CALIFORNIA PUBLIC UTILITIES COMMISSION
DIVISION OF WATER AND AUDITS

Advice Letter Cover Sheet

Utility Name: GOLDEN STATE WATER COMPANY

District: COMPANY-WIDE

CPUC Utility #: 133 W

Advice Letter #: 1892-W

Tier ☐1 ☒2 ☐3 ☒ Compliance

Authorization

Description: Update the Drinking Water Fee Expense Memorandum Account

Date Mailed to Service List: 1/6/2023

Protest Deadline (20th Day): 1/26/2023

Review Deadline (30th Day): 2/5/2023

Requested Effective Date: 7/1/2022

Rate Impact: $0.00
0%

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: Gladys Estrada
Phone: (909) 394-3600 x 527
Email: grosendo@gswater.com

Utility Contact: Brad Powell
Phone: (909) 394-3600 x 422
Email: Brad.Powell@gswater.com

DWA Contact: Tariff Unit
Phone: (415) 703-1133
Email: Water.Division@cpuc.ca.gov

DWA USE ONLY

DATE	STAFF	COMMENTS

[ ] APPROVED [ ] WITHDRAWN [ ] REJECTED

Signature: _____ **Comments:** _____

Date: _____

Golden State Water Company
A Subsidiary of American States Water Company

FILED
JAN 06 2023
PUBLIC UTILITIES COMMISSION
WATER DIVISION

January 6, 2023

Advice Letter No. 1892-W **(U 133 W)**

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Golden State Water Company (Golden State) hereby transmits the following tariff sheets applicable to its water operations:

CPUC Sheet No	Title of Sheet	Canceling CPUC Sheet No.
Revised No. 9138-W	Preliminary Statement Drinking Water Fees Memorandum Account, Part QQQQ	Revised No. 9004-W
Revised No. 9139-W	Table of Contents, Page 2	Revised No. 9055-W
Revised No. 9140-W	Table of Contents, Page 1	Revised No. 9137-W

Golden State is seeking authorization to modify its approved Drinking Water Fees Memorandum Account (DWFMA) to include the most recent increase in drinking water fees charged by the State Water Resources Control Board (State Board).

Background

On December 7, 2021, GSWC filed Advice Letter No. 1868-W with the California Public Utilities Commission (Commission) to establish a memorandum account to track the increase in Drinking Water Fees adopted by State Water Board on September 22, 2021 for fiscal year (FY) 2021-22, which increased by 26.6 percent for water systems, including Golden State. Advice Letter No. 1868-W, was approved with an effective date of December 7, 2021.

On September 20, 2022, the State Water Board proposed adopting emergency regulations that will adjust the drinking water fees to conform to the revenue levels set forth in the Budget Act for fiscal year (FY) 2022-23. The proposed emergency regulation will increase the fees approximately 14.1 percent on average for community water systems, including Golden State.

Request

As directed by the Water Division, GSWC shall submit an advice letter requesting to modify the DWFMA to account for the increase in drinking water fees for the next fiscal year. The higher expenses are not included in presently-authorized rates nor will they be included in rates authorized by Application 20-07-012 once a decision is granted.

GSWC requests to modify the DWFMA to include the FY 2022-23 increase in drinking water fees of 14.1% percent for community water systems. This is a substantial increase over both currently authorized drinking water fee expenses in D. 19-05-044 and those projected in A.20-07-012 (which are based upon normal increases and not the substantial increase in drinking water fee expenses that will result from the recent State Board action).

The DWFMA tracks the actual difference between drinking water fees charged by the State Board under its adjusted drinking water fees and those authorized in Golden State's proceedings. Golden State will incorporate the adjusted drinking water fees under the new State Board emergency regulations, into its next general rate case (to be filed July 2023).

Tier Designation

This advice letter is submitted with a Tier 2 designation. Golden State is requesting that this filing become effective on July 1, 2022, the effective date of the State Board emergency action fee adjustment.

