STATE OF CALIFORNIA GAVIN NEWSOM, Governor

#### PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298

January 23, 2020

CULTURES COMPANY

Ronald K. Moore Senior Regulatory Analyst Golden State Water Company 630 East Foothill Blvd. San Dimas, CA 91773

Dear Mr. Moore,

The Commission has approved Golden State Water Company's Advice Letter No. 1808, filed on December 12, 2019, regarding the Implementation of Water Shutoff Protections For Residential Customers As Required By Senate Bill 998. Rule Numbers 1, 5, 8, 10 And 11 Are Being Modified.

Enclosed are copies of the following revised tariff sheets for the utility's files:

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P.U.C.	
Sheet No.	Title of Sheet
8593-W	Rule No. 1 – Definitions, Page 1
8594-W	Rule No. 1 - Definitions, Page 2
8595-W	Rule No. 10 – Disputed Bills, Page 1
8596-W	Rule No. 10 – Disputed Bills, Page 2
8597-W	Rule No. 11 - Discontinuance and Restoration of Service Page 1
8598-W	Rule No. 11 - Discontinuance and Restoration of Service Page 2
8599-W	Rule No. 11 - Discontinuance and Restoration of Service Page 3
8600-W	Rule No. 11 - Discontinuance and Restoration of Service Page 4
8601-W	Rule No. 11 - Discontinuance and Restoration of Service Page 5
8602-W	Rule No. 11 - Discontinuance and Restoration of Service Page 6
8603-W	Rule No. 11 - Discontinuance and Restoration of Service Page 7
8604-W	Rule No. 11 - Discontinuance and Restoration of Service Page 8
8605-W	Rule No. 11 - Discontinuance and Restoration of Service Page 9

# P.U.C.

Sheet No.	Title of Sheet
8606-W	Rule No. 11 - Discontinuance and Restoration of Service
	Page 10
8607-W	Rule No. 5, Special Information Required on Forms, Page 1
8608-W	Rule No. 5, Special Information Required on Forms, Page 2
8609-W	Rule No. 5, Special Information Required on Forms, Page 3
8610-W	Rule No. 8 – Notices, Page 1
8611-W	Rule No. 8 – Notices, Page 2
8612-W	Rule No. 8 – Notices, Page 3
8613-W	Table of Contents, Page 4
8614-W	Table of Contents, Page 1

Please contact Eustace Ednacot at 415-703-1492, if you have any questions.

Thank you,

# /s/ROBIN BRYANT

Robin Bryant Water & Sewer Advisory Branch Water Division

Enclosures

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

# **Advice Letter Cover Sheet**

Date Mailed to Service List: 12/12/2019

Protest Deadline (20th Day): 1/1/2020

Utility Name: GOLDEN STATE WATER COMPANY

**District:** COMPANY-WIDE

CPUC Utility #: 133 W

Advice Letter #:	1808-V	V			Review Deadl	ine (30th Day):	1/11/2020
Tier	⊠1	□2	□3	⊠ Compliance	Requested I	Effective Date:	2/1/2020
Authorization  Description:	IMPLI FOR I SENA	RESIDE	ATION ( NTIAL L 998. R	OF WATER SHUTOFF PRO CUSTOMERS AS REQUIRE ULE NUMBERS 1, 5, 8, 10 A	ED BY	t:	N/A
The protest or response list. Please see the "Resp					om the date that this advice le	etter was mailed t	o the service
<b>Utility Cont</b>	act:	Brad 1	Powel	1		Jenny Darney-	Lane
Pho	ne:	(909)	394-36	600 x 422	Phone:	(909) 394-3600	x 423
Em	ail:	brad.p	owell	@gswater.com	Email:	jadarneylane@	gswater.com
DWA Contact Phone	: (41	riff Ur 5) 703	-1133				
Email	: <u>W</u> a	ter.Di	<u>ivisio</u> 1	n@cpuc.ca.gov			
				DWA USE	ONLY		
<u>DATE</u>	<u>ST</u>	<u>AFF</u>			COMM	MENTS	
[ ] APPROVED				[ ]WITHI	OD ATAINI	I lpr	JECTED
[]AIIKOVED				[]with	NAMIN	[ ] KE	JECTED
Signature:				Com	ments:		
Date:							



December 12, 2019

# Advice Letter No. 1808-W

(U 133 W)

# TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Golden State Water Company ("GSWC") hereby transmits one original and three conformed copies of the following tariff sheets applicable to its water operations:

CDLIC Chook No	Title of Cheek	Canceling
<u>CPUC Sheet No</u> Revised No. 8593-W	<u>Title of Sheet</u> Rule No. 1 - Definitions Page 1	<u>CPUC Sheet No.</u> Revised No. 773-W
Revised No. 8594-W	Rule No. 1 - Definitions Page 2	Revised No. 4295-W
Revised No. 8607-W	Rule No. 5 Special Information Required on Forms Page 1	Revised No. 8200-W
Revised No. 8608-W	Rule No. 5 Special Information Required on Forms Page 2	Revised No. 8201-W
Revised No. 8609-W	Rule No. 5 Special Information Required on Forms Page 3	Revised No. 8202-W
Revised No. 8610-W	Rule No. 8 – Notices Page 1	Revised No. 6726-W
Revised No. 8611-W	Rule No. 8 – Notices Page 2	Revised No. 3741-W
Original No. 8612-W	Rule No. 8 – Notices Page 3	
Revised No. 8595-W	Rule No. 10 - Disputed Bills Page 1	Revised No. 8203-W
Revised No. 8596-W	Rule No. 10 - Disputed Bills Page 2	Revised No. 8204-W

Mavice Letter 140. 1000-V	<u> </u>	December 12, 2017
Revised No. 8597-W	Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3742-W
Revised No. 8598-W	Page 1 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3743-W
Revised No. 8599-W	Page 2 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3744-W
Revised No. 8600-W	Page 3 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 7657-W
Revised No. 8601-W	Page 4 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3746-W
Revised No. 8602-W	Page 5 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3747-W
Revised No. 8603-W	Page 6 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3748-W
Revised No. 8604-W	Page 7 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 7658-W
Revised No. 8605-W	Page 8 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3750-W
Revised No. 8606-W	Page 9 Rule No. 11 – Discontinuance and Restoration of Service	Revised No. 3751-W
Revised No. 8613-W	Page 10 Table of Contents Page 4	Revised No. 8402-W
Revised No. 8614-W	Table of Contents Page 1	Revised No. 8592-W

2

December 12, 2019

# Subject: *Updates to Rule Nos.* 1, 5, 8, 10 and 11.

# <u>Purpose</u>

Advice Letter No. 1808-W

The purpose of Advice Letter 1808-W is to update GSWC's Rule Nos. 1, 5, 8, 10 and 11 to reflect provisions from the addition of Chapter 6 to Part 12 of Division 104 of the California Health and Safety Code, also known as the Water Shutoff Protection Act. This filing is in accordance with the December 10, 2019 letter from Bruce DeBerry, Water

Division Program Manager, requiring such modifications.

### **Background**

Senate Bill No. 998 ("SB998"), approved by the Governor of California on September 28, 2018, revised the California Health and Safety Code by adding a chapter addressing discontinuance of residential water service for nonpayment of a delinquent account.

All sections of Chapter 6 (§§ 116900 – 116926) are being incorporated into GSWC 's Rule Nos. 1, 5, 8, 10 and 11 via this Tier 1 advice letter filing. The revisions in general pertain to notification of discontinuation of water service to residential customers. As a public water system that supplies water to more than 200 service connections and that is regulated by the Public Utilities Commission, GSWC must comply with Chapter 6 on and after February 1, 2020.

The entire copy of SB998 is attached to Advice Letter 1808-W for reference. See Attachment A.

### **Request**

GSWC, in compliance with SB998, files this advice letter to update its Rule Nos. 1, 5, 8, 10 and 11 to incorporate the new provisions in the California Health and Safety Code pertaining to discontinuance of residential water service for nonpayment of an account within GSWC service territories. The requested changes are all pursuant to SB998 directives.

# **Compliance**

GSWC's proposed Rule Nos. 1, 5, 8, 10 and 11 have been modified to include all requirements for residential water service prescribed in SB998. See Attachment B for redline details of changes made to each rule.

### **Effective Date**

This advice letter has a Tier 1 designation. GSWC is requesting Advice Letter 1808-W have an effective date of February 1, 2020 as directed by SB998.

### **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 advice letter. 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;
- 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.

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.

Division of Water and Audits ("DWA") must receive a response or protest via email (<u>or</u> 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 are:

**Email Address:** 

Water.Division@cpuc.ca.gov

**Mailing Address:** 

CA Public Utilities Commission Division of Water and Audits 505 Van Ness Avenue San Francisco, CA 94102

On the same day the response or protest is submitted to DWA, the respondent or protestant shall send a copy of the protest to Golden State Water Company at:

**Email Address:** 

regulatoryaffairs@gswater.com

**Mailing Address:** 

Golden State Water Company Brad Powell 630 East Foothill Blvd. San Dimas, CA 91773

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 DWA within five business days after the end of the protest period, and shall be served on the same day to each person who filed the protest or response to the AL.

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

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.

Sincerely,

<u>/s/ Brad Powell</u>
Brad Powell
Sr. Regulatory Analyst

c: Jim Boothe, CPUC - Division of Water and Audits Patricia Ma, CPUC - Water Branch, Public Advocates Office Richard Smith, CPUC - Water Branch, Public Advocates Office

630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016 Revised Cal. P.U.C. Sheet No. 8593-W Cancelling Revised Cal. P.U.C. Sheet No. 773-W

	Rule No. 1 Definitions		Page 1
Applicant: The person, association, corp	poration or governmental ag	gency applying for water service.	(L)
<u>Business Service</u> : Provision of water for primarily to operations for profit including automobile trailer parks or courts, service	ng offices, stores, markets, a	-	( )
Commercial Service: Provision of water	to residential premises or b	pusiness premises.	
<u>Customer:</u> Any person, association, cor supplied with water service. However, a of Record or their authorized representat	ccount information can only		(T) (T) (L)
<u>Customer of Record:</u> The person, asso obligated to pay the water bill.	ciation, corporation or gove	rnmental agency who is	(N) (N)
<u>Date of Presentation:</u> The date upon whe Customer of Record.	nich a bill or notice is mailed	or delivered by the utility to the	(T)
<u>Disabled Customer:</u> Any residential cuqualify her or him for special consideration internist, general practitioner, obstetrician nonphysician medical practitioner, or any hospital outpatient clinic currently enroll management to Medi-Cal beneficiaries as subdivision (b) of Section 14088 of the Weight	on. Proof of disability must n-gynecologist, pediatrician, y primary care clinic, rural h ed in the Medi-Cal program s defined in subparagraph (A	, family practice physician, nealth clinic, community clinic or n, which agrees to provide case A) of paragraph (1) of	(L)(T)
<u>Electronic Transfer</u> : Paperless exchange and telecommunications technology.	of data and /or funds, usua	lly involving computer	(L)
Flat Rate Service: Service for which the served.	charges are based upon the	types and number of units	
<u>Industrial Service:</u> Provision of water to manufacturing or processing activities.	o industrial premises where	the water is used primarily in	(L)
<u>Irrigation Service</u> : Provision of water for and billed under distinct irrigation rates.	r commercial agricultural, fl	oracultural or horticultural use	
Main Extension: The extension of water with the provisions of the rule applicable	-	existing facilities in accordance part of these tariff schedules.	
Metered Service: Service for which the water.	charges are computed on the	e basis of measured quantities of	
	(Continued)		
(To be inserted by utility)	Issued By	(To be inserte	ed by P.U.C.
Advice Letter No. 1808-W	R. J. Sprowls	Date Filed December	-
Decision No.	President	Effective February 1 Resolution No.	2020
		resolution ino.	

