

**CALIFORNIA PUBLIC UTILITIES COMMISSION
WATER DIVISION**

Advice Letter Cover Sheet

Utility Name: Foothill Ditch Company	Date Mailed to Service List: Apr. 3, 2024
District: NA	
CPUC Utility #: WTD 248	Protest Deadline (20th Day): Apr. 23, 2024
Advice Letter #: 14-W	Review Deadline (30th Day): May 2, 2024
Tier <input type="checkbox"/> 1 <input type="checkbox"/> 2 X 3 <input type="checkbox"/> Compliance	Requested Effective Date: May 28, 2024
Authorization GO 96-B	
Description: Informal general rate case	Rate Impact: \$190,186 176%

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: Richard C Jacobsen Jr.
Phone: 559-592-2104
Email: rockyhill592@aol.com

Utility Contact: Mark Pascoe
Phone: 559-592-2104
Email: rockyhill592@aol.com

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

WD USE ONLY

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

[] APPROVED

[] WITHDRAWN

[] REJECTED

Signature: _____ **Comments:** _____

Date: _____

Foothill Ditch Company

P.O. Box 175
Exeter, CA 93221

April 3, 2024

Advice Letter No. 14-W

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Foothill Ditch Company (FDC) hereby transmits for filing one original and one copy of this advice letter (AL) and the following tariff sheets which are enclosed:

<u>NEW SHEET #</u>	<u>TITLE</u>	<u>CANCELLING SHEET #</u>
39-W – 41-W	Schedule No. 3M, Measured Irrigation Service	33-W
42-W	Table of Contents	38-W

REQUEST

By Advice Letter (AL) No. 14-W, FDC requests authority under General Order 96-B, Rule 1.7 and Rule 7.6.2, Water Industry Rule 7.3.3 (5) and Section 454 of the Public Utilities Code to increase its rates for water service and recover increased operating expenses and earn an adequate return on margin over current rates. The requested water rates will be an increase of \$190,186 (176%) in gross annual revenue from its present water rates which will provide a rate of margin (ROM) of 25.57%.

FDC requests that the increase of \$190,186 be phased in - Test Year 2024, Escalation Year 2025, and Escalation Year 2026. The proposed metered rates are presented in the accompanying AL #14 workpapers.

BACKGROUND

Foothill Ditch Company

P.O. Box 175
Exeter, CA 93221

The present rates became effective on May 16, 2023, by approval of AL No. 11-W, which implemented a Consumer Price Index increase of \$5,399 or 6.5%.

The last general rate increase became effective on December 7, 1994, pursuant to Resolution W-3894, which authorized a general rate increase of \$6,250, or 8.9% and a rate of return of 13.85%.

The FDC is successor to the water rights and irrigation ditch system formerly known as Pogue's Lower Ditch. Permitted appropriation in 1875 established the right to divert 9 cubic feet per second (cfs) from the Kaweah River. This was accomplished by petition to the Tulare County Board of Supervisors and construction of an extension to an existing ditch owned by Pogue. Litigation later added 0.32 cfs. The result is a high priority right of 9.32 cfs at all stages of river flow greater than 21 cfs of natural inflow to Terminus Reservoir. This entitlement is set forth in the diversion schedules adopted at various times by the Kaweah and St. Johns Rivers Association. The FDC headworks are located near the (now abandoned) Visalia Electric Railroad "Terminus" at "Limekiln Hill" northeast of Lemon Cove. Over time, the ditch system was extended to more than 18 miles ending southeast of Exeter. Later, it was shortened to its present ending at Wirht Ave. east of Exeter at mile 11. The gravity-powered transport system is mostly an open ditch, but it includes about two and one-half miles of concrete and plastic pipe of various sizes and ages. Deliveries are metered through 18 active outlets to 13 "Contract User" properties located near or adjacent to the ditch. Delivery outlets consist of precision metering orifice weirs, metering canal gates and electronic flow meters mounted at ditch side.

Diversions sourced from the Kaweah River are continuously monitored and telemetered to the Kaweah River Watermaster and other selected recipients by a Sutron recording flow meter mounted on a Parshall Flume at the ditch headworks. Downstream ditch flows are continuously monitored by two Stevens paper-chart recorders mounted on Parshall Flumes. The foregoing properties comprise the major assets of the Company. Motor vehicles, tractors, farm implements, and tools, together with office space, equipment, operational labor and management are provided by a contract with parent company Rocky Hill, Inc.

Foothill Ditch Company

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Exeter, CA 93221

DISCUSSION

Water supplied is untreated water from open canals, ditches, and conduits not suitable for human consumption. FDC is responsible to deliver water at its ditch. Delivery from the utility's ditch to the premises of its customers is the responsibility of the customers. Deliveries, measured in miner's inch, are made 150 days every year (season). Customers ("Contract User") hold entitlement allotments to receive water deliveries for the season.