Response or Protest

Anyone may submit a response or protest for this Advice Letter (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 grounds are:

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.

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.

WD 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 is:

California Public Utilities Commission
Water Division
505 Van Ness Avenue
San Francisco, CA 94102
E-mail: Water.Division@cpuc.ca.gov
On the same day the response or protest is submitted to WD, the respondent or protestant shall send a copy of the protest to Golden State Water Company, addressed to:

Golden State Water Company
Attn: Gladys Estrada
630 East Foothill Blvd.
San Dimas, CA 91773
E-mail: regulatoryaffairs@gswater.com

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.

Replies
The utility shall reply to each protest and may reply to any response. Any reply must be received by WD 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.
The actions requested in this advice letter are not now the subject of any formal filings with the California Public Utilities Commission, including a formal complaint, nor action in any court of law.

No individuals or utilities have requested notification of filing of tariffs. Distribution of this advice letter is being made to the attached service list in accordance with General Order No. 96-B.

Sincerely,

/s/ Gladys Estrada
Gladys Estrada
Regulatory Analyst

cc: Jim Boothe, CPUC – Water Division
Victor Chan, CPUC- CalPA
Richard Rauschmeier, CPUC- CalPA
Jeremy Ho, CPUC- Water Division

Preliminary Statement
Drinking Water Fees Memorandum Account

QQQQ. Drinking Water Fees Memorandum Account

1. Purpose

The purpose of the Drinking Water Fees Memorandum Account (DWFMA) is to track the difference between actual drinking water fees charged by the State Water Resources Control Board (State Board) (based upon the revised fee schedule adopted by the State Board on September 20, 2021, and subsequently revised on September 20, 2022) and the drinking water fees authorized in rates. (T)

2. Applicability

GSWC shall maintain the DWFMA by making entries at the end of each month as follows:

a. A debit entry shall be made to the DWFMA at the end of each month to record the expenses.

b. Interest shall accrue to the DWFMA on a monthly basis by applying a rate equal to one-twelfth of the 3-month non-financial Commercial Paper Rate, as reported in the Federal Reserve Statistical Release, to the average of the beginning-of-month and the end-of-month balances.

3. Effective Date

The DWFMA shall go into effect on the effective date indicated in of Advice Letter 1868-W. The DWFMA will sunset with the effective date of GSWC's rates from its 2023 General Rate Case application.

4. Disposition

Disposition of amounts recorded in the DWFA shall be determined in GSWC's next General Rate Case application, or as otherwise determined by the Commission if the account's cumulative balance exceeds 2% of GSWC's adopted gross revenues. The recovery of over/under collections will be passed on to the customers through volumetric surcredits or surcharges.

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GGGG	2019 Interim Memorandum Account	8246-W	
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(Continued)

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The following tariff sheets contain all effective rates and rules affecting rates and service of the utility, together with information relating thereto:

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State Water Resources Control Board

NOTICE OF PROPOSED EMERGENCY RULEMAKING

Annual Drinking Water Fees

Amendments to Division 4, Chapter 14.5 of Title 22 of the California Code of Regulations

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Required Notice of Proposed Emergency Action
Government Code section 11346.1, subdivision (a)(2) requires that, at least five working days prior to submission of a proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. This document provides the required notice. Upon receiving the proposed emergency regulation, OAL shall publish the notice on their Website and allow interested persons five calendar days to submit comments on the proposed emergency regulation as set forth in the Government Code section 11349.6.

Proposed Emergency Action
SB 83 (2015) required the State Water Resources Control Board (State Water Board) to establish a fee schedule to support the Drinking Water Program. Effective July 1, 2016, the existing Health and Safety Code section 116565, which establishes annual fees for public water systems, became inoperative (Stats. 2015, Ch. 24, § 19), and a new section 116565 (added by Stats. 2015, Ch. 24, § 20), became operative. The law requires the fee regulations initially be set through the regular rulemaking process, which occurred on April 10, 2017. Thereafter, regulations, any amendment thereto, or subsequent adjustments to the annual fees shall be adopted as emergency regulations that are not subject to review by OAL.