630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016 Revised Cal. P.U.C. Sheet No. 8594-W Cancelling Revised Cal. P.U.C. Sheet No. 4295-W

Rule No. 1 Definitions	Page 2
	(L)
Occupant: Any adult person demonstrably residing on premises actively served by the utility. However, account information can only be discussed with the Customer of Record or their authorized representative.	(N) (N)
Older Adult Customer: Any residential customer who is age 62 or over.	(T)
<u>Premises:</u> The integral property or area, including improvements thereon, to which water service is, or is to be, provided.	(L) (L)
<u>Public Utilities Commission:</u> In these rules the word "Commission" or words "Public Utilities Commission" shall be construed to mean the Public Utilities Commission of the State of California.	
<u>Residential Service:</u> Water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.	(L)(T) (T) (T)
Service Address: Address of the property to which water service is provided.	(N)
<u>Service Connection:</u> The point of connection of the customer's piping or ditch with the meter, service pipe or ditch owned by the utility.	
<u>Service Pipe:</u> The connection between the utility's mains and the service connection, including all the pipe, fittings and valves necessary to make the connection.	
<u>Tariff Schedules or Tariff Schedule Book:</u> The entire body of effective rates, rentals, charges, rules, and sample forms collectively, as set forth herein.	
Tariff Sheet: An individual sheet of the tariff schedule book.	
<u>Utility:</u> The public utility named herein.	(L)) (L)

630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016 Revised Cal. P.U.C. Sheet No. 8595-W Cancelling Revised Cal. P.U.C. Sheet No. 8203-W

Page 1

# Rule No. 10 Disputed Bills

#### A. Correctness of Bill

Any customer (or adult occupant of a residential service address) who has initiated a complaint to the utility or requested an investigation by the utility within five days of receiving a contested bill shall be given an opportunity for review of such complaint or investigation by a review manager of the utility. The review shall include consideration of whether the customer should be permitted to amortize the unpaid balance of her or his account over a reasonable period of time.

(T)

(T)

#### B. Notice of Deposit to Avoid Discontinuance

If an explanation satisfactory to the customer is not made by the utility and the bill is not paid within 19 days after its presentation or at the time the explanation is made, whichever is longer, the utility will notify the customer in writing substantially as follows:

 To avoid discontinuance of service, in lieu of paying the bill in question, the residential customer within 15 days and the nonresidential customer within 7 days of the date of this notice, may deposit with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003 San Francisco, California 94102 the amount of the bill claimed by the utility to be due.

#### C. Commission Appeal

When a customer and the utility fail to agree on a bill for service:

- 1. To avoid discontinuance of service, in lieu of paying the disputed bill the customer may deposit, with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco, California 94102, the amount claimed by the utility to be due.
- Checks or other forms of remittance for such deposit should be made payable
  to the California Public Utilities Commission and should be accompanied with
  the bill in question and a statement setting forth the basis for the dispute of the
  amount of the bill.
- Upon receipt of the deposit, the bill and the customer's statement of the dispute, the Commission will notify the utility, will review the basis of the billed amount, and will advise both parties of its findings and disburse the deposit in accordance therewith.

	(Continued)		
(To be inserted by utility)	Issued By		(To be inserted by P.U.C.)
Advice Letter No. 1808-W	R. J. Sprowls	Date Filed	December 12, 2019
Decision No.	President	Effective	February 1, 2020
		Resolution No	

630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016 Revised Cal. P.U.C. Sheet No. 8596-W Cancelling Revised Cal. P.U.C. Sheet No. 8204-W

		<u>Rule No. 10</u> <u>Disputed Bills</u>	Page 2
C.	C	ommission Appeal (Continued)	(D)
	4.	Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission (Consumer Affairs Branch), pending the outcome of the Commission's review.	
	5.	Failure of the customer to make such deposit prior to the expiration of the discontinuance of service notice as given in Rule No. 10B.1. will warrant discontinuance of service.	(T)
	6.	If before the completion of the Commission's review, additional bills become due which the customer wishes to dispute, she or he shall also deposit with the Commission the additional amounts claimed by the utility to be due for such additional bills before they become past due and failure to do so will warrant discontinuance of her or his service in accordance with	(T) (T)

Rule No. 11.

630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016 Revised Cal. P.U.C. Sheet No. 8597-W Cancelling Revised Cal. P.U.C. Sheet No. 3742-W

Page 1

# Rule No. 11 Discontinuance And Restoration Of Service

- A. Customer's Request for Discontinuance of Service
  - A customer may have service discontinued by giving not less than two days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.
  - 2. When such notice is not given, the customer may be required to pay for service until two days after the utility has knowledge that the customer has vacated the premises or otherwise has discontinued water service.
- B. Discontinuance of Service by Utility
  - 1. For Nonpayment of Bills
    - a. Past-Due Bills.

When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing.

(1) Residential Service

For the purposes of this rule, residential service means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing. When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing. The utility shall allow every residential customer a total of 79 days from the date of mailing its bill for services, postage prepaid, to make payment of the bill prior to discontinuance of service. The utility shall not discontinue residential service for nonpayment of a delinquent account unless the utility first gives notice of the delinquency and impeding discontinuance, in conformance with Rule No. 8.A.3, which establishes notice periods ranging from 7 to 15 days, depending on the occupancy type. The utility will provide notices timely to ensure that the applicable notice period is included in the total 79-day period referenced above and does not provide additional time to pay.

(2) All Other Service (Non-residential)

The utility shall not discontinue nonresidential service for nonpayment of a delinquent account unless the utility first gives notice of the delinquency and impeding discontinuance in conformance with Rule No. 8.A.4.

(L)

(N)

(T)

(N)

(N)

(N)

(T)

(Continued)

(To be inserted by utility)

Advice Letter No. 1808-W

Decision No. 1808-W

R. J. Sprowls

President

Effective February 1, 2020

Resolution No.

# Revised Cal. P.U.C. Sheet No. 8598-W Cancelling Revised Cal. P.U.C. Sheet No. 3743-W

Page 2

# Rule No. 11 Discontinuance And Restoration Of Service

				Discontinuance And Restoration Of Service	
В.	Б	isco	ntin	uance of Services by Utility (Continued)	
1. For Nonpayment of Bills (Continued)					
		b.	for alte the dis	nen a bill for water service has become past due and a discontinuance of service notice in nonpayment has been issued, service may be discontinued if bill is not paid in full (or ernative payment arrangements acceptable to the utility have not been made) within a time required by such notice. The customer's service, however, will not be eccontinued for nonpayment until the amount of any deposit made to establish credit for at service has been fully absorbed.	(T)   (T)
		c.	Pet	tition for Utility Review.	(N)
			1.	Any customer (or adult occupant of residential service address) may petition the utility for review of a bill for water service in accordance with Rule Nos. 5 and 10.	(N)
			2.	Such customer shall not have the water service discontinued for nonpayment during the pendency of an investigation by the utility of a complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the utility, if:	(T) (T)
				(i) The customer who has initiated a billing complaint or requested an investigation within 5 days of receiving a disputed bill, or	(T)
				(ii) Before discontinuance of service, the customer made payment arrangements for a bill asserted to be beyond the means of the customer to pay in full within the normal period for payment.	(T)
			3.	The review shall include consideration of whether a customer shall be permitted to make installment payments on any unpaid balance of the delinquent account over a reasonable period of time, not to exceed 12 months.	
				Such service shall not be discontinued for nonpayment for any customer complying with an installment payment agreement entered into with the utility, provided the customer also keeps current her or his account for water service as charges accrue in each subsequent billing period.	
				If a customer fails to comply with an installment payment agreement the utility will give a discontinuance of service notice no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further	(T)
				investigation or alternative payment arrangements by the utility.	(T)
					(L)

(Continued)

(To be inserted by utility)Issued By(To be inserted by P.U.C.)Advice Letter No. 1808-WR. J. SprowlsDate FiledDecember 12, 2019Decision No.PresidentEffectiveFebruary 1, 2020Resolution No.

630 E. FOOTHILL BLVD. - P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016

Cal. P.U.C. Sheet No. 8599-W Revised Cal. P.U.C. Sheet No. 3744-W Cancelling Revised

Page 3

### Rule No. 11 Discontinuance And Restoration Of Service

- Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
  - Appeal to the Commission.

(L)(T)

Any customer (or adult occupant of a residential service address) whose complaint or request for an investigation pursuant to subdivision (c) has resulted in a determination by the utility adverse to such customer or adult occupant, may appeal the determination to the Commission in accordance with Rule Nos. 5 and 10 (including depositing the disputed amount with the Commission). Any such appeal of the disputed bill to the Commission shall be in accordance with the Commission's Rules of Practice and Procedure. Written documentation of an appeal filed and diligently pursued with the Commission will prevent discontinuation of residential water service during the official appeal process.

(L)(T)

- Residential Health and Safety Exception.
  - 1. Service to a residential water customer will not be discontinued for nonpayment when such customer establishes to the satisfaction of the utility that <u>all</u> three of the following conditions are met:

(T)

(N)

(T)

The residential customer submits certification from a primary care provider\*, as defined by the Water Shutoff Protection Act, that discontinuation of residential water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided;

(N)

(T)

\*Proof must be by certification from any internist, general practitioner, obstetriciangynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or primary care clinic, rural health clinic, community clinic or hospital outpatient clinic. A "nonphysician medical practitioner" means a physician assistant or certified nurse-midwife performing services under physician supervision, or a nurse practitioner performing services in collaboration with a physician. (See Section 14088(b)(1)(A) and (c) of the California Welfare and Institutions Code.

(T) (N)

(ii) The residential customer demonstrates that she or he is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level; and,

(N) (D)

(L)

(Continued)

(To be inserted by utility)	Issued By		(To be inserted by P.U.C.)
Advice Letter No. 1808-W	R. J. Sprowls	Date Filed	December 12, 2019
Decision No.	President	Effective	February 1, 2020
		Resolution No.	

Revised Cal. P.U.C. Sheet No. 8600-W Cancelling Revised Cal. P.U.C. Sheet No. 7657-W

Page 4

(N)

(N)

(T)

(L)

(L)

# Rule No. 11 <u>Discontinuance And Restoration Of Service</u>

- B. Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
    - e. Residential Health and Safety Exception. (Continued)
      - (iii) The residential customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment.
      - 2. If all three of the above conditions are met, the utility shall offer the customer one or more of the following options:
        - a. Amortization of the unpaid balance.
        - b. Participation in an alternative payment schedule.
        - c. A partial of full reduction of the unpaid balance financed without additional charges to other ratepayers.
        - d. Temporary deferral of payment.
      - 3. The utility may choose which of the payment options the customer undertakes and may set the parameters of that payment option. The repayment option offered should result in repayment of any remaining outstanding balance within 12 months.
      - 4. Notwithstanding the above, residential service may be discontinued to any customer meeting the conditions above who:
        - (i) Does not agree to or comply with an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment after incurring delinquent charges for 60 days or more,

OR

(ii) After agreeing to an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment for delinquent charges, the customer does not pay her or his current residential service charges for 60 days or more.

