

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

Advice Letter Cover Sheet

Utility Name: California American Water

Date Mailed to Service List: July 15, 2020

District: All California Districts

CPUC Utility #: U210W

Protest Deadline (20th Day): August 04, 2020

Advice Letter #: 1304

Review Deadline (30th Day): August 14, 2020

Tier 1 2 3 Compliance

Requested Effective Date: Feb 01, 2020

Authorization Res. W-5223

Rate Impact: \$See AL
See AL%

Description: Late Payment Fee Tariff Revisions per
Resolution W-5223 Directive

The protest or response deadline for this advice letter is 20 days from the date that this advice letter was mailed to the service list. Please see the "Response or Protest" section in the advice letter for more information.

Utility Contact: Vera Kostikova

Utility Contact: Jonathan Morse

Phone: 916-568-4246

Phone: 916-568-4237

Email: Vera.kostikova@amwater.com

Email: Jonathan.morse@amwater.com

DWA Contact: Tariff Unit

Phone: (415) 703-1133

Email: Water.Division@cpuc.ca.gov

DWA USE ONLY

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

APPROVED

WITHDRAWN

REJECTED

Signature: _____

Comments: _____

Date: _____



4701 Beloit Drive
Sacramento, CA 95838
www.amwater.com

P (916)-568-4251
F (916) 568-4260

July 15, 2020

ADVICE LETTER NO. 1304

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Pursuant to General Order 96-B, California-American Water Company (“California American Water”) (U210W) hereby submits for review this advice letter, including the following tariff sheets applicable to all of California American Water’s service areas, including the Hillview Service Area, which are attached hereto:

<u>C.P.U.C. Sheet No.</u>	<u>Title of Sheet</u>	<u>Canceling Sheet No.</u>
XXXX-W	Rule No. 11 DISCONTINUANCE AND RESTORATION OF SERVICE (Sheet 1)	9474-W
XXXX-W	Rule No. 11 DISCONTINUANCE AND RESTORATION OF SERVICE (Sheet 2)	9475-W
XXXX-W	Schedule No. CA-FEES California American Water (Sheet 1)	XXXX-W
XXXX-W	Schedule No. H-LC Hillview Service Area LATE PAYMENT CHARGE	XXXX-W

Purpose:

By this advice letter, California American Water requests to revise Tariff Schedule No. CA-FEES, Schedule No. H-LC, and Rule No. 11 to reflect provisions regarding “interest charges” outlined in Section 116914(a)(2) of the California Health and Safety Code, also known as the Water Shutoff Protection Act. This filing is also in accordance with the June 26, 2020 California Public Utilities Commission (“Commission”) Resolution W-5223, requiring such modifications.

Background:

On September 28, 2018, then California Governor Jerry Brown signed Senate Bill No. 998 (“SB 998”) into legislation, thus adding Chapter 6 to Part 12 of Division 104 of the existing Health and Safety Code. Chapter 6 is also known as the Water Shutoff Protection Act. The Act modified water utilities’ practices regarding disconnection of their customer’s water service due to nonpayment of water bills.

On December 10, 2019, Bruce DeBerry, Water Division Program Manager, instructed Commission-jurisdictional water utilities subject to H&S Code § 116904(b) to file individual Advice Letters implementing the provisions mandated in SB-998 into their tariffs effective February 1, 2020.

On December 20, 2019, California American Water filed Advice Letter 1276 to update the necessary policies, procedures, ordinances, and administrative codes to ensure compliance with the new requirements. On January 21, 2020, California American Water filed a supplemental Advice Letter 1276-A to clarify the purpose for reducing reconnection of service fees outside of normal business hours for all customers. Advice Letter 1276-A was approved by the Commission on May 20, 2020.