Safety

FDC has no compliance issues with the Division of Drinking Water nor any county agency. FDC solely provides irrigation water to its customers. The water delivered is not potable nor of quality suitable for human consumption.

Affordability of Proposed Rates

FDC's system is solely for irrigation purposes. There are no nearby utilities that provide irrigation water. There is only one charge and one quantity rate. All rates are increased by the percentage increase in the gross revenues, as adopted in Res. W-3894.

Comparison of Rates

A comparison of present rates with proposed rates are shown below:

TY 2024	Present	Proposed	Increase
Metered Irrigation Service			
Minimum charge	\$170.19	\$270.03	58.7%
Quantity rate	\$1.14	\$1.78	56.1%

Foothill Ditch Company

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Exeter, CA 93221

EY 2025	Present	Proposed	Increase
Metered Irrigation Service			
Minimum charge	\$270.03	\$369.88	37.0%
Quantity rate	\$1.78	\$2.42	36.0%

EY 2026	Present	Proposed	Increase
Metered Irrigation Service			
Minimum charge	\$369.88	\$469.72	27.0%
Quantity rate	\$2.42	\$3.06	26.4%

The Commission staff has been provided with work papers supporting the informal general rate case increase. FDC respectfully requests expedited handling of this advice letter.

TIER DESIGNATION AND REQUESTED EFFECTIVE DATE

These AL and enclosed tariffs are submitted pursuant to Water Industry Rule 7.3.3(5) of General Order (GO.) 96-B and this AL is designated as a Tier 3 filing. This AL will become effective upon approval through a Commission Resolution. ¹

NOTICE

A copy of this AL has been served to all parties listed on the service list² on the last page of this AL. This filing will not cause withdrawal of service nor conflict with any other schedule or rule.

¹ GO. 96-B, Water Industry Rule 7.3.3

²GO. 96-B, Water Industry Rule 4.2

Foothill Ditch Company

P.O. Box 175
Exeter, CA 93221

RESPONSE OR PROTEST³

Anyone may respond to or protest this AL. 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 relitigating a prior order of the Commission.

³ GO. 96-B, General Rule 7.4.1

Foothill Ditch Company

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Exeter, CA 93221

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. The Water Division (WD) must receive a response or protest via email (or postal mail) within 20 days of the date the AL is filed. The addresses for submitting a response or protest are:

Mailing Address:

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

Email Address:

Water.Division@cpuc.ca.gov

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

Mailing Address:

Foothill Ditch Company
Attn: Richard C. Jacobsen Jr.
P.O. Box 175
Exeter, CA 93221

Email Address:

rockyhill592@aol.com

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform the WD, 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.

Foothill Ditch Company

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Exeter, CA 93221

REPLIES

The utility shall reply to each protest and may reply to any response. Each reply must be received by the WD within five 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.

CERTIFICATE OF SERVICE

I hereby certify that the service list from this AL has been served a copy of this AL No. 14-W on April 3, 2024.

Executed in Exeter, California on April 3, 2024.

Foothill Ditch Company

By: /s/ RICHARD C. JACOBSEN, JR.
Richard C. Jacobsen, Jr.
President

Enclosures

Schedule No. 3M
Test Year 2024
MEASURED IRRIGATION SERVICE

APPLICABILITY

Applicable to all measured irrigation service.

TERRITORY

The area served by the utility's canal system in Tulare County.

RATES

	<u>Each Miner's Inch</u> <u>Applied for Per</u> <u>Irrigation Season</u>	
Minimum Charge	\$ 270.03	(I)

	<u>Per Miner's Inch</u> <u>Day of 24 Hours</u>	
<u>Quantity Rates</u>	\$ 1.78	(I)

The Minimum Charge will entitle the customer to the quantity of water which would be purchased at Quantity Rates.

SPECIAL CONDITIONS:

1. Water supplied under this schedule will be untreated water from open canals, ditches, and conduits. The utility does not represent any water delivered hereunder to be potable nor of quality suitable for human consumption.
2. Water will be delivered by utility at its ditch. Water deliveries from utility's ditch to premises of customer shall be the responsibility of the customer.

Note: A miner's inch shall mean a continuous flow equal to 1/50th of a cubic foot per second.

(To be inserted by utility)

Advice Letter No. 14-W

Decision No. GO 96-B

Issued By

Richard Jacobsen Jr.

President

(To be inserted by P.U.C.)

Date Filed _____

Effective _____

Resolution No. _____

Schedule No. 3M
Escalation Year 2025
MEASURED IRRIGATION SERVICE

APPLICABILITY

Applicable to all measured irrigation service.