Notice of discontinuation for either of these reasons will be posted in a prominent and conspicuous location no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further investigation or alternative payment arrangements by the utility.

f. Other Disconnection Terms

A customer's residential service may be discontinued for nonpayment of a bill for residential service previously rendered her or him at any location served by the utility.

A nonresidential service may be discontinued for nonpayment of a bill for residential as well as nonresidential service previously rendered her or him at any location served by the utility.

(Continued)

(To be inserted by utility)

Advice Letter No. 1808-W

Decision No. 1808-W

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Page 5

# Rule No. 11 Discontinuance And Restoration Of Service

- B. Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
    - f. Other Disconnection Terms (Continued)

The discontinuance of service notice as set forth in subdivision (b) will be given in both cases stated above before discontinuance of service takes place.

Residential services will not, however, be discontinued for nonpayment of bills for separate nonresidential service.

g. Timing of Disconnection

(T)

Service will not be discontinued by reason of delinquency in payment for service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the utility are not open to the public. The utility will avoid disconnection of service on Fridays and a day prior to a holiday. The utility will inform customers of the option to reconnect during regular business hours to avoid the more costly fees associated with after-hours service.

(L)

h. Where the owner, manager, or operator of the dwelling, structure, or park is listed by the utility as the customer of record, and water service is provided to residential occupants in a detached single-family dwelling, a multi-unit residential structure, mobilehome park, or permanent residential structure in a labor camp the utility will make every good faith effort to inform the residential occupants, by written notice in conformance with Rule No. 8.A.3.b.

(L)(T)

(1) Where said occupants are individually metered.

The utility is not required to make service available to these occupants unless each user agrees to the terms and conditions of service and meets the requirement of the law and the utility's rules and tariffs.

(L)(T)

(L)(T)

However, if one or more occupants are willing and able to assume responsibility for subsequent charges by these occupants to the account to the satisfaction of the utility, or if there is a practical physical means, legally available to the utility of selectively providing services to these occupants who have met the requirements of the utility's rules and tariffs, the utility will make service available to these occupants.

(L)(T) (L)

(L)

For these selected occupants establishment of credit may be as prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the utility, proof that is acceptable to the utility of residence and prompt payment of rent or other credit obligation during that period of time is a satisfactory equivalent.

(L)(T)

(L)

(Continued)

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Page 6

### <u>Rule No. 11</u> Discontinuance And Restoration Of Service

Discontinuance of Services by Utility (Continued) For Nonpayment of Bills (Continued) 1. h. (Continued) (L)(T)(2) Where said occupants are master metered. (L)(T)The utility is not required to make service available to these occupants unless each (L)(T)occupant agrees to the terms and conditions of service, and meets the requirements of the law and the utility's rules and tariffs and the following: (L)(T)The same Rule 11, item B.1.h. (1) above which applies to individually metered (L)(T)occupants also applies to master metered occupants, except a representative may act (L)(T)on the behalf of a master metered occupant, and the utility will not discontinue service in any of the following situations: (L) During the pendency of an investigation by the utility of a master-meter customer dispute or complaint. (b) When the master-metered customer has been granted an extension of the period for repayment of a bill. (c) For an indebtedness owned by the master-metered customer to any other person or corporation or when the obligation represented by the delinquent account or any other indebtedness was incurred with a person or corporation other than the utility demanding payment therefor. (d) When a delinquent account relates to another property owned, managed, or operated by the master-metered customer. (e) When a public health or building officer certifies that discontinuance would result in a significant threat to the health or safety of the residential occupants or the public. Proof of age or disability are described in Rule No. 11.B.1.e. (L)

(Continued)

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Page 7

(L)

(L)

# Rule No. 11 Discontinuance And Restoration Of Service

- B. Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
    - i. Residential Customer's Remedies Upon Receipt of Discontinuance Notice for Nonpayment.
      - (1) If upon receipt of a discontinuance notice, a residential customer is unable to pay, she or he must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service. Information pertaining to alternative payment options and other options for averting discontinuation of residential service for nonpayment will be provided on the discontinuance notice as described in Rule No. 5, or can be obtained by calling 800-999-4033.
      - (2) If, after contacting the utility, the residential customer alleges to the Commission an inability to pay and that she or he is unable to make payment arrangements with the utility she or he should contact the Commission's Consumer Affairs Branch (CAB) to make an informal complaint. To maintain uninterrupted service this action must be taken prior to discontinuation of service as defined in the provided notice.
      - (3) The CAB's resolution of the matter should be reported to both the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such resolution, such customer may file, within ten business days after the date of the CAB's letter, a formal complaint with the Commission under Public Utilities Code Section 1702 on a form provided by the CAB.
      - (4) Failure of any customer to observe these time limits prescribed herein shall entitle the utility to insist upon payment or, upon failure to pay, to proceed to discontinue the customer's residential water service in accordance with the utility's rules. (T)

(Continued)

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Page 8

# Rule No. 11 Discontinuance And Restoration Of Service

- B. Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
    - j. Designation of a Third-Party Representative (Older Adult or Disabled only)

(T) (L)

- (1) Customer must inform utility if she or he desires that a third party receive discontinuance or other notices on her or his behalf.
- (2) Utility must be advised of name, address and telephone number of third party with a letter from third party accepting this responsibility.
- (3) Only customers who certify that they are older adults age 62 or over or disabled are entitled to third-party representation. Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of disability must be by certification from a licensed physician, public health nurse or social worker.
- 2. For Noncompliance with Rules

The utility may discontinue service to any customer for violation of these rules after it has given the customer at least five days' written notice of such intention. Where safety of water supply is endangered, service may be discontinued immediately without notice.

- 3. For Waste of Water
  - a. Where negligent or wasteful use of water exists on customer's premises, the utility may discontinue the service if such practices are not remedied within five days after it as given the customer written notice to such effect.

(L)

b. In order to protect itself against serious and unnecessary waste or misuse of water, the utility may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the utility has given the customer written notice to remedy such practices.

(D)

4. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the Utility or its Customers

If an unsafe or hazardous condition is found to exist on the customer's premise, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the utility or its customers, the service may be shut off without notice. The utility will notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

(Continued)

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Page 9

# Rule No. 11 Discontinuance And Restoration Of Service

#### B. Discontinuance of Services by Utility (Continued)

#### 5. For Fraudulent Use of Service

(L)

When the utility has discovered that a customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that customer may be discontinued without notice. The utility will not restore service to such customer until that customer has complied with all rules and reasonable requirements of the utility and the utility has been reimbursed for the full amount of the service rendered and the actual cost to the utility incurred by reason of the fraudulent use.

#### C. Restoration of Service

#### 1. Reconnection Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the utility may charge \$40.00 for reconnection of service during regular working hours or \$120.00 for reconnection of service at other than regular working hours when the customer has requested that the reconnection be made at other than regular working hours, except as otherwise provided by the utility's tariffs.

(L) (T)

#### 2. To be Made During Regular Working Hours

The utility will endeavor to make reconnections during regular working hours on the day of the request, if the conditions permit; otherwise reconnections will be made on the regular working day following the day the request is made.

#### 3. To Be Made at Other Than Regular Working Hours

When a customer has requested that the reconnection be made at other than regular working hours, the utility will reasonably endeavor to so make the reconnection if practicable under the circumstances.

#### 4. Wrongful Discontinuance

A service wrongfully discontinued by the utility, must be restored without charge for the restoration to the customer within 24 hours.

(L)

(Continued)
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Page 10

# Rule No. 11 Discontinuance And Restoration Of Service

#### C. Restoration of Service (Continued)

#### 5. Limits on Certain Reconnection Charges

(N)

(N)

(L)

For a residential customer who demonstrates household income below 200 percent of the federal poverty line (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty line), charges shall be limited as follows:

- (i) For reconnections during regular working hours, the lesser of the actual cost or \$50.00; and
- (ii) For reconnections during other than regular working hours, the lesser of the actual cost or \$150. The cap on these reconnection fees (\$50 and \$150, respectively) shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

D. Refusal to Serve (L)

#### 1. Conditions for Refusal

The utility may refuse to serve an applicant for service under the following conditions:

- a. If the applicant fails to comply with any of the rules as filed with the Public Utilities Commission.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.
- c. If, in the judgment of the utility, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.
- d. Where service has been discontinued for fraudulent use, the utility will not serve an applicant until it has determined that all conditions of fraudulent use or practice has been corrected.

#### 2. Notification to Customers

When an applicant is refused service under the provisions of this rule, the utility will notify the applicant promptly of the reason for the refusal to service and of the right of applicant to appeal the utility's decision to the Public Utilities Commission.

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Decision No.	President	Effective February 1, 2020	
		Resolution No	

Page 1

# Rule No. 5 Special Information Required On Forms

#### A. Contracts

Each contract for service will contain substantially the following provisions:

1. Unless exempted by the Public Utilities Commission:

"This contract shall at all times be subject to such changes or modification by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction."

2. Unless otherwise not required by the Public Utilities Commission:

"It is the understanding of the parties to this contract that it shall not become effective until the authorization of the Public Utilities Commission of the State of California has been first obtained."

#### B. Bill for Service

On each bill for service will be printed substantially the following language:

"This bill is due and payable upon date of presentation. It will become past due if not paid within 19 days from the date of mailing."

"If you believe there is an error on your bill or have a question about your service, please call Customer support at 800-999-4033. We welcome the opportunity to assist you.

If after contacting us, you are still not satisfied with the company's response, you may submit a complaint to the California Public Utilities Commission (CPUC) by visiting <a href="http://www.cpuc.ca.gov/complaints/">http://www.cpuc.ca.gov/complaints/</a>. Billing and service complaints are handled by the CPUC's Consumer Affairs Branch (CAB), which can be reached by the following means if you prefer not to Submit your complaint online:

**Telephone**: 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday) **Mail:** California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco, CA 94102

If you have limitations hearing or speaking, dial 711 to reach the California Relay Service, which is for those needing direct assistance relaying telephone conversations, as well their friends, family, and business contacts.

(Continued)

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Page 2

# Rule No. 5 Special Information Required On Forms

#### B. Bill for Service (Continued)

If you prefer having your calls immediately answered in your mode of communication, dial on of the toll-free language-specific numbers below to be routed to the California Relay Service provider.

Type of Call	Language	Toll-free 800 Number
TTY/VCO/HCO to Voice	English	1-800-735-2929
111/ VCO/ HCO to Voice	Spanish	1-800-855-3000
Voice to TTY/VCO/HCO	English	1-800-735-2922
Voice	Spanish	1-800-855-3000
From or to Speech-to-Speech	English Spanish	1-800-854-7784

To avoid having service turned off while you wait for the outcome of a complaint to the CPUC **specifically regarding the accuracy of your bill**, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.