On June 26, 2020, the Commission issued Resolution W-5223 wherein the Commission examined the provision stated in H&S Code § 11614(a)(2) that for customers with household incomes below 200 percent of the federal poverty level, utilities are to “[w]aive interest charges on delinquent bills once every 12 months.” The Commission determined the interpretation of the term “interest charges” includes late payment fees and charges. Water utilities subject to H&S Code § 116904(b) and which include late-payment fees in their Tariffs were instructed to revise their Tariffs to comply with H&S Code § 116914(a)(2) and Resolution W-5223.

Requests:

California American Water requests revisions to its existing Tariff Rule No. 11, Schedule No. H-LC as well as a portion of Schedule No. CA-FEES pertaining to Late Payment Fees to incorporate the provisions of H&S Code § 11614(a)(2) into its Tariffs. The requested changes are pursuant to the directives outlined in Resolution W-5223 :

- 1a. Revise Tariff Rule 11 to include the provision as stated in Health and Safety Code Section 116914(a)(2) by adding the following language as a new Section B.1.a(3): “Waiving of [Late Payment Charge/Fee/etc.]. For a customer taking Residential Service who demonstrates household income below 200 percent of the federal poverty level (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty level), the [Late Payment Charge/Fee/etc.] on past-due bills as authorized in [Schedule No.] shall be waived once every 12 months.*
- 1b. Add the following language to the Late Payment Fee or Charge Schedule as a separate special condition: “A customer taking Residential Service, whose household income is below 200 percent of the federal poverty level, is entitled to have late payment charges on delinquent bills waived once ever twelve (12) months pursuant to Tariff Rule No. 11.B.1.a(3).”*
- 1c. Revise existing special conditions as necessary in the Late Payment Fee or Charge Schedule consistent with revisions to Tariff Rules pursuant to Water Shutoff Protection Act.*
- 2. Revisions to Utility Tariffs required in Ordering Paragraph No. 1 are effective beginning February 1, 2020.*

Tier Designation:

This advice letter is submitted with a Tier 1 designation pursuant to General Order No. 96-B.

Effective Date:

California American Water requests an effective date of February 1, 2020.

Notice:

Pursuant to Section 4.3 of General Order No. 96-B, a copy of this advice letter is being provided to those entities listed in the attached ‘SERVICE LIST PURSUANT TO SECTION 4.3 OF G.O. NO. 96-B.’ Per guidance from the California Public Utilities Commission’s Water Division, during the COVID-19 pandemic, advice letters will only be delivered electronically to the service list. Hardcopy advice letters will be mailed as soon as administrative staff are able to return to California American Water offices.

Protests and Responses:

Anyone may respond to or protest this advice letter. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

A **response** supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter. A **protest** objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds¹ are:

1. The utility did not properly serve or give notice of the AL;
2. The relief requested in the AL would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
3. The analysis, calculations, or data in the AL contain material error or omissions;
4. The relief requested in the AL is pending before the Commission in a formal proceeding;
or
5. The relief requested in the AL requires consideration in a formal hearing, or is otherwise inappropriate for the AL process; or
6. The relief requested in the AL is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require relitigating a prior order of the Commission.)

A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

A response must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

¹ G.O. 96-B, General Rule 7.4.2

Tariff Unit, Water Division, 3rd floor
California Public Utilities Commission,
505 Van Ness Avenue, San Francisco, CA 94102
water_division@cpuc.ca.gov

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy by mail (or e-mail) to us, addressed to:

Email Address:

vera.kostikova@amwater.com

sarah.leeper@amwater.com

ca.rates@amwater.com

Mailing Address:

4701 Beloit Drive
Sacramento, CA 95838

555 Montgomery Street, Suite 816
San Francisco, CA 94111

4701 Beloit Drive
Sacramento, CA 95838

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.

If you have not received a reply to your protest within 10 business days, please contact Vera Kostikova at (916) 568-4246.

CALIFORNIA-AMERICAN WATER COMPANY

/s/ Vera Kostikova

Vera Kostikova
Financial Analyst - Rates & Regulatory

Rule No. 11

Sheet 1

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 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 bi-monthly, 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, mobile homes including, but not limited to mobile homes in mobile home 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.