On September 20, 2022, the State Water Board will consider adopting emergency regulations that adjust drinking water fees to conform to the revenue levels set forth in the Budget Act for fiscal year (FY) 2022-23. The proposed emergency regulation will adjust the fee schedule by increasing the fees approximately 14.1 percent for community water systems, nontransient noncommunity water systems, transient noncommunity water systems, and wholesalers.

Proposed Text of Emergency Regulations
See the attached proposed text of the emergency regulation.

Finding of Emergency (Gov. Code, § 11346.1, subd. (b)(2).)
The State Water Board has a mandatory legal duty to assess fees through adoption of a regulation and to adopt by emergency regulation amendments thereto or subsequent adjustments to the annual schedule of fees. (Health & Saf. Code, § 116565, 116590) Health and Safety Code section 116565, subdivision (e)(1) states that the "[t]he adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, safety, and general welfare," while subdivision (e)(2)(B) states that the emergency regulations shall remain in effect until revised by the State Water Board.

Moreover, the State Water Board finds that the proposed amendments to the Board's fee regulations must be adopted immediately in order to allow for the timely collection of fees to conform to amounts appropriated by the Legislature from the Safe Drinking Water Account for the support of drinking water program activities. Without fee revenue in the amounts appropriated, much of the drinking water program would be in danger of being shut down. Continued administration of the drinking water program is essential to the economy, public health and environment of the State of California.

The State Water Board is unable to address the situation through non-emergency regulations because, as discussed above, it has a mandatory, legal duty to adopt or change the fee schedules and language by emergency regulation.

Authority and Reference (Gov. Code, § 11346.5, subd. (a)(2).)
Health and Safety Code sections 116271, 116350, 116375, and 116565 provide authority for the emergency regulation. The emergency regulation implements, interprets, or makes specific Health and Safety Code sections 116565 and 116590.

Informative Digest (Gov. Code, § 11346.5, subd. (a)(3).)
Under the Health and Safety code and existing regulations, each public water system shall pay an annual fee to the State Board in the amount provided in Table 64305-A, which is set forth in section 64305 of title 22 of the California Code of Regulations.

This emergency regulation ensures that the State Water Board has sufficient funds to administer the California Safe Drinking Water Act, as required by law. Ensuring that public water systems meet minimum requirements helps safeguard protection of public health and safety and the environment.

There is no comparable federal statute or regulation. The proposed regulation is not inconsistent or incompatible with existing state regulations.

Other Matters Prescribed by Statute (Gov. Code, § 11346.5, subd. (a)(4).)
No other matters are set by statute or regulation applicable to the State Water Board.

Local Mandate Determination (Gov. Code, § 11346.5, subd. (a)(5).)
The proposed emergency regulation does not impose a mandate on local agencies or school districts because it does not mandate a new program or a higher level of service

of an existing program. The fee schedule applies equally to public and private entities and is not unique to local government. Public water systems can also increase the fees that they charge for their services to address the increased annual fee. No state reimbursement is required by part 7 (commencing with section 17500) of Division 4 of the Government Code.

Estimate of Cost or Savings (Gov. Code, § 11346.5, subd. (a)(6).)
Under the proposed emergency regulation there would be increases in annual fees for public water systems. There is, however, no cost for reimbursement to any local agency or school district, as the fee increase is not a state mandate. The amended fee schedule will result in a total estimated increase to state agencies of about $64,582 and estimated increase to local agencies of about $3,603,331. Additionally, there is no cost or savings in federal funding to the state.

§ 64305. Schedule for Annual Fees.

(a) Each public water system shall pay an annual fee to the State Board in the amount provided in Table 64305-A.

