

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

**Advice Letter Cover Sheet**

**Utility Name:** California Water Service Company      **Date Mailed to Service List:** 03/15/2022  
 Bayshore, Bear Gulch, Dominguez, East  
 Los Angeles, Hermosa-Redondo, Palos

**District:** Verdes and Westlake

**CPUC Utility #:** U-60-W      **Protest Deadline (20<sup>th</sup> Day):** 04/14/2022

**Advice Letter #:** 2446      **Review Deadline (30<sup>th</sup> Day):** 04/14/2022

**Tier:**  1     2     3     Compliance      **Requested Effective Date:** 04/15/2022

**Authorization:** Resolutions W-4976 and W-5034

**Description:** Activation of Schedule 14.1 (Drought)      **Rate Impact:** none  
 Stage 2

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:** Natalie Wales  
**Phone:** 408-367-8566  
**Email:** [Nwales@calwater.com](mailto:Nwales@calwater.com)

**Utility Contact:** Albree Jewell  
**Phone:** 916-205-4539  
**Email:** [ajewell@calwater.com](mailto:ajewell@calwater.com)

**DWA Contact:** Tariff Unit  
**Phone:** (415) 703-1133  
**Email:** [Water.Division@cpuc.ca.gov](mailto: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WITHDRAWN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:** \_\_\_\_\_

\_\_\_\_\_

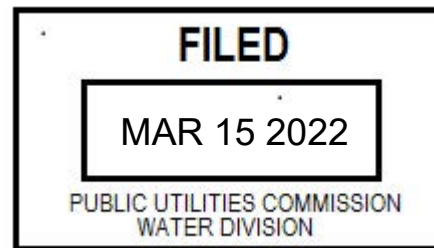


**CALIFORNIA WATER SERVICE COMPANY**

1720 NORTH FIRST STREET  
SAN JOSE, CA 95112 • (408) 367-8200 • F (408) 367-8428

March 15, 2022

**Advice Letter No. 2446**



To the California Public Utilities Commission:

California Water Service Company (Cal Water) respectfully requests approval of this Tier 1 advice letter to request activation of Stage 2 of the “Water Use Restrictions of its Water Shortage Contingency Plan” in Cal Water’s Tariff Schedule 14.1. *Consistent with the Commission’s guidelines during the COVID-19 pandemic, this advice letter is only being distributed electronically to the Water Division and the attached service lists.*

**Summary**

Cal Water requests authority to activate Stage 2 of Cal Water’s Schedule 14.1 in the Bayshore, Bear Gulch, Dominguez, East Los Angeles, Hermosa Redondo, Palos Verdes and Westlake service areas effective April 15, 2022.

**Background**

In AL 2426, submitted October 20, 2021, Cal Water requested activation of Stage 2 of the “Water Use Restrictions of its Water Shortage Contingency Plan” in Cal Water’s Tariff Schedule 14.1 for our Bakersfield, Kern River Valley, Livermore, Los Altos, Redwood Valley, and Visalia service areas with an effective date of December 14, 2021.

To request activation of a new stage, Cal Water’s Tariff Rule 14.1(F)(2) requires Cal Water to meet one of the following:

- a) Cal Water, the California Public Utilities Commission, wholesale water supplier, or other government agency declares an emergency requiring mandatory water budgets, mandatory water rationing, or mandatory water allocations; or
- b) A government agency declares a state of emergency in response to severe drought conditions, earthquake or other catastrophic event that severely reduces Cal Water’s water supply; or
- c) Water supplies are projected to be insufficient to meet normal customer demand by Cal Water; or
- d) A water supply shortage or threatened shortage exists; or
- e) Cal Water is unable to achieve water conservation targets set by itself or a governing agency; or
- f) Water conservation targets set by itself or a governing agency are insufficient; or
- g) Cal Water chooses to subsequently activate a different stage of the Schedule No. 14.1 tariff.



Cal Water’s Tariff Rule 14.1(F)(3) requires Cal Water to include in its Tier 1 filing:

- Provide a justification for activating the particular stage of Staged Mandatory Reductions and Drought Surcharges, as well as the period during which the particular stage will be in effect. (Rule 14.1(F)(3)(a).)
- Notify its customers and provide each customer with a summary of Schedule No. 14.1 by means of bill insert or direct mailing. (Rule 14.1(F)(5)(b).)
- If the activation occurs one year or more since the public hearing associated with adding Schedule No. 14.1, conduct a public hearing pursuant to California Water Code Section 351 prior to activating a stage. (Rule 14.1(F)(5)(b).)