Notice. The Utility shall not discontinue Residential Service for nonpayment of a delinquent account unless the Utility first gives notice of the delinquency and impending 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.

(2) All Other Non-Residential Services

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

(3) Waiving of Late Payment Fee

For a customer taking Residential Service who demonstrates household income below 200 percent of the federal poverty level (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty level), the Late Payment Fee on past-due bills as authorized in Schedule No. CA-FEES and Schedule H-LC shall be waived once every 12 months in a fiscal year beginning and ending on February 1.

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(L)

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1304	J. T. LINAM	Date Filed	July 15, 2020
Decision		DIRECTOR - Rates & Regulatory	Effective	February 1, 2020
			Resolution	W-5223

Rule No. 11 (Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

Sheet 2

b. 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.

(L)
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(L)

c. Petition for Utility Review

(1) Any Customer, (or adult Occupant of a Residential Service Address) may petition the Utility for review of a bill for water service in accordance with Rule Nos. 5 and 10.

(2) Such Customer shall not have 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.

(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 his or her 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 investigation.

d. Appeal to the Commission

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).

e. 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.

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1304	J. T. LINAM	Date Filed	July 15, 2020
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Schedule No. CA-FEES
California American Water

Sheet 1

APPLICABILITY

Applicable to all service areas.

TERRITORY

All territories served by California American Water Company

RATES

Late Payment Fee:

(excludes Fruitridge Vista and Hillview Service Areas)

A late charge of 1.5% on unpaid balance will be assessed Customers will be notified on the monthly issued bill that the 1.5% late fee will be applied to any account that is not paid before the past due date shown on the bill. The fee shall be applied at the time a late payment notice is issued. If the Customer pays the balance on the date the late payment notice is mailed then that assessed fee will be forgiven. The fee shall be assessed on all open balances regardless of whether it is an initial or subsequent bill when a total balance has not been paid or there should have been a shut off for non-payment agreement. All bills shall be subject to the PUC reimbursement fee as set forth in Schedule No. UF.

Special Condition: A customer taking Residential Service, whose household income is below 200 percent of the federal poverty level, is entitled to have late payment charges on delinquent bills waived once every twelve (12) months in a fiscal year beginning and ending on February 1 pursuant to Tariff Rule No. 11.B.1.a(3). (P)
(P)
(P)
(P)

Reconnection Fee: Where service has been discontinued for violation of these rules or nonpayment of bills, the Utility may charge \$10.00 for reconnection of service during regular work hours or **\$150.00** 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. If payment is received after 3:00PM, service will not be restored until the next business day. All bills shall be subject to the PUC reimbursement fee as set forth in Schedule No. UF.

Untested Backflow Fees: Where the Utility elects to have an untested backflow assembly tested and, if needed, repaired or replaced, all charges incurred by the Utility from third party service providers will be added to the Customer bill of the account of record, and shall become due and payable as any other charge, including being part of any unpaid balance subject to late fees and discontinuance of service for non-payment.

Facility Fee for each Service Connection to existing distribution systems:

(excludes Fruitridge Vista and Hillview Service Areas)

For 3/4-inch connection	\$3,000.00
For 1-inch connection	\$5,000.00
For 1 1/2-inch connection	\$10,000.00
For 2-inch connection	\$16,000.00

Facility Fees are payable in addition to and do not limit any charges for extensions of mains that may be applicable under Rule 15, Main Extension.

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
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Schedule No. H-LC
Hillview Service Area
LATE PAYMENT CHARGE

Sheet 1

APPLICABILITY

Applicable to all metered service.

TERRITORY

Hillview Service Area including Coarsegold Highlands, Raymond, and subdivisions in and near Oakhurst, Madera County.