(b) Except as provided in subsection (c), for each community water system, the number of service connections is equal to the number of service connections that the public water system reported on the electronic Annual Report (eAR) that the public water system filed with the State Board for the calendar year immediately preceding the year in which the invoice is submitted to the public water system. If the public water system did not file an eAR, or did not report the number of service connections, for the calendar year immediately preceding the year in which the invoice is submitted, the State Board will calculate the number of service connections by increasing the number of service connections most recently reported on the eAR by 10% for each year that the number of service connections was not reported, except that if the public water system did not file an eAR for the calendar year 2012 or any calendar year thereafter, the State Board will calculate the number of service connections.

(c) For each community water system that serves a group quarters, the number of service connections for the group quarters is equal to the greater of the population for which the group quarters is designed or for which it is permitted divided by 3.3.

TABLE 64305-A – Public Water Systems Annual Fee

Water System Type	Fee
Community Water System	
100 or fewer service connections	~~$500.00~~$570.00 or ~~$8.34~~$9.52 per service connection, whichever is greater.
100 or fewer service connections (disadvantaged community)	~~$250.00~~$285.00
101 to 1,000 service connections	~~$8.34~~$9.52 per service connection
101 to 1,000 service connections (disadvantaged community)	~~$250~~$285 plus ~~$2.78~~$3.17 per each service connection greater than 100
1,001 to 5,000 service connections	~~$8.34~~$9.52 per each of first 1,000 service connections plus ~~$4.87~~$5.56 per each service connection greater than 1,000
1,001 to 5,000 service connections (disadvantaged community)	~~$250~~$285 plus ~~$2.78~~$3.17 per each service connection greater than 100
5,001 to 15,000 service connections	~~$8.34~~$9.52 per each of first 1,000 service connections plus ~~$4.87~~$5.56 per each service connection greater than 1,000 but less than 5,001 plus ~~$2.78~~$3.17 per each service connection greater than 5,000
5,001 to 15,000 service connections (disadvantaged community)	~~$250~~$285 plus ~~$2.78~~$3.17 per each service connection greater than 100
15,001 or more service connections	~~$8.34~~$9.52 per each of first 1,000 service connections plus ~~$4.87~~$5.56 per each service connection greater than 1,000 but less than 5,001 plus ~~$2.78~~$3.17 per each service connection greater than 5,000 but less than 15,001 plus ~~$1.88~~$2.15 per each service connection greater than 15,000
15,001 or more service connections (disadvantaged community)	~~$250~~$285 plus ~~$2.78~~$3.17 per each service connection greater than 100 but less than 15,001 plus ~~$1.88~~$2.15 per each service connection greater than 15,000
Nontransient Noncommunity Water System	~~$2.78~~$3.17 per person served, but not less than ~~$635.00~~$725.00.
Transient Noncommunity Water System	~~$1,112.00~~$1,269.00.
Wholesaler	~~$8,342.00~~$9,518.00 plus ~~$1.90~~$2.17 per each MG

[1] “Million Gallons” (MG) means the annual average, rounded to the nearest million, as reported to the State Board by the wholesaler in the ~~Electronic Annual Reporte~~AR for the four years immediately preceding the year in which the invoice is submitted to the public water system, of the total gallons of water that the wholesaler produced from surface water and from groundwater and gallons of finished water that the wholesaler purchased or received from another public water system.

Note: Authority cited: Sections 116271, 116350, 116375, and 116565, Health and Safety Code. Reference: Sections 116565 and 116590, Health and Safety Code.