The Commission will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of a utility's service, general level of rates, pending rate applications and sources of fuel or power.

C.	Discontinuance of Service for Nonpayment - Notice	(Τ	7)

Every written notice of discontinuance of service for non-payment of bills shall include all of the following information:

- 1. The name and address of the customer whose account is delinquent.
- 2. The amount of delinquency.
- 3. The date by which payment or arrangements for payment is required in order to avoid discontinuance.
- 4. A description of the process to apply for an extension of time to pay delinquent (T) charges. (T)

(Continued)
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Page 3 Rule No. 5 Special Information Required On Forms Discontinuance of Service for Nonpayment - Notice (Continued) (T) The procedure to petition for bill review and appeal to the Commission. (N) The procedure by which the customer may request a deferred (paying at a later date), (T) reduced (spreading payments out over an agreed upon period of time not to exceed 12 (T) months), or some other alternative payment schedule, including amortization of the unpaid (T) charges. 7. The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable. The name, address, and telephone number of a representative of the utility who can provide additional information and assist customers in continuing service or in making arrangements (T) for payment. The telephone numbers of the Commission (Consumer Affairs Branch) (800) 649-7570 or TTY (800) 735-2929/22 English or (800) 855-3000 Spanish or (800) 854-7784 to which inquiries by the customer may be directed. Residential Customers. Where water service is provided to residential occupants in a (T) detached single-family dwelling, multi-unit residential structure, mobilehome park, or (T) permanent residential structures in a labor camp, where the owner, manager or operator is listed by the utility as the customer of record but is not the occupant, the notice of (T) discontinuance shall further include: The date on which service will be discontinued. a. b. What the occupants are required to do in order to prevent the discontinuance (T) or to reestablish service. c. The estimated monthly cost of service (where service is mater-meted). d. The address and telephone number of a legal services project, as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association, which will assist the occupants (where service is mater-metered). (T)

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			Rule No. 8 Notices	Page 1
٩.	N	otice to	Customers	
	1.	In Wri	ting	
		notice	to a customer will normally be in writing. Depending on the type of notice, written will either be delivered or mailed to the customer's last known address, except as vise specified by the utility's tariffs.	(T) (T) (T)
	2.	Except	ion	
		promp	ergencies or when circumstances warrant, the utility, where feasible, will endeavor to otly notify the customer affected and may make such notification orally, either in or by telephone.	
	3.	Notice	of Discontinuance of Service of Residential Water Service for Nonpayment	(T)
			e utility shall contact the residential customer of record at least 10 days prior to scontinuance by telephone or written notice.	(T) (T) (D)
		1.	Written notice shall be mailed to the address of the customer of residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the service address with "Occupant" as the addressee. The notice shall include the information prescribed in Rule No. 5. C.	(N)
		2.	Telephone notice shall be to the customer named on the account. In providing such notice by telephone, the utility shall offer to: (i) provide customer with a written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and procedures to petition for bill review and appeal.	
		3.	If the utility is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned as undeliverable, the utility will make a good faith effort to visit the residence and leave (or make other arrangements for placement in a conspicuous place) a notice as prescribed herein, along with a written copy of the utility's policy on discontinuation of service for nonpayment.	(N) (L)

(Continued)

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Resolution No.

	Rule No. 8 Notices		Page 2
A. Notice to Customers (Continue	d)		
3. Notice of Discontinuance of Serv	ice of Residential Water Service fo	or Nonpayment	(T)
unit residential structure, mo camp, where the owner, mar	esidential occupants of a detached obilehome park, or permanent resi nager, or operator is listed by the u	idential structures in a labor	(L)(T)
record, as follows:			(T)
good faith effort to in prior to any disconti- discontinued. In add notice will inform th requirements are me	metered water service is provided aform the occupants by means of a nuance, when the account is in andition to including the information e occupants that, if the utility's vet, they have the right to become a without being required to pay any ant.	a notice at least 10 days rears, that service will be n prescribed in Rule No. 5, the erification and other customer, to whom the service	(N)                 
prior to discontinuar residential unit. If it each residential unit,	ed service is provided, the writter nce or service. The notice will be p is not reasonable or practical to p the utility will post two copies of each point of access to the structu	oosted on the door of each ost the notice on the door of f the notice in each accessible	(T)
3. Notice to occupants may be prescribed in	shall be independent of, and in ad the utility's tariffs.	ldition to, other notice(s) as	(T)
English, the languages listed	for nonpayment relating to reside in Section 1632 of the Civil Code, e of the customers in the utility's s cribed in Rule No. 5.C.	and any other language	(N)     (N)
d. Procedures for the disconting	nance and restoration of service a	re specified in Rule No. 11.	(T)
4. Notice of Discontinuance of A  The utility shall make a reason	Il Other Services (Nonresident	tial) for Nonpayment customer of record by	(N)
9 1	ast 10 days prior to discontinua telephone or in person at leas	` '	(N) (L)
(To be inserted by utility)	(Continued)	(To be inserte	d by P II C \
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630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016

Page 3 Rule No. 8 **Notices** Notice to Customers (Continued) Discontinuance of Service for Reasons Other Than Nonpayment (N) The utility may discontinue service for reasons not related to payment. Rule No. 11 provides additional examples of circumstances resulting in discontinuation of service and related notice, if any, associated with the specific situation. (N) Third-Party Notification (L) Notice of availability of third-party notification shall be given annually to all residential customers. (L)(T)Notice from Customers 1. A customer may make notification in person, by telephone or by letter to the (L) utility at its commercial office, or to an authorized representative of the utility. (L) 2. Customers who wish to qualify for consideration under Rule No. 11.B.1.e. must have (L)(T)presented evidence to the utility establishing their status. (L)(T)3. Older Adult or disabled customers who desire third-party notification must so (L)(T)inform the utility with certification of status and with a letter from the third party (L) accepting the responsibility. (L) (L) 4. Proof of age must be supported by certificate of birth, driver's license, passport

or other reliable document. Proof of handicap must be by certification from a licensed

physician, public health nurse or social worker.

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Page 4

# Table of Contents

Rules:			
No. 1	Definitions	8593-W, 8594-W	(T)
No. 2	Description of Service	1570-W	(1)
No. 3	Application for Service	4975-W, 4976-W	
No. 4	Contracts	777-W	
No. 5	Special Information Required on Forms	8607-W, 8608-W, 8609-W	(T)
No. 6	Establishment and Re-establishment of Credit	780-W	(1)
No. 7	Deposits	4802-W, 4803-W	
No. 8	Notices	8610-W, 8611-W, 8612-W	(T)
No. 9	Rendering and Payment of Bills	6381-W, 6382-W, 7478-W	(1)
No. 10	Disputed Bills	8595-W, 8596-W	(T)
No. 11	Discontinuance and Restoration of Service	8597-W, 8598-W, 8599-W, 8600-W,	(1)
110. 11	Discontinuance and Restoration of Service	8601-W, 8602-W, 8603-W, 8604-W,	
		8605-W, 8606-W	(T)
No. 12	Information Available to Public	7011-W, 7012-W	(1)
No. 12 No. 13	Temporary Service	793-W, 794-W	
No. 13 No. 14	Continuity of Service	795-W, 794-W 795-W	
No. 14 No. 14.1	3	793-W 6870-W thru 6878-W	
NO. 14.1	Mandatory Water Conservation Restrictions and	00/U-VV HIFU 00/0-VV	
No. 15	Rationing Plan Main Extensions	7492 141 12 7400 7742 141 7402 141	
No. 15	Main Extensions	7483-W thru 7490, 7742-W, 7492-W,	
NI- 16	Coming Commedians Malana and Contamon's Frailities	7493-W, 7494-W, 7495-W, 8228-W,	
No. 16	Service Connections, Meters and Customer's Facilities	8231-W thru 8235-W, 8401-W, 8237-W	
N. 45	0. 1 1 ( ) ( )	8238-W, 8239-W, 8240-W, 8241-W	
No. 17	Standards for Measurements of Service	2564-W	
No. 18	Meter Tests and Adjustment of Bills for Meter Error	6647-W, 6648-W, 6649-W	
No. 19	Service to Separate Premises and Multiple Units, and	2959-W, 8001-W	
	Resale of Water		
No. 20	Water Conservation	7068-W	
No. 21	Military Family Relief Program	4939-W, 4940-W, 4941-W	
No. 22	Customer Information Sharing	5840-W	
Sample Forms:			
No. 3	Bill For Service	6833-W, 6834-W	
No. 4	Reminder Notice	6394-W	
No. 6	Notice of Termination	6120-W	
No. 7	Notice of Termination  Notice of Termination, Backflow Prevention Assembly	7051-W	
100.7	Violation	7031-٧٧	
No. 8	Fire Flow Test Application	7660-W	
No. 14	Uniform Fire Hydrant Service Agreement	2449-W, 2450-W, 2451-W, 2452-W	
No. 15	Main Extension Contract - Individuals	5738-W	
No. 16	Main Extension Contract	5739-W, 5740-W, 5741-W	
No. 17	Income Tax Component of Contribution Agreement	8242-W, 8243-W	
No. 18	Waste of Water Notice	6985-W	
No. 19	Customer Service Door Notice	6986-W	
No. 20	California Alternate Rate for Water Application/Notice	8288-W	
No. 24	Confidentiality and Non-Disclosure Agreement	5841-W, 5842-W, 5843-W	
110.21	Columnia with Proceeding Tigitellicity	3011 11,3012 11,3013-11	

(To be inserted by utility)	Issued By		(To be inserted by P.U.C.)
Advice Letter No. 1808-W	R. J. Sprowls	Date Filed	December 12, 2019
Decision No.	President	Effective	February 1, 2020
		Resolution No.	

630 E. FOOTHILL BLVD. – P.O. BOX 9016 SAN DIMAS, CALIFORNIA 91773-9016 Revised Cal. P.U.C. Sheet No. 8614-W Cancelling Revised Cal. P.U.C. Sheet No. 8592-W

Page 1

#### Table of Contents

721 ( 11 ' ' '(( 1 '	11 (( 1	1 (( ( 1	· (d elle e d	r with information relating thereto:
The following fariff sheets	s contain all effective rates and ril	les affecting rates and serv	ice of the lifility, togethe	r with information relating thereto:

 Subject Matter of Sheet
 Sheet No.