RATES

Late Charge: A late charge of \$5.00 on unpaid balance subject to special conditions below

SPECIAL CONDITIONS

1. The balance is unpaid if it is not received by the end of the billing period. This will always provide at least 19 days to pay the bill and avoid the late charge.
2. The late charge should be imposed only once on a delinquent bill since the account would be shut off before a subsequent bill and then subject to the reconnection fee as authorized by Tariff Rule 11.
3. All bills shall be subject to the reimbursement fee as set forth on Schedule UF.
4. A customer taking Residential Service, whose household income is below 200 percent of the federal poverty level, is entitled to have late payment charges on delinquent bills waived once every twelve (12) months in a fiscal year beginning and ending on February 1 pursuant to Tariff Rule 11.B.1.a(3).

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			Resolution	<u>W-5223</u>

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

BY MAIL:

	Lloyd W. Lowrey, Jr., ESQ. Noland, Hamerly, Etienne & Hoss 333 Salinas Street Salinas, CA 93901	Mark Brooks Utility Workers Union Of America 521 Central Ave. Nashville, TN 37211
Maxine Harrison California Public Utilities Commission Executive Division 320 West 4th Street Suite 500 Los Angeles, CA 90013	Wallin, Kress, Reisman & Krantz, LLP 11355 West Olympic Blvd., SUITE 300 Los Angeles, CA 90064	Ann Camel City Clerk City of Salinas 200 Lincoln Avenue Salinas, CA 93901
Gregory J. Smith, County Clerk County of San Diego County Administration Center 1600 Pacific Highway, Room 260 San Diego, CA 92101	Barbara Delory 4030 Bartlett Avenue Rosemead, CA 91770-1332	Carol Nickborg POB 4029 Monterey, CA 93942
Jim Sandoval, City Manager City of Chula Vista 276 Forth Avenue Chula Vista, CA 91910	Gary E. Hazelton County Clerk – Recorder Santa Cruz County 701 Ocean Street, Room 210 Santa Cruz, CA 95060	Steven J. Thompson 5224 Altana Way Sacramento, CA 95814
Sacramento County WMD 827 7th Street, Room 301 Sacramento, CA 95814	Henry Nanjo Department of General Services Office of Legal Services, MS-102 PO Box 989052 West Sacramento, CA 95798-9052	Hatties Stewart 4725 S. Victoria Avenue Los Angeles, CA 90043
Citrus Heights Water District 6230 Sylvan Road Citrus Heights, CA 95610 rchurch@chwd.org	City of Chula Vista Director of Public Works 276 Forth Avenue Chula Vista, CA 91910	Anne Moore, City Attorney City of Chula Vista 276 Forth Avenue Chula Vista, CA 91910
San Gabriel County Water District 8366 Grand Ave Rosemead, CA 91770	City of Camarillo 601 Carmen Drive Camarillo, CA 93010	Karen Crouch City Clerk, Carmel-By-The-Sea PO Box CC Carmel-by-the-Sea, CA 93921
Louis A. Atwell Director of Public Works City of Inglewood One W. Manchester Blvd. Inglewood, CA 90301	Los Angeles Docket Office California Public Utilities Commission 320 West 4th Street, Suite 500 Los Angeles, CA 90013	Marcus Nixon Asst. Public Advisor 320 W. 4th Street, Suite 500 Los Angeles, CA 90013

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

James R. Lough, City Attorney
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

Robert C. Baptiste
9397 Tucumcari Way
Sacramento, CA 95827-1045

Mario Gonzalez
111 Marwest Commons circle
Santa Rosa, CA 95403

William M. Marticorena
Rutan & Tucker, LLP
611 Anton Blvd., 14th Floor
Costa Mesa, CA 92626-1931

James L. Markman
Richards, Watson & Gershon
355 South Grand Avenue, 40th Floor
Los Angeles, CA 90071-3101

Rex Ball
SR/WA, Senior Real Property MGMT
County of Los Angeles
222 South Hill Street, 3rd Floor
Los Angeles, CA 90012

City of San Gabriel
City Clerk
425 S. Mission Drive
San Gabriel, CA 91776

Michelle Keith
City Manager
City of Bradbury
600 Winston Avenue
Bradbury, CA 91008