GOLDEN STATE WATER COMPANY
REGION 1, 2 & 3 – SERVICE LIST

Sacramento Suburban Water Dist.
3701 Marconi Avenue – Suite 100
Sacramento, CA 95821
HHernandez@sswd.org
DYork@sswd.org

Citrus Heights Water District
6230 Sylvan Road
Citrus Heights, CA 95610

Carmichael Water District
7837 Fair Oaks Blvd.
Carmichael, CA 95608-2405

California-American Water Co.
520 Capitol Mall, Suite 630
Sacramento, CA 95814
ca.rates@amwater.com

Cypress Ridge Owner's Association
Attn: President
1400 Madonna Road
San Luis Obisbo, CA 93405

Fair Oaks Water District
10317 Fairoaks Blvd.
Fairoaks, CA 95628

City of Folsom
50 Natoma Street
Folsom, CA 95630
myasutake@folsom.ca.us

Orange Vale Water Co
P. O. Box 620800
9031 Central Avenue
Orange Vale, CA 95662

Director
Sacramento County Water Agency
827-7th Street, Room 301
Sacramento, CA 95814
DWRexecsecretary@saccounty.net

City of Antioch
P. O. Box 5007
Antioch, CA 94531

Bay Point Municipal Advisory Council
3105 Willow Pass Road
Bay Point, CA 94565-3149

City of Brentwood
Public Works Operations
James Wolfe, Water Operations Manager
2201 Elkins Way
Brentwood, CA 94513
jwolfe@brentwoodca.gov

Contra Costa Water District
P. O. Box H2O
Concord, CA 94520

Contra Costa County
Chief Assistant Clerk of the Board
651 Pine Street, Room 106
Martinez, CA 94553
Jami.napier@cob.cccounty.us

Diablo Water District
P. O. Box 127
Raley's Shopping Center – 2107 Main Street
Oakley, CA 94561-0127
Dmuelrath@diablowater.org
cbelleci@diablowater.org

Richard Lou, Principal Management Analyst
East Bay Municipal Utility District
375 – 11th Street, MS#804
Oakland, CA 94607
Rlou@ebmud.com

GOLDEN STATE WATER COMPANY
REGION 1, 2 & 3 – SERVICE LIST

City of Martinez
525 Henrietta Avenue
Martinez, CA 94553

Konocti County Water District
15844 – 35th Street
Clearlake, CA 95422
kcwd@mchsi.com

Arroyo Grande Municipal Water Dept.
P.O. Box 550
Arroyo Grande, CA 93420
staylor@arroyogrande.org

Cambria Community Services Dist.
1316 Tamson Drive – Suite 201
P.O. Box 65
Cambria, CA 93428

Los Osos CSD
2122 - 9th Street
Los Osos, CA 93402

S & T Mutual Water Co.
P.O. Box 6391
Los Osos, CA 93412
STMutualwater@gmail.com

Nipomo Community Services Dist.
147 S. Wilson Street
Nipomo, CA 93444-0326
MIglesias@ncsd.ca.gov

Calleguas Municipal Water District
2100 Olsen Road
Thousand Oaks, CA 91360
staylor@calleguas.com

City Clerk
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
mswanson@clearlake.ca.us

Highlands Water Company
14580 Lakeshore Drive
Clearlake, CA 95422-8100

Local Agency Formation Commission
P. O. Box 2694
Granite Bay, CA 95746
j.benoit4@icloud.com

Avila Beach Community Service District
P O Box 309
191 San Miguel Street
Avila Beach, CA 93424
avilacsd@gmail.com

Community Services District
P. O. Box 6064
Los Osos, CA 93412

Morro Bay City Water (City Hall)
595 Harbor Blvd.
Morro Bay, CA 93442
eriddiough@morrobayca.gov
pnewman@morrobayca.gov

San Luis Obispo City Water
879 Morro Street
San Luis Obispo, CA 93403

City of Santa Maria
2065 East Main Street
Santa Maria, CA 93454
lmlong@ci.santa-maria.ca.us

City Attorney
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422

City Clerk & City Attorney
City of Guadalupe
918 Obispo Street
Guadalupe, CA 93434

GOLDEN STATE WATER COMPANY
REGION 1, 2 & 3 – SERVICE LIST

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City of Santa Maria
110 East Cook Street
Santa Maria, CA 93454
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City Clerk & City Attorney
City of Simi Valley
2929 Tapo Canyon Road
Simi Valley, CA 93065