TERRITORY

The area served by the utility's canal system in Tulare County.

RATES

	<u>Each Miner's Inch</u> <u>Applied for Per</u> <u>Irrigation Season</u>	
Minimum Charge	\$ 369.88	(I)

	<u>Per Miner's Inch</u> <u>Day of 24 Hours</u>	
<u>Quantity Rates</u>	\$ 2.42	(I)

The Minimum Charge will entitle the customer to the quantity of water which would be purchased at Quantity Rates.

SPECIAL CONDITIONS:

1. Water supplied under this schedule will be untreated water from open canals, ditches, and conduits. The utility does not represent any water delivered hereunder to be potable nor of quality suitable for human consumption.
2. Water will be delivered by utility at its ditch. Water deliveries from utility's ditch to premises of customer shall be the responsibility of the customer.

Note: A miner's inch shall mean a continuous flow equal to 1/50th of a cubic foot per second.

(To be inserted by utility)

Advice Letter No. 14-W

Decision No. GO 96-B

Issued By

Richard Jacobsen Jr.

President

(To be inserted by P.U.C.)

Date Filed _____

Effective _____

Resolution No. _____

Schedule No. 3M
Escalation Year 2026
MEASURED IRRIGATION SERVICE

APPLICABILITY

Applicable to all measured irrigation service.

TERRITORY

The area served by the utility's canal system in Tulare County.

RATES

	<u>Each Miner's Inch</u> <u>Applied for Per</u> <u>Irrigation Season</u>	
Minimum Charge	\$ 469.72	(I)

	<u>Per Miner's Inch</u> <u>Day of 24 Hours</u>	
<u>Quantity Rates</u>	\$3.06	(I)

The Minimum Charge will entitle the customer to the quantity of water which would be purchased at Quantity Rates.

SPECIAL CONDITIONS:

1. Water supplied under this schedule will be untreated water from open canals, ditches, and conduits. The utility does not represent any water delivered hereunder to be potable nor of quality suitable for human consumption.
2. Water will be delivered by utility at its ditch. Water deliveries from utility's ditch to premises of customer shall be the responsibility of the customer.

Note: A miner's inch shall mean a continuous flow equal to 1/50th of a cubic foot per second.

(To be inserted by utility)

Advice Letter No. 14-W

Decision No. GO 96-B

Issued By

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President

(To be inserted by P.U.C.)

Date Filed _____

Effective _____

Resolution No. _____

TABLE OF CONTENTS

The following listed tariff sheets contain all effective rates and rules affecting the charges and services of the utility, together with other pertinent information.

SUBJECT MATTER OF SHEET

P.U.C. SHEET NO.

Table of Contents	42-W	(T)
Preliminary Statements	25-W, 26-W	

Rate Schedules:

Schedule No. 3M, Measured Irrigation Service	39-W, 40-W, 41-W	(I)
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Schedule No. UF, Surcharge to Fund Public Utilities Commission Reimbursement Fee	37-W	
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Rules:

No. 1 through 8	5-W
No. 9 through 12	6-W

(To be inserted by utility)

Advice Letter No. 14-W

Decision No. GO 96-B

Issued By

Richard Jacobsen Jr.

President

(To be inserted by P.U.C.)

Date Filed _____

Effective _____

Resolution No. _____

Foothill Ditch Company
Advice Letter No. 14-W
Service List

- | | |
|--|--|
| 1 Wallace Ranch Water Co.
P. O. Box 44259
Lemoncove, CA 93244-4259 | 8 Allied Farming
P. O. Box 1125
Exeter, CA 93221 |
| 2 Rocky Hill, Inc.
P. O. Box 175
Exeter, CA 93221 | 9 Raul Santellan
5686 E. Mustang
Clovis, CA 93612 |
| 3 Greg Kirkpatrick
23114 Carson Ave.
Exeter, CA. 93221 | 10 Tashjian Farms
P. O. Box 515
Exeter, CA 93221 |
| 4 University of California
Lindcove Experiment Station
22963 Carson Ave.
Exeter, CA 93221 | 11 Tom Wirht
23 East 37th Street
Savannah, Georgia 31401 |
| 5 Nancy Lange
125 Carmel St.
San Francisco, CA 94117 | 12 Gregory V. Crosson
21761 Ave 304
Exeter, CA 93221 |
| 6 Mark Lambert
22256 Yokohl Dr.
Exeter, CA 93221 | 13 Rae Properties LLC
31984 Fritz Dr.
Exeter, CA 93221 |
| 7 Merryman Ranch
150 West Pine
Exeter, CA 93221 | |