Ventura County Waterworks District
7150 Walnut Canyon Road
P.O. Box 250
Moorpark, CA 93020

Michelle Keith
City Manager
City of Bradbury
600 Winston Avenue
Bradbury, CA 91008

City of Sand City
City Hall
California & Sylvan Avenues
Sand City, CA 93955
Attn: City Clerk

Yazdan Enreni, P.E.
Public Works Director
Monterey County DPW
168 West Alisal Steet, 2nd Floor
Salinas. CA 93901-4303

Fruitridge Vista Water Company
P.O. Box 959
Sacramento, CA 95812

Monterey Regional Water Pollution
Control Agency (MRWPCA)
5 Harris Court Road. Bldg D.
Monterey, CA 93940

Carol Smith
6241 Cavan Drive, 3
Citrus Heights, CA 95621

Anthony La Bouff, County Counsel
Placer County
175 Fulweiler Avenue
Auburn, CA 95603

Temple City
City Clerk
9701 Las Tunas Dr.
Temple City, CA 91780

City of Los Angeles
Department of Water and Power
111 North Hope Street
Los Angeles, CA 90012
Attn: City Attorney

Darryl D. Kenyon
Monterey Commercial Property Owners
Association
P.O. Box 398
Pebble Beach, CA 93953

Edward W. O'Neill
Davis Wright Tremaine LLP
505 Montgomery Street
San Francisco, CA 94111-6533

Marc J. Del Piero
4062 El Bosque Drive
Pebble Beach, CA 93953-3011

Barbara Morris Layne
36652 Hwy 1, Coast Route
Monterey, CA 93940

Irvin L. Grant
Deputy County Counsel
County of Monterey
168 W. Alisal Street, 3rd floor
Salinas, CA 93901-2680

Deborah Mall, City Attorney
City of Monterey
512 Pierce Street
Monterey, CA 93940

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

Penngrove/Kenwood Water Co
4984 Sonoma Hwy
Santa Rosa 95409

Will and Carol Surman
36292 Highway One
Monterey, CA 93940

City of Thousand Oaks Water Dept.
2100 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362

City of Monrovia
City Clerk
415 South Ivy Ave
Monrovia, CA 91016

Don Jacobson
115 Farm Road
Woodside, CA 94062-1210

Rio Linda Water District
730 L Street
Rio Linda, CA 95673

City of Rosemead
City Clerk
8838 E. Valley Blvd
Rosemead, CA 91770

Jose E. Guzman, Jr.
Guzman Law Offices
288 Third Street, Ste. 306
Oakland, CA 94607

Robert A. Ryan, Jr.
County of Sacramento
Downtown Office
700 H Street, Suite 2650
Sacramento, CA 95814

Alco Water Service
249 Williams Road
Salinas, CA 93901

Sacramento Suburban Water District
3701 Marconi Avenue, Suite 100
Sacramento, CA 95821-5303

Gail T. Borkowski, Clerk of the Board
County of Monterey
P.O. Box 1728
Salinas, CA 93902

BY E-MAIL:

Public Advocates Office
California Public Utilities Commission
dra_water_al@cpuc.ca.gov

Lori Ann Dolqueist
Nossaman LLP
50 California Street, 34th Floor
San Francisco, CA 94111
ldolqueist@nossaman.com

Morgan Foley, City Attorney
City of Coronado
1825 Strand Way
Coronado, CA 92118
mfolley@mclex.com

Richard Rauschmeier
California Public Utilities Commission
PAO - Water Branch, Rm 4209
505 Van Ness Ave
San Francisco, CA 94102
rra@cpuc.ca.gov

Ms. Lisa Bilir
California Public Utilities Commission
Public Advocates Office
505 Van Ness Avenue
San Francisco, CA 94102
lwa@cpuc.ca.gov

Sunnyslope Water Company
1040 El Campo Drive
Pasadena, CA 91109
sswc01_jcobb@sbcglobal.net