Relevant provisions from the California Water Code:

- Section 351: Excepting in the event of a wildfire or a breakage or failure of a dam, pump, pipeline, or conduit causing an immediate emergency, the declaration [of a Schedule 14.1 stage activation] shall be made only after a public hearing at which consumers of the water supply shall have an opportunity to be heard to protest against the declaration and to present their respective needs to said governing board.
- Section 352: Notice of the time and place of hearing shall be published pursuant to Section 6061 of the Government Code at least seven days prior to the date of hearing in a newspaper printed, published, and circulated within the area in which the water supply is distributed, or if there is no such newspaper, in any newspaper printed, published, and circulated in the county in which the area is located.

## **Discussion**

Governor Gavin Newsom issued a drought declaration for all California counties through four State of Emergency Proclamations with the most recent on October 19, 2021.<sup>1</sup> Stemming from this proclamation the State Water Resources Control Board (“State Water Board”) adopted an emergency regulation by resolution that went into effect January 18, 2022.<sup>2</sup>

In AL 2412, submitted June 14, 2021, Cal Water proposed modifications to its current Rule 14.1 and Schedule 14.1 with an effective date of July 14, 2021. In AL 2426, Cal Water moved 6 service areas into Stage 2 due to the increasingly worse drought conditions in those counties. In light of the State Water Board’s emergency regulations and current water usage levels in the following Cal Water service areas, Cal Water requests authority in this advice letter to activate Stage 2 of

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<sup>1</sup> <https://www.gov.ca.gov/wp-content/uploads/2021/10/10.19.21-Drought-SOE-1.pdf>.  
<https://www.gov.ca.gov/wp-content/uploads/2021/07/7.8.21-Conservation-EO-N-10-21.pdf>.  
<https://www.gov.ca.gov/wp-content/uploads/2021/05/5.10.2021-Drought-Proclamation.pdf>.  
<https://www.gov.ca.gov/wp-content/uploads/2021/04/4.21.21-Emergency-Proclamation-1.pdf>.

<sup>2</sup> [https://www.waterboards.ca.gov/press\\_room/press\\_releases/2022/pr01042022-emergency-water-use-regulations.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2022/pr01042022-emergency-water-use-regulations.pdf).



Schedule 14.1 for the Bayshore, Bear Gulch, Dominguez, East Los Angeles, Hermosa-Redondo, Palos Verdes and Westlake service areas for the foreseeable future.

Summary of Stage 2 limitations: In Stage 1, “Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.”<sup>3</sup> For Stage 2, the restriction is more stringent stating “Irrigating ornamental landscapes with potable water is limited to no more than three (3) days per week”<sup>4</sup> as well as prohibited during the hours of 8:00 a.m and 6:00 p.m.<sup>5</sup> The irrigation day restrictions are based on street address number where odd street addresses can water on Tuesday and Saturday and where even and no street addresses can water on Wednesday and Sunday. In addition this stage states that “new connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons [nor ...] install non-recirculating systems for conveyer car wash applications.”<sup>6</sup>

Meeting notice requirements: Cal Water is scheduling public hearings and is planning to complete all hearings during the month of April. Cal Water is committed to hearing the concerns of its customers, and understands that modifications to Rule 14.1 and/or Schedule 14.1 may be merited.

All public hearings will be held virtually. On April 4, 2022, public hearings will be held for East Los Angeles at 5:30 p.m., and for Westlake at 7 p.m. For Dominguez, Hermosa Redondo, and Palos Verdes, one public hearing will be held on April 5, 2022 at 5:30 p.m. For Bayshore, a hearing will be held on April 6, 2022 at 5:30 p.m. For Bear Gulch, a hearing will be held on April 7, 2022 at 5:30 p.m. Notice of the activation of Stage 2 and the related public meetings will be provided to customers through direct mailings and newspapers.

For Bayshore and Bear Gulch: On November 23, 2021, the San Francisco Public Utilities Commission declared a water shortage emergency.<sup>7</sup> According to the U.S. Drought Monitor, 1.39% of California was in Extreme or Exceptional Drought on January 11, 2022. With the historically dry conditions in January and February, 12.82% of California is in Extreme or Exception Drought as of March 8, 2022.

