

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

**Advice Letter Cover Sheet**

**Utility Name:** Twin Valley Inc. **Date Mailed to Service List:** 5/11/2020  
**District:** n/a  
**CPUC Utility #:** WTD-409 **Protest Deadline (20<sup>th</sup> Day):** 5/31/2020  
**Advice Letter #:** 49 **Review Deadline (30<sup>th</sup> Day):** 6/10/2020  
**Tier** 1 2 3  Compliance **Requested Effective Date:** 3/4/20

**Authorization:** 025  
Letter from Alice Stebbins dated  
3/26/20- D.19-07015F & D.08-

**Description:** COVID-19 State of Emergency- Activation of  
Emergency Customer Protections &  
Catastrophic Event Memorandum

**Rate Impact:** n/a

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:** Marlene F. Demery  
**Phone:** (707) 479-8880  
**Email:** [marlene@demeryandassoc.com](mailto:marlene@demeryandassoc.com)

**Utility Contact 2:**  
**Phone 2:**  
**Email 2:**

**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WITHDRAWN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:** \_\_\_\_\_

\_\_\_\_\_

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

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APPROVED

WITHDRAWN

REJECTED

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

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

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

\_\_\_\_\_

## Twin Valley Water Inc. Receivership

P.O. BOX 615

Castroville CA 95012

Telephone: 707.479.8880

Email: [marlene@demeryandassoc.com](mailto:marlene@demeryandassoc.com)

May 11, 2020

Advice Letter No. 49

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Twin Valley Water Inc. Receivership (WTD-409) (“TVI”) hereby submits this Advice Letter as a Tier 1 compliance filing in order to provide required notification to the California Public Utilities Commission (“Commission”).

### **PURPOSE**

The purpose of this Advice Letter filing is to provide notification to the Commission that TVI is activating its Catastrophic Event Memorandum Account (“CEMA”) and implementing emergency customer protections as a result of a State of Emergency being declared for a recent public health emergency. This notification is being provided in accordance with Commission orders in Decisions (“D.”) 19-07-015 and D.19-08-025 and in accordance with Commission Executive Director Alice Stebbins’ direction in a letter dated March 26, 2020 (the “Letter”).

### **BACKGROUND**

In December 2019, a novel (new) coronavirus known as SARS-Co-V-2 (“Covid-19”) was first detected in Wuhan, China, subsequently resulting in a global outbreak of the virus. On January 31, 2020, the Secretary of Health and Human Services declared a public health emergency in response to COVID-19. On March 4, 2020, the Governor of the State of California proclaimed a State of Emergency to exist due to the COVID-19 outbreak and on March 13, 2020, the President of the United States proclaimed that the COVID-19 outbreak in the United States constitutes a National Emergency.

### **COMPLIANCE**

The Letter states that the Commission “expect(s) the utilities and service providers subject to D. 19-07-015 and D. 19-08-025 to extend the same applicable customer protections directed in D. 19-07-015 and D. 19-08-25 to customers in response to the declared state of emergency due to the spread of COVID-19. We also expect the utilities and service providers to report to the CPUC on all customer protection measures they implement in response to COVID-19 as soon as they are implemented.” The Letter advises that these customer protections should be retroactively applied to March 4, 2020.

In D. 19-07-015, the Commission established emergency customer relief protections that apply when the California Governor's Office or the President of the United State issues a state of emergency.

### **CATASTROPHIC EVENT MEMORANDUM ACCOUNT ACTIVATION**

TVI has activated its CEMA to track the recorded costs associated with the recent COVID-19 declared state of emergency. In accordance with Cal. Pub. Util. Code §454.9 and Ordering Paragraph 10 of D. 19-07-015, these costs shall include, but are not limited to:

1. Restoring utility service to the utility customers;
2. Repairing, replacing, or restoring damaged utility facilities;
3. Complying with government agency orders resulting from declared disasters; and
4. Costs associated with implementing emergency customer protections, including costs of communications not already reflected in rates and waived or deferred charges.