East Pasadena Water Company
3725 Mountain View
Pasadena, CA 91107
larry@epwater.com

Veronica Ruiz, City Clerk
City of San Marino
2200 Huntington Drive, 2nd floor
San Marino, CA 91108
vrui@cityofsanmarino.org

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

City of Duarte
City Clerk
1600 Huntington Drive
Duarte, CA 91010
akanam@accessduarte.com

B. Tilden Kim
Attorney At Law
Richards Watson & Gershon
355 South Grand Avenue, 40th Floor
Los Angeles, CA 90071

tkim@rwglaw.com
Monterey Peninsula Water Mgmt Dist.
Chief Financial Officer
P.O. Box 85
Monterey, CA 93942
suresh@mpwmd.net
arlene@mpwmd.net

Rates Department
California Water Service Company
1720 North First Street
San Jose, CA 95112
rateshelp@calwater.com

Laura Nieto
City of Irwindale
Chief Deputy City Clerk
5050 North Irwindale Avenue
Irwindale, CA 91706
lnieto@IrwindaleCA.gov

Dana McRae
County Council
County of Santa Cruz
701 Ocean Street, Room 505
Santa Cruz, CA 95060
dana.mcrae@co.santa-cruz.ca.us

Citrus Heights Water District
6230 Sylvan Road
Citrus Heights, CA 95610
rchurch@chwd.org

Johnny Yu
5356 Arnica Way
Santa Rosa, CA 95403
johnnyyu@sbcglobal.net

David E. Morse
1411 W. Covell Blvd., Suite 106-292
Davis, CA 95616-5934
demorse@omsoft.com

Barry Gabrielson
bdgabriel1@aol.com

John Corona
Utilities Superintendent
City of Arcadia Water Dept.
Arcadia, CA 91006
jcorona@arcadiaca.gov

San Gabriel Valley Water Company
11142 Garvey Blvd.
El Monte, CA 91734
dadelloso@sgvwater.com

City of Inglewood
City Hall
One W. Manchester Blvd.
Inglewood, CA 90301
brai@cityofinglewood.org

James Boulter
Larkfield/Wikiup Water District Advisory
133 Eton Court
Santa Rosa, CA 95403
jboulter@comcast.net

Tim & Sue Madura
411 Firelight Drive
Santa Rosa, CA 95403
suemadura@sbcglobal.net

City of Sacramento, Water Division
1391 35th Avenue
Sacramento, CA 95822
dsherry@cityofsacramento.com

Cliff Finley, PE
Director of Public Works
City of Thousand Oaks
2100 Thousand Oaks Blvd
Thousand Oaks, CA 91363
cfinley@toaks.org

Placer County Water Agency
Customer Service Department
customerservices@pcwa.net

John K. Hawks
Executive Director
California Water Association
601 Van Ness Avenue, Suite 2047
San Francisco, CA 94102-3200
jhawks_cwa@comcast.net

Mary Martin
4611 Brynhurst Ave.
Los Angeles, CA 90043
Marymartin03@aol.com

Brent Reitz
Capital Services
P.O. Box 1767
Pebble Beach CA 93953
reitzb@pebblebeach.com

Marvin Philo
3021 Nikol Street
Sacramento, CA 95826
mhphilo@aol.com

Jim McCauley, Clerk-Recorder
Placer County
2954 Richardson Drive
Auburn, CA 95603
skasza@placer.ca.gov

Jim Heisinger
P.O. Box 5427
Carmel, CA 93921
hbm@carmellaw.com

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

Florin County Water District
P.O. Box 292055
Sacramento, CA 95829
fcdw@sbcglobal.net

George Riley
Citizens for Public Water
1198 Castro Road
Monterey, CA 91940
georgetriley@gmail.com

City of Del Rey Oaks
City Hall
650 Canyon Del Rey Road
Del Rey Oaks, CA 93940
Attn: City Clerk
citymanager@delreyoaks.org
kminami@delreyoaks.org