 Title Page
 4905-W

Table of Contents 8614-W, 8568-W, 8591-W, 8613-W (T)

 $Preliminary\ Statements:\ 8370-W,\ 7005-W,\ 3140-W,\ 3141-W,\ 3141-W,\ 6940-W,\ 5096-W^*,\ 5097-W^*,\ 5102-W,\ 5223-W,\ 5322-W,\ 6477-W,\ 6478-W,\ 6479-W,\ 7075-W,\ 7076-W,\ 5607-W,\ 5848-W,\ 5937-W,\ 6101-W,\ 6103-W,\ 6123-W,\ 6225-W,\ 6475-W,\ 6559-W,\ 6652-W,\ 6858-W,\ 7129-W,\ 6938-W,\ 7368-W,\ 7441-W,\ 7442-W,\ 7451-W,\ 7481-W,\ 7728-W,\ 7730-W,\ 7747-W,\ 7748-W,\ 7749-W,\ 7750-W,\ 7756-W,\ 7994-W,\ 8007-W,\ 8246-W,\ 8365-W,\ 8366-W,\ 8367-W,\ 8418-W,\ 8494-W,\ 8495-W$ 

Tariff Area Maps:

Arden - Cordova	
Arden Arden	6837-W
Cordova	6838-W
Barstow	5560-W
Bay	8189-W
Calipatria-Niland	6846-W
Clearlake	6839-W
Claremont	8487-W
Morongo Valley	8223-W, 6427-W
Apple Valley North	5802-W
Apple Valley South	8221-W
Desert View	8222-W
Lucerne Valley	5805-W
Los Osos	3803-**
Edna Road	8198-W
Los Osos	5253-W
Metropolitan	3233-77
Artesia	8292-W
Norwalk	7732-W
Bell-Bell Gardens	6675-W
Florence-Graham	8294-W
Hollydale	8295-W
Culver City	8293-W
Southwest	8196-W
Willowbrook	6842-W
Willowbrook	004Z-VV
Orange County	
Bolsa Chica	4381-W
Cowan Heights	8251-W
Cypress-Los Alamitos-Stanton	8252-W
Placentia-Yorba Linda	6844-W
San Dimas	8226-W
San Gabriel Valley	
South Arcadia	8004-W
South Friedrich	8005-W
Santa Maria	0000 11
Cypress Ridge	8254-W
Lake Marie	5705-W
Orcutt	5558-W
Sisquoc	5257-W
Tanglewood	7429-W
Nipomo	5259-W
Simi Valley	8190-W
Wrightwood	6428-W
mganova	0-120-11

(Continued)

(To be inserted by utility	·)	Issued By		(To be inserted by P.U.C.)
Advice Letter No.	1808-W	R. J. Sprowls	Date Filed	December 12, 2019
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# ATTACHMENT A

# Senate Bill 998



#### Senate Bill No. 998

#### CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community

Ch. 891 — 2 —

water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained

\_3 \_ Ch. 891

in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

#### CHAPTER 6. DISCONTINUATION OF RESIDENTIAL WATER SERVICE

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

- 116902. For the purposes of this chapter, the following definitions apply:
- (a) "Board" means the State Water Resources Control Board.
- (b) "Public water system" has the same meaning as defined in Section 116275.
- (c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.
- (d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.
- (e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.
- 116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.
- (b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.
- (c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.
- 116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:
  - (1) A plan for deferred or reduced payments.
  - (2) Alternative payment schedules.
  - (3) A formal mechanism for a customer to contest or appeal a bill.
- (4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.
- (b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.
- (c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585

Ch. 891 — 4 —

and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

- (2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.
- 116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.
- (B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.
- (C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:
  - (i) The customer's name and address.
  - (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
  - (v) A description of the procedure to petition for bill review and appeal.
- (vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.
- (2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

\_\_5\_\_ Ch. 891

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

- (1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.
- (2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
- (3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.
- (b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:
  - (A) Amortization of the unpaid balance.
  - (B) Participation in an alternative payment schedule.
- (C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.
  - (D) Temporary deferral of payment.
- (2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.
- (3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

Ch. 891 — 6 —

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

- (1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.
  - (2) Waive interest charges on delinquent bills once every 12 months.
- (b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become

—7— Ch. 891

customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

- (c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.
- (d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.
- (e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.
- (f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:
- (1) Give notice of termination at least seven days prior to the proposed termination.
- (2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.
- 116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.
- 116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

Ch. 891 — 8 —

- (b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.
- 116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.
- 116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.
- 116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

# ATTACHMENT B

Redline Edits to Rule Nos. 1, 5, 8, 10 & 11

Applicant: The person, association, corporation or governmental agency applying for water service.

<u>Business Service:</u> Provision of water for use in connection with commercial premises devoted primarily to operations for profit including offices, stores, markets, apartments, hotels, motels, automobile trailer parks or courts, service stations and the like.

Commercial Service: Provision of water to residential premises or business premises.

<u>Customer:</u> Any person, association, corporation or governmental agency supplied or entitled to be supplied with water service. However, account information can only be discussed with the Customer of Record or their authorized representative.

to be supplied with water service for compensation by the utility.

<u>Customer of Record:</u> The person, association, corporation or governmental agency who is obligated to <u>pay the water bill.</u>

<u>Date of Presentation:</u> The date upon which a bill or notice is mailed or delivered by the utility to the <u>customer</u>Customer of Record.

Elderly Customer: Any residential customer who is age 62 or over.

Disabled Customer: Any residential customer whose certified health or physical condition may qualify her or him for special consideration. Proof of disability must be by certification from any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic currently enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal beneficiaries as defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code.

<u>Electronic Transfer</u>: Paperless exchange of data and /or funds, usually involving computer and telecommunications technology.

<u>Flat Rate Service:</u> Service for which the charges are based upon the types and number of units served.

<u>Handicapped Customer:</u> Any residential customers whose health or physical condition may qualify him for special consideration.

<u>Industrial Service:</u> Provision of water to industrial premises where the water is used primarily in manufacturing or processing activities.

<u>Irrigation Service</u>: Provision of water for commercial agricultural, <del>floracultural</del><u>floricultural</u> or horticultural use and billed under distinct irrigation rates.

<u>Main Extension:</u> The extension of water distribution mains beyond existing facilities in accordance with the provisions of the rule applicable to main extensions filed as part of these tariff schedules.

<u>Metered Service:</u> Service for which the charges are computed on the basis of measured quantities of water.

Occupant: Any adult person demonstrably residing on premises actively served by the utility. However, account information can only be discussed with the Customer of Record or their authorized representative.

Older Adult Customer: Any residential customer who is age 62 or over.

(Continued)

Rule No. 1

**DEFINITIONS** 

(Continued)

Page 2 of 2

<u>Premises:</u> The integral property or area, including improvements thereon, to which water service is, or is to be, provided.

<u>Public Utilities Commission:</u> In these rules the word "Commission" or words "Public Utilities Commission" shall be construed to mean the Public Utilities Commission of the State of <u>California.</u>

(Continued) Rule No. 1

**DEFINITIONS** 

(Continued)

Page 2 of 2

Residential Service: Provision of water for household purposes, including water used on the premises for sprinkling lawns, gardens and shrubbery; washing vehicles; and other similar and customary purposes pertaining Water service to a residential connection that includes single or multiple\_family dwellingsresidences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

Service Address: Address of the property to which water service is provided.

<u>Service Connection:</u> The point of connection of the customer's piping or ditch with the meter, service pipe or ditch owned by the utility.

<u>Service Pipe:</u> The connection between the utility's mains and the service connection, including all the pipe, fittings and valves necessary to make the connection.

<u>Tariff Schedules or Tariff Schedule Book:</u> The entire body of effective rates, rentals, charges, rules, and sample forms collectively, as set forth herein.

Tariff Sheet: An individual sheet of the tariff schedule book.

<u>Utility:</u> The public utility named herein.

## Page 1 of 3

## Rule No. 5

## SPECIAL INFORMATION REQUIRED ON FORMS

Page 1 of 3

#### A. Contracts

Each contract for service will contain substantially the following provisions:

- 1. Unless exempted by the Public Utilities Commission:
  - "This contract shall at all times be subject to such changes or modification by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction."
- 2. Unless otherwise not required by the Public Utilities Commission:

"It is the understanding of the parties to this contract that it shall not become effective until the authorization of the Public Utilities Commission of the State of California has been first obtained."

#### B. Bill for Service

On each bill for service will be printed substantially the following language:

"This bill is due and payable upon date of presentation. It will become past due if not paid within 19 days from the date of mailing."

"If you believe there is an error on your bill or have a question about your service, please call Customer support at 800-999-4033. We welcome the opportunity to assist you.

If after contacting us, you are still not satisfied with the company's response, you may submit a complaint to the California Public Utilities Commission (CPUC) by visiting http://www.cpuc.ca.gov/complaints/. Billing and service complaints are handled by the CPUC's Consumer Affairs Branch (CAB), which can be reached by the following means if

- you prefer not to submit your complaint online: submit a complaint to the California Public Utilities Commission (CPUC) by visiting
- http://www.cpuc.ca.gov/complaints/. Billing and service complaints are handled by the
- CPUC's Consumer Affairs Branch, which can be reached by the following means if you
- Submit your complaint online: prefer not to

**Telephone**: 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday)

Mail: California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco, CA 94102

If you have limitations hearing or speaking, dial 711 to reach the California Relay Service, which is for those needing direct assistance relaying telephone conversations, as well their friends, family, and business contacts.

(Continued)

## SPECIAL INFORMATION REQUIRED ON FORMS

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## (Continued)

## B. Bill for Service (Continued)

If you prefer having your calls immediately answered in your mode of communication, dial one of the toll-free language-specific numbers below to be routed to the California Relay Service provider.

Type of Call	Language	Toll-free 800 Number
TTY/VCO/HCO to Voice	English	1-800-735-2929
	Spanish	1-800-855-3000
Voice to TTY/VCO/HCO Voice	English	1-800-735-2922
	Spanish	1-800-855-3000
From or to Speech-to-Speech	English	1-800-854-7784
	Spanish	

To avoid having service turned off while you wait for the outcome of a complaint to the CPUC **specifically regarding the accuracy of your bill**, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.

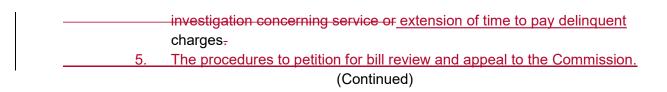
The Commission will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of a utility's service, general level of rates, pending rate applications and sources of fuel or power.

."