For Dominguez, East Los Angeles, Hermosa Redondo, Palos Verdes and Westlake: On November 9, 2021, the Metropolitan Water District of Southern California declared a Drought Emergency and called for increased effort to maximize conservation.<sup>8</sup> According to the U.S. Drought Monitor,

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<sup>3</sup> [https://www.calwater.com/docs/rates/rates\\_tariffs/all/20210714-Schedule\\_14.1\\_-\\_Water\\_Shortage\\_Contingency\\_Plan.pdf](https://www.calwater.com/docs/rates/rates_tariffs/all/20210714-Schedule_14.1_-_Water_Shortage_Contingency_Plan.pdf) (pg 7). Times may vary due to local city ordinances.

<sup>4</sup> [https://www.calwater.com/docs/rates/rates\\_tariffs/all/20210714-Schedule\\_14.1\\_-\\_Water\\_Shortage\\_Contingency\\_Plan.pdf](https://www.calwater.com/docs/rates/rates_tariffs/all/20210714-Schedule_14.1_-_Water_Shortage_Contingency_Plan.pdf) (pg 9).

<sup>5</sup> Times may vary due to local city ordinances.

<sup>6</sup> [https://www.calwater.com/docs/rates/rates\\_tariffs/all/20210714-Schedule\\_14.1\\_-\\_Water\\_Shortage\\_Contingency\\_Plan.pdf](https://www.calwater.com/docs/rates/rates_tariffs/all/20210714-Schedule_14.1_-_Water_Shortage_Contingency_Plan.pdf) (pg 10).

<sup>7</sup> <https://sfmayor.org/article/san-francisco-declares-water-shortage-emergency-response-statewide-drought>.

<sup>8</sup> <https://www.mwdh2o.com/newsroom-press-releases/metropolitan-declares-drought-emergency/>.



1.39% of California was in Extreme or Exceptional Drought on January 11, 2022. With the historically dry conditions in January and February, 12.82% of California is in Extreme or Exception Drought as of March 8, 2022.

### **Requested Effective Date**

Cal Water is submitting this as a **Tier 1** advice letter pursuant to Rule 14.1(F)(2). In order to allow customers to participate in the public hearings and have the opportunity to protest, **Cal Water requests that the protest period be extended to April 14, 2022. Cal Water proposes a corresponding effective date of April 15, 2022.**

### **Notice**

*Customer Notice* – In March and April, Cal Water will be providing customer notice of this request to move to Stage 2, and the holding of a public hearing, through direct mailings as well as newspaper notices.

*Service Lists* – In accordance with General Order 96-B, General Rule 4.3 and 7.2 and Water Industry Rule 4.1, a copy of this advice letter will be transmitted electronically on **March 15, 2022** to competing and adjacent utilities and other utilities or interested parties having requested such notification, including the Local Agency Formation Commission (LAFCO). **Consistent with the Commission’s guidelines during the COVID-19 pandemic, this advice letter is only being distributed electronically to the Water Division and the attached service lists.**

### **Response or Protest**

Anyone may respond to or protest 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 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 such a protest may not be made where it would require relitigating a prior order of the Commission.)



**CALIFORNIA WATER SERVICE COMPANY**

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A protest shall provide citations or proofs where available to allow staff to properly consider the protest. A response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

Tariff Unit, Water Division, 3<sup>rd</sup> floor  
California Public Utilities Commission,  
505 Van Ness Avenue, San Francisco, CA 94102  
[water.division@cpuc.ca.gov](mailto: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 by mail (or e-mail) to Cal Water at the following address:

Natalie Wales  
California Water Service Company  
1720 North First Street,  
San Jose, California 95112  
E-mail: [cwsrates@calwater.com](mailto:cwsrates@calwater.com)

Cities and counties requiring Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division within the 20-day protest period so a late-filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on. The advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period.

**Replies:** The utility shall reply to each protest and may reply to any response. Each reply must be received by the Water Division within 5 business days after the end of the protest period and shall be served on the same day to the person who filed the protest or response. If you have not received a reply to your protest within 10 business days, contact California Water Service Company at (408) 367-8200, and ask for the Rates Department.

