUKINS BROTHERS Water Company

Attn: Jennifer Lukins

2031 West Way

South Lake Tahoe, CA 96150

Email Address:

info@lukinswater.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Advice Letter No. 84-W on the parties listed on the following Distribution List by mailing a properly addressed copy by first class mail with postage prepaid or by email to those with email addresses provided.

Executed in South Lake Tahoe, California on May 26, 2020.

LUKINS BROTHERS Water
Company

By: _____
Jennifer Lukins
Manager

Enclosures

LUKINS BROTHERS WATER COMPANY, INC.

SERVICE LIST

(Per Section 4.3 of GENERAL ORDER NO. 96-B)

Advice Letter #84-W

Via First Class US Mail

Service List:

City of South Lake Tahoe
Administrative Center
1901 Airport Blvd.
So. Lake Tahoe, CA 96150

Teri Jamin
1052 Tata Lane
South Lake Tahoe, CA 96150

Larry Montoya
montoyafamily1@sbcglobal.net

El Dorado County
Development Services Dept.
924 Emerald Bay Rd., Ste. B
So. Lake Tahoe, CA 96150

Maureen Froyum
920 Patricia Lane
South Lake Tahoe, CA 96150

James Cullen
shawncullen1@att.net

South Tahoe PUD
1275 Meadow Crest Dr.
South Lake Tahoe, CA 96150

Lawrence Suydam
895 Secret Harbor Drive
South Lake Tahoe, CA 96150

Jerry Keyser
jkeyser@keysermarston.com

Tahoe Keys POA
356 Ala Wai Blvd.
South Lake Tahoe, CA 96150

N. McRae
3243 Rohner Drive
LaFayette, CA 94549

Danny Lukins, Manager
Lukins Brothers Water Co.
danny@lukinswater.com

Fern Erskine
786 Patricia Lane
South Lake Tahoe, CA 96150

Robert Haney
PO BOX 14447
South Lake Tahoe, CA 96151

Robert Mann, Plumas Bank
robert.mann@plumasbank.com

Mike Mosca
Po Box 9136
South Lake Tahoe, CA 96158

James Getz
597 Tahoe Island Drive
South Lake Tahoe, CA 96150

Oscar Guerrero
Oscar.Guerrero@waterboards.ca.gov

Alan Miller
Po Box 7526
South Lake Tahoe, CA 96158

Carol Daum
PO BOX 550160
South Lake Tahoe, CA 96155

Richard Munk
dasmunk@aol.com

Edmund Viray
edmundviray@gmail.com