## C. Discontinuance of Service for Nonpayment - Notice

Every <u>written</u> notice of discontinuance of service for non-payment of bills shall include all of the following information:

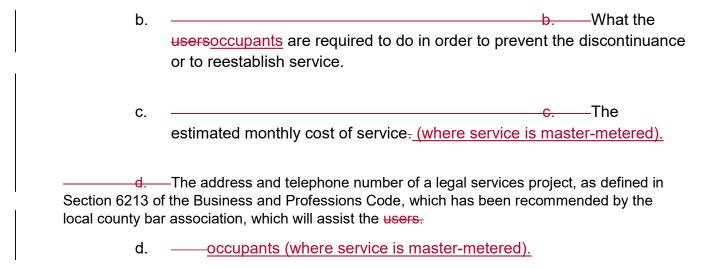
- 1. The name and address of the customer whose account is delinquent.
- 2. The amount of delinquency.
- 3. The date by which payment or arrangements for payment is required in order to avoid discontinuance.
- 4. The procedure by which A description of the customer may initiate a complaint or request process to apply for an



## SPECIAL INFORMATION REQUIRED ON FORMS

Page 3 of 3

		<del>D</del> (Continued)
<u>C</u> .	Discontinu	uance of Service <u>for Nonpayment - Notice</u> (Continued)
	<u>6</u> .	The procedure by which the customer may request a deferred (paying at a large date), reduced (spreading payments out over an agreed upon period of time not to exceed 12 months), or some other alternative payment schedule, including an amortization of the unpaid charges.
	-6	7. The procedure for the customer to obtain information on the availability of financial assistance, including private, Localocal, state, or feder sources, if applicable.
	7	8. The name, address, and telephone number of a representative of the utility who can provide additional information and assist userscustomers in continui service or in making arrangements for payment.
	-8	9. The telephone numbers of the Commission (Consumer Affairs Branch) (800 649-7570 or TTY (800) 735-2929/22 English or (800) 855-3000 Spanish or (800) 854-7784 to which inquiries by the customer may be directed.
	ached single	al Customers. Where water service is provided to residential usersoccupants in e-family dwelling, multi-unit residential structure, mobile home mobilehome park residential structures in a labor
		np, where the owner, manager or operator is listed by the utility as the customer but is not the occupant, the notice of discontinuance shall further include:
	a.	——————————————————————————————————————
	Residentia ached single ermanent r ——cam of record t	7. The procedure for the customer to obtain information on the availability of financial assistance, including private, Locallocal, state, or for sources, if applicable.  8. The name, address, and telephone number of a representative of the ut who can provide additional information and assist userscustomers in contiservice or in making arrangements for payment.  9. The telephone numbers of the Commission (Consumer Affairs Branch) 649-7570 or TTY (800) 735-2929/22 English or (800) 855-3000 Spanish or (800) 854-7784 to which inquiries by the customer may be directed.  al Customers. Where water service is provided to residential usersoccupant e-family dwelling, multi-unit residential structure, mobile-home presidential structures in a labor on the occupant, the notice of discontinuance shall further include:  a. The date



## Rule No. 8 NOTICES

#### A. Notice to Customers

## 1. In Writing

Notice to a customer will normally be in writing and, depending. Depending on the type of notice, written notice will either be delivered or mailed to the customer's last known address, except as otherwise specified by the utility's tariffs.

## 2. Exception

In emergencies or when circumstances warrant, the utility, where feasible, will endeavor to promptly notify the customer affected and may make such notification orally, either in person or by telephone.

3. <u>Notice of Discontinuance of Residential Water Service for Nonpayment</u>

	a. The
Utilityutility shall make a reasonable attempt to contact 1.) the residential	1110
	cus
omer of record by mailing a separate notice at least 5 business 10 days prior to discontinuance, or 2.) person on the residential customer's	an adult
premises by telephone or in-person at least 24 hours prior to any discontinuance. Writter	notice
b. For elderly or handicapped residential customers, the utility	
Written notice shall make a	
	<del></del>
11 who welled to the 12 the eddress of the 11 will sustained of 11 will	reas
nable attempt <u>be mailed</u> to contact, 1.) the address of the residential customer of record by mailing a separate notice at least 5 business days prior to discontinuance, or 2.) an adult perso	41
a separate notice at least 5 business days prior to discontinuance, or 2.) an adult perso residential customer's premises by telephone or in person at least 48 hours prior to an	
discontinuance	
discontinuance.	<del>y</del>
	<del>y</del> 
	<del>y</del>  
e water residence to which the residential service is provided to residential users in a multi-unit	
e water residence to which the residential service is provided to residential users in a multi-unit	
e water residence to which the residential service is provided to residential users in a multi-unit	
e water residence to which the residential service is provided to residential users in a multi-unit unit unit unit structure, mobilehome park, or permanent residential	
	y- ————————————————————————————————————
	——————————————————————————————————————

by the utility of the cust	0 1 1 272 771 0	<del>lis</del>
	comer of record, the utility will inform	
		 th
•	ice, when the account is in arrears, that-	tii
(1)	address of the property to which residential service will be discontinued is	
	provided, the notice also shall be sent to the service address with "Occi	•
	the addressee. The notice will inform the users that they shall include the	
	information prescribed in Rule No. 5. C.	
the right to become a cu	stomer, to whom the service will then be	110
		b
, without being required	I to pay any amount which may be due to	<del></del>
delinquent account.		th
<u>(2)</u>	Telephone notice shall be to the customer named on the account. In prosuch notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payment minimum payments, procedures for requesting amortization of the unpaymented, and procedures to petition for bill review and appeal.	vith a
	such notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred paymentinimum payments, procedures for requesting amortization of the unpaymented, and procedures to petition for bill review and appeal.	vith a nents aid
(3)	such notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred paymentinum payments, procedures for requesting amortization of the unpablalance, and procedures to petition for bill review and appeal.	vith a nents aid upyin
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	such notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payment minimum payments, procedures for requesting amortization of the unpablance, and procedures to petition for bill review and appeal.  If the utility is unable to make contact with the customer or an adult occurrence by telephone, and written notice is returned as undeliverantility will make a good faith effort to visit the residence and leave (or mother arrangements for placement in a conspicuous place) a notice as	vith a nents, aid upyin able, t
	such notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payment minimum payments, procedures for requesting amortization of the unpaymented, and procedures to petition for bill review and appeal.  If the utility is unable to make contact with the customer or an adult occurrence by telephone, and written notice is returned as undelivered utility will make a good faith effort to visit the residence and leave (or mother arrangements for placement in a conspicuous place) a notice as prescribed herein, along with a written copy of the utility's policy on	vith a nents. aid upyin able, t
	such notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payment minimum payments, procedures for requesting amortization of the unpablance, and procedures to petition for bill review and appeal.  If the utility is unable to make contact with the customer or an adult occurrence by telephone, and written notice is returned as undeliverantility will make a good faith effort to visit the residence and leave (or mother arrangements for placement in a conspicuous place) a notice as	vith a nents, aid upyin able, t
	such notice by telephone, the utility shall offer to: (i) provide customer was written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payment minimum payments, procedures for requesting amortization of the unpablance, and procedures to petition for bill review and appeal.  If the utility is unable to make contact with the customer or an adult occurred the residence by telephone, and written notice is returned as undelivered utility will make a good faith effort to visit the residence and leave (or mother arrangements for placement in a conspicuous place) a notice as prescribed herein, along with a written copy of the utility's policy on discontinuation of service for nonpayment.	vith a nents, aid upyin
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(Continued)

**NOTICES** 

A. N	otice to	Customers (Continued)
3.	. No	tice of Discontinuance of Residential Water Service for Nonpayment (Continued)
		<del>C.</del>
inued)		<del>(Co</del>
	<u>b.</u>	The utility shall contact the residential occupants of a detached single-family
		dwelling, multi-unit residential structure, mobilehome park, or permanent residential structures in a labor camp, where the owner, manager, or operator is listed by the
		utility as the customer of record, as follows:
		duity as the customer of record, as follows.
		(1) Where said users individually metered water service is provided, the utility will
		make every good faith effort to inform the occupants by means of a notice at
		least 10 days
		prior to any discontinuance, when the account is in arrears, that service will be
		discontinued. In addition to including the information prescribed in Rule No. 5
		the notice will inform the occupants that, if the utility's verification and other
		requirements are met, they have the right to become a customer, to whom the
		service will then be billed, without being required to pay any amount which ma
		be due to the delinquent account.
		(1)(2) Where master metered
		by the utilityservice is provided, the written notice will be at least 15 days prior t
		discontinuance of service. The notice will be posted on the door of each
		residential unit. If it is not reasonable or practical to post the notice on the do
		of each residential unit, the utility will post two copies of the notice in each
		accessible common area and at each point of access to the structure or
		structures. The notice will be in English and, to the
		ex
<del>oractica</del>	ı <del>l, in any c</del>	other language that the utility determines is the primary
200 500	lean by a c	lar
age spo	<del>ken oy a s</del>	
		as prescribed in Rule 5, and
		(2)(3) Notice to occupants sh
		be independent of, and in addition to, other notice(s) as may be prescribed in the utility's tariffs.
	C.	All notices of discontinuance for nonpayment relating to residential services will be
		English, the languages listed in Section 1632 of the Civil Code, and any other
		language spoken by 10 percent or more of the customers in the utility's service are

The notice will include the information prescribed in Rule No. 5.C.

		d. Procedures for the discontinuance
		d. Discontinuance and restoration of service procedure is outlined are specified in Rule No.  11.
	4.	Notice of Discontinuance of All Other Services (Nonresidential) for Nonpayment
		The utility shall make a reasonable attempt to contact: (i) the customer of record by mailing a separate notice at least 10 days prior to discontinuance, or (ii) an adult person on the customer's premises by telephone or in person at least 24 hours prior to any discontinuance.
		(Continued)
Α.	Notio	ce to Customers (Continued)
	5.	Discontinuance of Service for Reasons Other Than Nonpayment
	_	The utility may discontinue service for reasons not related to payment. Rule No. 11 provides additional examples of circumstances resulting in discontinuation of service and related notice, if any, associated with the specific situation.
	6.	Third-Party Notification
e of	f avail	Not ability of third-party notification shall be given annually to all residential
mer	s, comr	cust nencing at time of first full billing after the effective date of this tariff schedule <u>customers</u> .
В.	Notic	ce from Customers
	1.	A customer may make notification in person, by telephone or by letter to the utility at its commercial office, or to an authorized representative of the utility.
	2.	Customers who wish to qualify for consideration under Rule No. 11.B.1.e.are elderly or

Rule No. 8.A.3.b. (above) or under Older Adult or disabled Rule No. 11.B.1.e. =Elderly or handicapped customers who desire third-party notification must so inform the utility

to qualify for consideration under.

with certification of status and with a letter from the third party accepting the responsibility.

handicapped must have presented evidence to the utility establishing their status if they wish

4.	Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of handicap must be by certification from a licensed physician, public health nurse or social worker.

#### **DISPUTED BILLS**

Page 1 of 2

#### A. Correctness of Bill

Any customer (or adult occupant of a residential service address) who has initiated a complaint to the utility or requested an investigation by the utility within five days of receiving a contested bill shall be given an opportunity for review of such complaint or investigation by a review manager of the utility. The review shall include consideration of whether the customer should be permitted to amortize the unpaid balance of her or his account over a reasonable period of time.

## B. Notice of Deposit to Avoid Discontinuance

If an explanation satisfactory to the customer is not made by the utility and the bill is not paid within 19 days after its presentation or at the time the explanation is made, whichever is longer, the utility will notify the customer in writing substantially as follows:

 To avoid discontinuance of service, in lieu of paying the bill in question, the residential customer within 15 days and the nonresidential customer within 7 days of the date of this notice, may deposit with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003 San Francisco, California 94102 the amount of the bill claimed by the utility to be due.

## C. Commission Appeal

When a customer and the utility fail to agree on a bill for service:

- To avoid discontinuance of service, in lieu of paying the disputed bill the customer may deposit, with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco, California 94102, the amount claimed by the utility to be due.
- 2. Checks or other forms of remittance for such deposit should be made payable to the California Public Utilities Commission and should be accompanied with the bill in question and a statement setting forth the basis for the dispute of the amount of the bill.
- 3. Upon receipt of the deposit, the bill and the customer's statement of the dispute, the Commission will notify the utility, will review the basis of the billed amount, and will advise both parties of its findings and disburse the deposit in accordance therewith.