CALIFORNIA WATER SERVICE COMPANY

/s/

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Natalie Wales, Director,  
Regulatory Policy & Compliance

cc: Syreeta Gibbs (Public Advocates Office)  
[PublicAdvocatesWater@cpuc.ca.gov](mailto:PublicAdvocatesWater@cpuc.ca.gov)



## Bayshore District (Bay Area Region)

ADVICE LETTER FILING MAILING LIST  
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

ART MORIMOTO, ASSISTANT DIRECTOR  
OF PUBLIC WORKS  
**City of Burlingame**  
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Burlingame, CA 94010  
[amorimoto@burlingame.org](mailto:amorimoto@burlingame.org)

DARRYL BARROW, GENERAL MANAGER  
**Westborough Water District**  
P.O. Box 2747  
South San Francisco, CA 94083  
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LOUIS SUN, PUBLIC WORKS DIRECTOR,  
CITY ENGINEER  
**Foster City City Hall**  
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Foster City, CA 94404  
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DENNIS BOCH, DEPUTY DIRECTOR OF  
MAINTENANCE & OPERATIONS  
**San Bruno Water Department**  
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San Bruno, CA 94066  
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MATT LEE, PUBLIC SERVICES DIRECTOR  
**San Bruno Water Department**  
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JUSTIN CHAPEL, WATER UTILITIES  
SUPERINTENDENT  
**City of Redwood City**  
1400 Broadway  
Redwood City, CA 94063  
[jchapel@redwoodcity.org](mailto:jchapel@redwoodcity.org)

LOU DURAN, PUBLIC WORKS  
SUPERINTENDENT  
**City of San Carlos**  
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[lduran@cityofsancarlos.org](mailto:lduran@cityofsancarlos.org)

MIKE FUTRELL, CITY MANAGER  
**City of South San Francisco**  
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South San Francisco, CA 94080  
[mike.futrell@ssf.net](mailto:mike.futrell@ssf.net)

PATRICK SWEETLAND, WATER & WATER  
RESOURCES  
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153 Lake Merced Blvd  
Daly City, CA 94005  
[psweetland@dalycity.org](mailto:psweetland@dalycity.org)

PAUL WILLIS, PUBLIC WORKS DIRECTOR,  
CITY ENGINEER  
**Town of Hillsborough**  
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Hillsborough, CA 94010  
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PUBLIC WORKS DIRECTOR  
**City of San Mateo**  
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STUART SCHILLINGER, ADMINISTRATIVE  
SERVICES DIRECTOR  
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## **Bayshore District (Bay Area Region)**

ADVICE LETTER FILING MAILING LIST  
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

TAMMY RUDOCK, GENERAL MANAGER

**Mid-Peninsula Water District**

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TONY BRENNER, WATER DIVISION  
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**Town of Hillsborough**

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RACHEL JONES

**Cox Castle & Nicholson LLP**

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**ONLY FOR SERVICE AREA MAPS:**

EXECUTIVE OFFICER

**San Mateo LAFCO**

County Government Center

Redwood City, CA 94063

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## Bear Gulch District

ADVICE LETTER FILING MAILING LIST  
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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ENGINEER  
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**Town of Woodside**  
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[nmmelgar@menlopark.org](mailto:nmmelgar@menlopark.org)

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**City of Menlo Park**  
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WATER DEPARTMENT  
**Redwood City**  
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Redwood City, CA 94064  
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## **Bear Gulch District**

ADVICE LETTER FILING MAILING LIST  
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

**ONLY FOR SERVICE AREA MAPS:**

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**GAIL SREDANOVIC**

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## Dominguez District

ADVICE LETTER FILING MAILING LIST  
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

ANDY DARLAK

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GEORGE CHEN, RATES MANAGER

**City of Los Angeles, Department of  
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**PARK WATER COMPANY**

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**ONLY FOR SERVICE AREA MAPS:**

EXECUTIVE OFFICER

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## East Los Angeles District

ADVICE LETTER FILING MAILING LIST  
PER SECTION III (G) OF GENERAL ORDER NO. 96-A

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SCOTT RIGG  
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**PARK WATER COMPANY**  
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### ONLY FOR SERVICE AREA MAPS:

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## Hermosa-Redondo District

ADVICE LETTER FILING MAILING LIST  
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AUDREY JACKSON, REGULATORY  
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