Pursuant to the Letter, costs recorded into the CEMA begin March 4, 2020, the date the Governor declared a state of emergency. As described in 's Preliminary Statement, the utility will inform the Executive Director by letter within 30 days after the catastrophic event that TVI has started recording costs in the CEMA. Copies of the letter shall be provided to the Water Division and the Director of the Office of California Public Ratepayers Advocates. Due to the uncertain and widespread natures of the COVID-19 pandemic, TVI cannot estimate what the extraordinary costs will be incurred at this time, but currently anticipates that costs will be related to employee safeguards, operational adjustments for business continuity, customer protections and relief, and additional required communications and outreach. Further, TVI shall make insurance claims on covered costs and expenses related to the disaster and credit payments to the CEMA.

### **ELIGIBILITY REQUIREMENTS FOR EMERGENCY CUSTOMER PROTECTIONS**

Through this advice letter, TVI will implement consumer protections as described below for customers who self-certify that they have been financially affected by COVID-19, effective March 4,2020, and will remain in place until March 4, 2021, or until otherwise ordered by the Commission.

TVI customers who self-certify that they are experiencing economic hardship due to COVID-19 will have their accounts identified or flagged in TVI's customer service billing system as eligible for billing and credit protections as extended by the Commission. TVI will provide the following:

1. Implement emergency customer protections, including moratorium on service disconnections for customers who are economically affected.
2. Waive deposit requirements and late fees.

3. Implement flexible payment plans by collaborating with affected customers and customers with arrearages to establish payment arrangements based on individual customer needs.
4. Customer protections will be retroactive effective March 4, 2020.

#### **TIER DESIGNATION AND EFFECTIVE DATE**

This advice letter is submitted with a Tier 1 designation pursuant to Ordering Paragraph 9 and 10 of D. 19-07-015 and General Order 96-B. This Advice Letter requests an effective date of March 4, 2020, in compliance with Executive Director Stebbins' directive applying customer protections retroactively to the start date of the Governor of California's emergency proclamation.

#### **NOTICE**

This is a Tier 1 compliance filing consistent with Water Industry Rule 7.3.1(3) of General Order 96-B. Water Industry Rule 3.2 of General Order 96-B indicates that this kind of Tier 1 compliance filing does not require customer notice. In accordance with General Rule 4.3 of General Order 96-B, a copy of this advice letter is being provided to the entities listed on the attached service list.

#### **RESPONSE OR PROTEST**

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. 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 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.

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The Water Division must receive a response or protest via email (**or** postal mail) within 20 days of the date of the advice letter is filed. The address for mailing or delivering a response or protest is:

**Email Address:**

[Water\\_Division@cpuc.ca.gov](mailto:Water_Division@cpuc.ca.gov)

**Mailing Address:**

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

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

**Email Address:**

[marlene@demeryandassoc.com](mailto:marlene@demeryandassoc.com)

**Mailing Address:**

TVI Water  
P.O. Box 615  
Castroville CA 95012

**REPLIES**

The utility shall reply to each protest and may reply to any response. Any reply must be received by the Water Division within five business days after the end of the protest period and shall be served on the same day on each person who file the protest or response to the advice letter.

Should there be any questions or concerns, please contact TVI's office at 707.479.8880.

Best Regards,



**Marlene F. Demery, Receiver**

Twin Valley Water Inc. Receivership

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**SERVICE LIST**

General Manager

Santa Clara County Water District

Via email: [info@valleywater.org](mailto:info@valleywater.org)

State Water Resources Control Board

Division of Drinking Water

Eric Lacy, District Manager

Via email: [Eric.Lacy@waterboards.ca.gov](mailto:Eric.Lacy@waterboards.ca.gov)

Santa Clara County Department of Environmental Health

Via email: [dehweb@deh.sccgov.org](mailto:dehweb@deh.sccgov.org)

I hereby certify that the above service list has been served a copy of L 22 on 5/11/20.

Executed in Santa Rosa California on 5/11/20.

By:

A handwritten signature in blue ink that reads "Marlene F. Demery". The signature is written in a cursive style with a large initial "M".

Marlene F. Demery, Receiver