(Continued)

#### **DISPUTED BILLS**

Page 2 of 2

#### C. Commission Appeal (Continued)

When a customer and the utility fail to agree on a bill for service:

- 4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission (Consumer Affairs Branch), pending the outcome of the Commission's review.
- 5. Failure of the customer to make such deposit prior to the expiration of the discontinuance of service notice as given in Rule No. 10B.1. will warrant discontinuance of service.
- 6. If before the completion of the Commission's review, additional bills become due which the customer wishes to dispute, she or he shall also deposit with the Commission the additional amounts claimed by the utility to be due for such additional bills before they become past due and failure to do so will warrant discontinuance of her or his service in accordance with Rule No. 11.

## DISCONTINUANCE AND RESTORATION OF SERVICE

- A. Customer's Request for Discontinuance of Service
  - 1. A customer may have service discontinued by giving not less than two day's advance days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.

notice thereof to the utility. Charges for service may be required to be paid until the
requested date of discontinuance or such later date as will provide not less than the
required two days' advance notice.

- 2. When such notice is not given, the customer willmay be required to pay for service until two days after the utility has knowledge that the customer has vacated the premises or otherwise has discontinued water service.
- B. Discontinuance of Service by Utility
  - 1. For Nonpayment of Bills
    - a. Past-Due Bills.

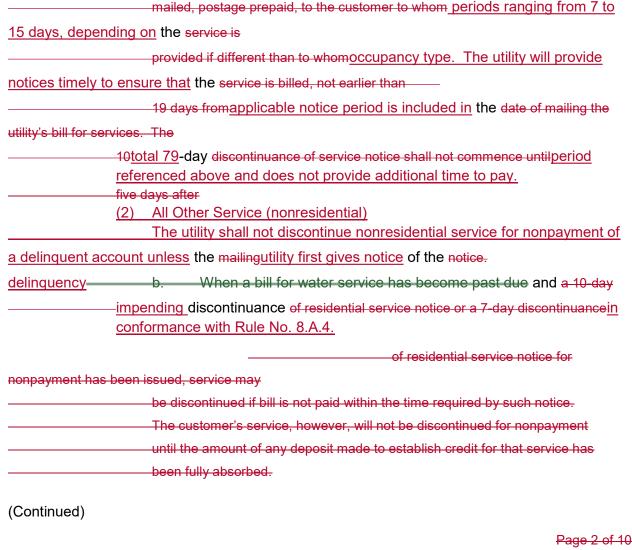
When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing.

(1) Residential Service

For the purposes of this rule, residential service means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing. When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing. The utility shall allow every residential customer-at least

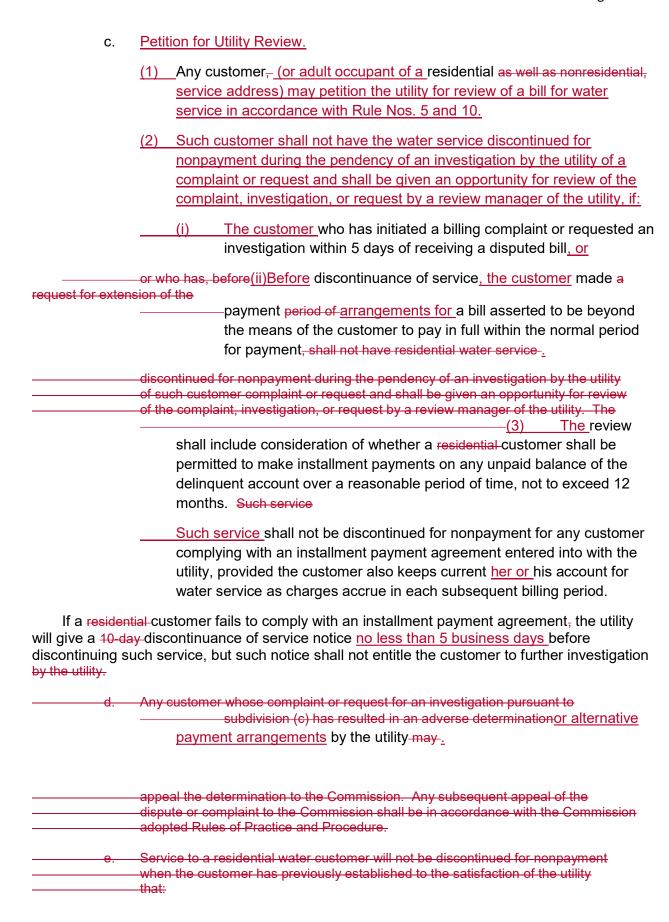
a total of 79 days from the date of mailing its bill for services, postage prepaid, to make payment of the bill-prior to discontinuance of service. The utility mayshall not discontinue residential service for nonpayment of a delinquent account unless the utility first gives notice of the delinquency and impeding discontinuance, at least

with Rule No. 8.A.3, which establishes notice



## **DISCONTINUANCE AND RESTORATION OF SERVICE** (Continued)

- Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
    - When a bill for water service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if bill is not paid in full (or alternative payment arrangements acceptable to the utility have not been made) within the time required by such notice. The customer's service, however, will not be discontinued for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.



(Continued)

## Rule No. 11

## Page 3 of 10

## <u>DISCONTINUANCE AND RESTORATION OF SERVICE</u> (Continued)

Discontinuance of Services by Utility (Continued)

1.	For Nonpayment of Bills (Continued)				
	d.	Appeal to the Commission.			
		Any e. (Continued)			
		(1) The customer is elderly (age 62 or over) or handicapped,* or upon			
		certification of a licensed physical or surgeon customer (or adult occupant of a residential service address) whose complaint or request for an investigation			
		pursuant to subdivision (c) has resulted in a determination by the utility adverse to such customer or adult occupant, may appeal the determination to the			
		Commission in accordance with Rule Nos. 5 and 10 (including depositing the disputed amount with the Commission). Any such appeal of the disputed bill to			
		the Commission shall be in accordance with the Commission's Rules of			
		Practice and Procedure. Written documentation of an appeal filed and diligently pursued with the Commission will prevent discontinuation of			
		residential water service during the official appeal process.			
	e.	that to discontinue water			

will be life threatening to the customer; and

\*Proof of age must be supported by certificate of birth, driver's license,

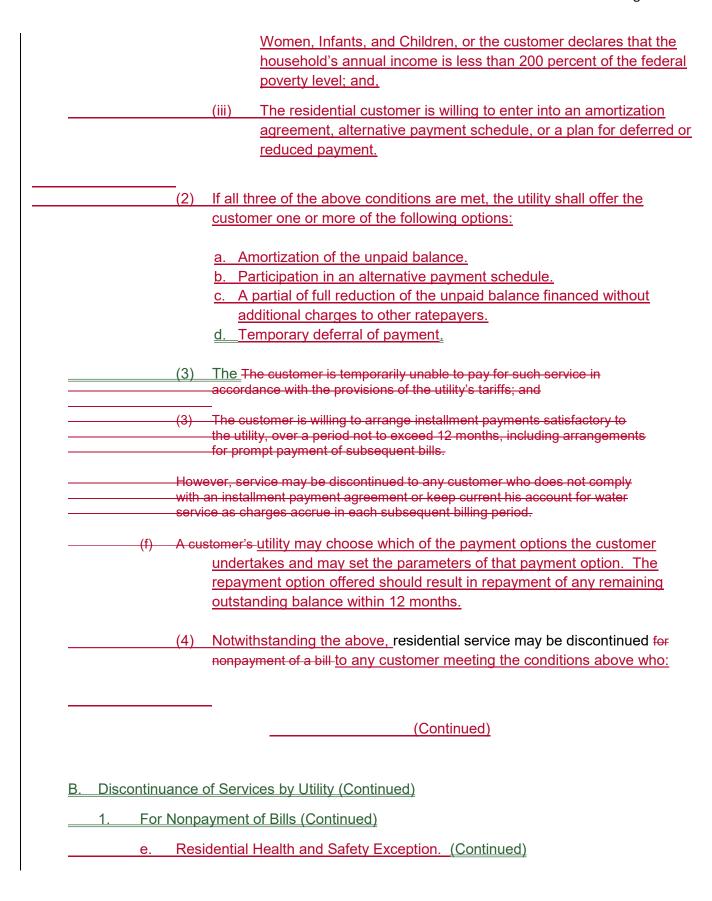
passport or other reliable document. Proof of handicap must be by
certification from a licensed physician, surgeon, public health nurse
or social worker.

- (2) Residential Health and Safety Exception.
- (1) Service to a residential water customer will not be discontinued for nonpayment when such customer establishes to the satisfaction of the utility that **all** three of the following conditions are met:
  - (i) The residential customer submits certification from a primary care provider\*, as defined by the Water Shutoff Protection Act, that discontinuation of residential water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided;

\*Proof must be by certification from any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or primary care clinic, rural health clinic, community clinic or hospital outpatient clinic. A "nonphysician medical practitioner" means a physician assistant or certified nurse-midwife performing services under physician supervision, or a nurse practitioner performing services in collaboration with a physician. (See Section 14088(b)(1)(A) and (c) of the California Welfare and Institutions Code.

## (Continued)

- B. Discontinuance of Services by Utility (Continued)
  - 1. For Nonpayment of Bills (Continued)
    - e. Residential Health and Safety Exception. (Continued)
      - (ii) The residential customer demonstrates that she or he is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for



for\_\_\_\_\_\_(i)

Does not agree to or comply with an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment after incurring delinquent charges for 60 days or more.

OR

(ii) After agreeing to an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment for delinquent charges, the customer does not pay her or his current residential service charges for 60 days or more.

Notice of discontinuation for either of these reasons will be posted in a prominent and conspicuous location no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further investigation or alternative payment arrangements by the utility.

## f. Other Disconnection Terms

A customer's residential service may be discontinued for nonpayment of a bill for residential service previously rendered her or him at any location served by the utility.

A nonresidential service may be discontinued for nonpayment of a bill for residential as well as nonresidential service previously rendered <a href="her-or-him at any location served by the utility">her or him at any location served by the utility.</a>

The discontinuance of service notice as set forth in subdivision (b) will be given in both cases stated above before discontinuance of service takes place.

in both cases stated above before discontinuance of service takes place.

(Continued)

Rule No. 11

Page 4 of 10

## B. Discontinuance of Services by Utility (continued) For Nonpayment of Bills (continued) Residential services will not, however, be discontinued for nonpayment of bills for separate nonresidential service. Timing of Disconnection Service will not be discontinued by reason of delinquency in payment for service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the utility are not open to the public. The utility will avoid disconnection of service on Fridays and a day prior to a holiday. The utility will inform customers of the option to reconnect during regular business hours to avoid the more costly fees associated with after-hours service. Where water service is provided to residential users in a multi-unit residential structure, mobilehome park, or permanent residential structures in a labor camp, where the owner, manager, or operator is listed by the utility as the customer of record, the utility will make every good faith effort to inform the users, when the account is in arrears, that service will be discontinued. Notice will be in as prescribed in sub-division (a) above, and in Rules Nos. 5 and 8. (1) Where said users are individually metered. The utility is not required to make service available to these users unless each user agrees to the terms and conditions of service and meets the requirement of the law and the utility's rules and tariffs. However, if one or more users are willing and able to assume responsibility for subsequent charges by these users to the account to the satisfaction of the utility, and if there is a practical physical means, legally available to the utility of selectively providing services to these users who have met the requirements of the utility's rules and tariffs, the utility will make service available to these users. For these selected users establishment of credit will be as prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the utility, proof that is acceptable to the utility of residence and prompt payment of rent or other credit obligation

during that period of time is a satisfactory equivalent.