County Clerk
County of Sacramento
720 9th Street
Sacramento, CA 95814

County Clerk
County of San Luis Obispo
1055 Monterey Street - #D-120
San Luis Obispo, CA 93408

Department of Water Resources
Steve Pedretti, Division Chief
827 7th Street, Room 301
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DWRexecsecretary@saccounty.net

County Counsel
County of San Luis Obispo
County Government Center - **#D-320**
San Luis Obispo, CA 93408

County Counsel
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1042 Pacific Street, Suite A
San Luis Obispo, CA 93401

Santa Barbara LAFCO
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Santa Barbara, CA 93101
lafco@sblafco.org

City of Bellflower
Water Department
16600 Civic Center Drive
Bellflower, CA 90706
tsais@bellflower.org

City of Cerritos
Water Department
P.O. Box 3130
Cerritos, CA 90703

City of Downey
Director of Public Works
P. O. Box 90241-7016
Downey, CA 90241

City of Hawthorne
4455 W. 126th Street
Hawthorne, CA 90250

City of Huntington Park
Water Department
6550 Miles Street
Huntington Park, CA 90255

City of Inglewood
One Manchester Blvd. - Suite 900
P. O. Box 6500
Inglewood, CA 90301

GOLDEN STATE WATER COMPANY
REGION 1, 2 & 3 – SERVICE LIST

City of Lakewood
Water Department
P.O. Box 220
Lakewood, CA 90714-0220

Long Beach Water Department
Chris Garner, General Manager
1800 E. Wardlow Road
Long Beach, CA 90807

Honorable Mayor Eric Garcetti
City of Los Angeles
200 N. Spring Street – Room 303
Los Angeles, CA 90012

City of Los Angeles
Department of Water & Power
P O Box 51111
Los Angeles, CA 90051-0100

City of Norwalk
Water Department
12700 Norwalk Blvd. – Room #5
Norwalk, CA 90650

City of Paramount
Water Department
16420 Colorado Street
Paramount, CA 90723
sho@paramountcity.com

City of Santa Fe Springs
Water Department
11736 E. Telegraph Road
Santa Fe Springs, CA 90670

City of South Gate
Water Department
8650 California Street
South Gate, CA 90280
rdickey@sogate.org
dtorres@sogate.org

City of Torrance
Water Department
3031 Torrance Blvd.
Torrance, CA 90503

City of Whittier
13230 Penn Street
Whittier, CA 90602

California Water Service Co.
2632 West 237th Street
Torrance, CA 90505-5272
mduque@calwater.com

California Water Service
Rancho Dominguez District
2632 West 237th Street
Torrance, CA 90505-5272
hwind@calwater.com

Liberty Utilities
9750 Washburn Road
Downey, CA 90241
AdviceLetterService@libertyutilities.com

Maywood Mutual Water - No. 1
5953 Gifford Street
Huntington Park, CA 90255
MaywoodWater1@aol.com

Maywood Mutual Water - No. 2
3521 East Slauson Street
Maywood, CA 90270

Maywood Mutual Water - No. 3
6151 Heliotrope Avenue
Maywood, CA 90270-3418

GOLDEN STATE WATER COMPANY
REGION 1, 2 & 3 – SERVICE LIST

Orchard Dale County
Water District
13819 East Telegraph Road
Whittier, CA 90604
rsilvett@odwd.org
ecastaneda@odwd.org
Mliskey@odwd.org

Pico County Water District
P. O. Box 758
Pico Rivera, CA 90660-0768

San Gabriel Valley Water Co.
11142 Garvey Avenue
El Monte, CA 91733
ratesdepartment@sgvwater.com

Robert Kelly, VP of Regulatory Affairs
Suburban Water Systems
1325 N. Grand Avenue, Suite 100
Covina, CA 91724-4044

Tract 180 - Mutual Water Co.
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