## DISCONTINUANCE AND RESTORATION OF SERVICE (Continued)

₿.	- Discontinuance	e of Serv	<del>vices by Utility (Continued)</del>
	1. For Non	<del>paymen</del>	t <del> of Bills (Continued)</del>
	h.	——(Cont	<del>inued)</del>
	(2)	Wher	e said users are master metered.
		unles meets	rtility is not required to make service available to these users seach user agrees to the terms and conditions of service, and the requirements of the law and the utility's rules and tariffs ne following:
_		meter	rame Rule 11, item B.1.h. (1) above which applies to individually red users also applies to master metered users, except a sentative may act on the behalf of a master metered user, and tillity will not discontinue service in any of the following situations:
		(a)	During the pendency of an investigation by the utility of a mastermeter customer dispute or complaint.
		(b)	When the master-metered customer has been granted an extension of the period for repayment of a bill.
		(e)	For an indebtedness owned by the master metered customer to any other person or corporation or when the obligation represented by the delinquent account or any other indebtedness was incurred with a person or corporation other than the utility demanding payment therefor.
		<del>(d)</del>	When a delinquent account relates to another property owned, managed, or operated by the master-metered customer.
		(e)	When a public health or building officer certifies that determination would result in a significant threat to the health or safety of the residential occupants or the public. Proof of age or handicap are described in Rule 11.B.1.e.

(Continued)

Page 6 of 10

## Rule No. 11

## DISCONTINUANCE AND RESTORATION OF SERVICE (Continued)

<del>B.</del>			vices by Utility (Continued)  at of Bills (Continued)
	1. 10	<del>т тчопраутто</del> п	i <del>t of bills (doritifiada)</del>
		an ac phone handi hours phone of sel addre indep	sonable attempt must be made by the utility to personally contact lult person on the residential customer's premises either by telee, or in person, at hours prior to discontinuance. For elderly or icapped residential customers, the utility shall provide at least 48 or notice by telephone or in person. For these customers, if telee or personal contact cannot be made, a notice of discontinuance revice shall be posted in a conspicuous location at the service less at least 48 hours prior to discontinuance. Such notice shall be rendent of and in addition to, other notices(s) as may be prescribed or utility's tariffs.
		j. Resid	lential Customer's Remedies Upon Receipt of Discontinuance Notice.
		(1)	If upon receipt of a 10 day discontinuance notice, a residential  customer is unable to pay, he must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service.
		(2)	If, after contacting the utility, the residential customer alleges to the Commission an inability to pay and that he is unable to make payment arrangements with the utility he should write to the Commission's Consumer Affairs Branch (CAB) to make an informal complaint. This action must be taken within the 10-day discontinuance
		<del>a</del>	of service notice:
		(3)	The CAB's resolution of the matter will be reported to the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such resolution, he must file, within ten business days after the date of
		Publi	the CAB's letter, a formal complaint with the Commission under ic Utilities Code Section 1702 on a form provided by the CAB.

(Continued)

Page 7 of 10

## Rule No. 11

## DISCONTINUANCE AND RESTORATION OF SERVICE (Continued)

B. Disc	continua	ance of Services by Utility (Continued)
1	For I	Nonpayment of Bills (Continued)
	h.	Where the owner, manager, or operator of the dwelling, structure, or park is listed by the utility as the customer of record, and water service is provided to residential occupants in a detached single-family dwelling, a multi-unit residential structure, mobilehome park, or permanent residential structure in a labor camp the utility will make every good faith effort to inform the residential occupants, by written notice in conformance with Rule No. 8.A.3.b.
		(1) Where said occupants are individually metered.
		The utility is not required to make service available to these occupants unless each user agrees to the terms and conditions of service and meets the requirement of the law and the utility's rules and tariffs.
		However, if one or more occupants are willing and able to assume
		responsibility for subsequent charges by these occupants to the account to the satisfaction of the utility, or if there is a practical physical means, legally available to the utility of selectively providing services to these occupants who have met the requirements of the utility's rules and tariffs, the utility will make service available to these occupants.
		For these selected occupants establishment of credit may be as
		prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the utility, proof that is acceptable to the utility of residence and prompt payment of rent or other credit obligation during that period of time is a satisfactory equivalent.
		(2) Where said occupants are master metered.
		The utility is not required to make service available to these occupants unless each occupant agrees to the terms and conditions of service, and

meets the requirements of the law and the utility's rules and tariffs and the following: The same Rule No. 11, item B.1.h. (1) above which applies to individually metered occupants also applies to master metered occupants, except a representative may act on the behalf of a master metered occupant, and the utility will not discontinue service in any of the following situations: During the pendency of an investigation by the utility of a mastermeter customer dispute or complaint. (Continued) B. Discontinuance of Services by Utility (Continued) For Nonpayment of Bills (Continued) (b) When the master-metered customer has been granted an extension of the period for repayment of a bill. (c) For an indebtedness owed by the master metered customer to any other person or corporation or when the obligation represented by the delinquent account or any other indebtedness was incurred with a person or corporation other than the utility demanding payment therefor. (d) When a delinquent account relates to another property owned, managed, or operated by the master-metered customer. When a public health or building officer certifies that discontinuance would result in a significant threat to the health or safety of the residential occupants or the public. Proof of age or disability are described in Rule No. 11.B.1.e. Residential Customer's Remedies Upon Receipt of Discontinuance Notice for Nonpayment. (1) If upon receipt of a discontinuance notice, a residential customer is unable to pay, she or he must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service. Information pertaining to alternative payment options and other options for averting discontinuation of residential service for nonpayment will be provided on the discontinuance notice as described in Rule No. 5, or can be obtained by calling 800-999-4033. (2) If, after contacting the utility, the residential customer alleges to the Commission an inability to pay and that she or he is unable to make payment arrangements with the utility she or he should contact the

Commission's Consumer Affairs Branch (CAB) to make an informal complaint. To maintain uninterrupted service this action must be taken prior to discontinuation of service as defined in the provided notice.

(3) The CAB's resolution of the matter should be reported to both the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such resolution, such customer may file, within ten business days after the date of the CAB's letter, a formal complaint with the Commission under Public Utilities Code Section 1702 on a form provided by the CAB.

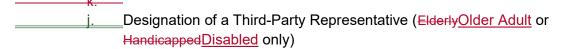
## (Continued)

## B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

j. Residential Customer's Remedies Upon Receipt of Discontinuance Notice.

(4) Failure of the residential as well as the nonresidential any customer to observe these time limits prescribed herein shall entitle the utility to insist upon payment or, upon failure to pay, to proceed to discontinue the customer's residential water service in accordance with the utility's rules.



- (1) Customer must inform utility if <u>she or</u> he desires that a third party receive discontinuance or other notices on her or his behalf.
- (2) Utility must be advised of name, address and telephone number of third party with a letter from third party accepting this responsibility.
- (3) Only customers who certify that they are elderly or handicappedolder adults age 62 or over or disabled are entitled to third-party representation.\*.

  Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of disability must be by certification from a licensed physician, public health nurse or social worker.
- 2. For Noncompliance with Rules

The utility may discontinue service to any customer for violation of these rules after it has given the customer at least five days' written notice of such intention. Where safety of water supply is endangered, service may be discontinued immediately without notice.

- 3. For Waste of Water
  - a. Where negligent or wasteful use of water exists on customer's premises, the utility may discontinue the service if such practices are not remedied within five days after it has given the customer written notice to such effect.
  - b. In order to protect itself against serious and unnecessary waste or misuse of water, the utility may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the utility has given the customer written notice to remedy such practices.

## (Continued)

\* Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of handicap must be by certification from a licensed physician, public health nurse or social worker.

Page 8 of 10

#### Rule No. 11

## **DISCONTINUANCE AND RESTORATION OF SERVICE**

- B. Continuance Discontinuance of Services by Utility (continued Continued)
  - For Waste of Water (continued)
- b. In order to protect itself against serious and unnecessary waste or misuse
  of water, the utility may meter any flat rate service and apply the regularly
  established meter rates where the customer continues to misuse or
  waste water beyond five days after the utility has given the customer
  written notice to remedy such practices.
  - For Unsafe Apparatus or Where Service is Detrimental or Damaging to the Utility or its Customers

If an unsafe or hazardous condition is found to exist on the customer's premise, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the utility or its customers, the service may be shutoffshut off
without notice. The utility will notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

For Fraudulent Use of Service

When the utility has discovered that a customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that customer may be discontinued without notice. The utility will not restore service to such customer until that customer has complied with all filed-rules and reasonable requirements of the utility and the utility has been reimbursed for the full amount of the service rendered and the actual cost to the utility incurred by reason of the fraudulent use.

## C. Restoration of Service

## 1. Reconnection Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the utility may charge \$40.00 for reconnection of service during regular working hours or \$120.00 for reconnection of service at other than regular working hours when the customer has requested that the reconnection be made at other than regular working hours, except as otherwise provided by the utility's tariffs.

(Continued)

Page 9 of 10

## Rule No. 11

## DISCONTINUANCE AND RESTORATION OF SERVICE (Continued)

## C. Restoration of Service (Continued)

## 2. To be Made During Regular Working Hours

The utility will endeavor to make reconnections during regular working hours on the day of the request, if the conditions permit; otherwise reconnections will be made on the regular working day following the day the request is made.

## 3. To Be Made at Other Than Regular Working Hours

When a customer has requested that the reconnection be made at other than regular working hours, the utility will reasonably endeavor to so make the reconnection if practicable under the circumstances.

#### 4. Wrongful Discontinuance

A service wrongfully discontinued by the utility, must be restored without charge for the restoration to the customer within 24 hours.

## (Continued)

## C. Restoration of Service (Continued)

## 5. Limits on Certain Reconnection Charges

For a residential customer who demonstrates household income below 200 percent of the federal poverty line (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty line), charges shall be limited as follows:

- (i) For reconnections during regular working hours, the lesser of the actual cost or \$50.00; and
- (ii) For reconnections during other than regular working hours, the lesser of the actual cost or \$150. The cap on these reconnection fees (\$50 and \$150, respectively) shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

#### D. Refusal to Serve

1. Conditions for Refusal

The utility may refuse to serve an applicant for service under the following conditions:

- a. If the applicant fails to comply with any of the rules as filed with the Public Utilities Commission.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.
- c. If, in the judgment of the utility, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.

(Continued)

#### Rule No. 11

### <u>DISCONTINUANCE AND RESTORATION OF SERVICE</u> (Continued)

C. Restoration of Service (Continued)

- 1. Conditions for Refusal (Continued)
- d. Where service has been discontinued for fraudulent use, the utility will not serve an applicant until it has determined that all conditions of fraudulent use or practice has been corrected.
  - 2. Notification to Customers

When an applicant is refused service under the provisions of this rule, the utility will notify the applicant promptly of the reason for the refusal to service and of the right of applicant to appeal the utility's decision to the Public Utilities Commission.

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