David C. Laredo and Fran Farina
Attorneys at Law
DeLay & Laredo
606 Forest Ave
Pacific Grove, CA 93950
dave@laredolaw.net
fran@laredolaw.net

City of El Monte
Chief Deputy City Clerk
11333 Valley Blvd
El Monte CA 91731-3293
Cityclerk@elmonteca.gov

Lloyd Lowery Jr.
Noland, Hammerly, Etienne & Hoss P.C.
333 Salinas St
PO Box 2510
Salinas, CA 93902-2510
lloydl@nheh.com

Linda K. Hascup, City Clerk
City of Coronado
1825 Strand Way
Coronado, CA 92118
cityclerk@coronado.ca.us

Amy Van, City Clerk
City of Citrus Heights
6237 Fountain Square Drive
Citrus Heights, CA 95621
avan@citrusheights.net

Linda Garcia, City Clerk
City of Isleton
P.O. Box 716
Isleton, CA 95641
lgarcia@cityofisleton.com

Gail T. Borkowski, Clerk of the Board
County of Monterey
P.O. Box 1728
Salinas, CA 93902
boydap@co.monterey.ca.us

Bernardo R. Garcia
PO Box 37
San Clemente, CA 92674-0037
uwua@redhabanero.com

Mike Niccum
General Manager
Pebble Beach Community Svcs. District
3101 Forest Lake Road
Pebble Beach, CA 93953
mniccum@pbcsd.org

Carmel Area Wastewater District
3945 Rio Road
Carmel, CA 93923
buikema@cawd.org

Monterey Peninsula Water Mgmt Dist.
Chief Financial Officer
P.O. Box 85
Monterey, CA 93942
suresh@mpwmd.net

Laura L. Krannawitter
California Public Utilities Commission
Executive Division, Rm 5303
505 Van Ness Avenue
San Francisco, CA 94102
llk@cpuc.ca.gov

City of Monterey
City Hall
Monterey, CA 93940
Attn: City Clerk
connolly@ci.monterey.ca.us

City of Seaside, City Hall
Seaside, CA 93955
Attn: City Clerk
dhodgson@ci.seaside.ca.us
to'halloran@ci.seaside.ca.us
cityattv@ix.netcom.com
cityattorney@ci.seaside.ca.us

City of Salinas
Vanessa W. Vallarta – City Attorney
200 Lincoln Avenue
Salinas, CA 93901
vanessav@ci.salinas.ca.us
chrisc@ci.salinas.ca.us

Audrey Jackson
Golden State Water Company
630 E. Foothill Blvd.
San Dimas, CA 91773
afjackson@gswater.com

David Heuck
Accounting
2700 17 Mile Drive
Pebble Beach, CA 93953
heuckd@pebblebeach.com

Mr. Jan Goldsmith, City Attorney
City of San Diego
202 'C' Street
San Diego, CA 92101
cityattorney@sandiego.gov

ALL DISTRICTS SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1304

Thomas Montgomery, County Counsel
County of San Diego
County Administration Center
1600 Pacific Highway, Room 260
San Diego, CA 92101
thomas.montgomery@sdcounty.ca.gov

Sheri Damon
City of Seaside, City Attorney
440 Harcourt Avenue
Seaside, CA 93955
cityatty@ix.netcom.com
cityattorney@ci.seaside.ca.us

Rafael Lirag
California Public Utilities Commission
Administrative Law Judge
505 Van Ness Avenue Room 4101
San Francisco, CA 94102-3214
Rafael.lirag@cpuc.ca.gov

Jacque Hald, City Clerk
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932
ibcclerk@cityofib.org

Susan Sommers
City Of Petaluma
P.O. Box 61
Petaluma, Calif. 94953
suesimmons@ci.petaluma.ca.us

County of Ventura
800 South Victoria Avenue
Ventura, CA 93009
wspc@ventura.org

Elizabeth Maland, City Clerk
City of San Diego
202 'C' Street
San Diego, CA 92101
cityclerk@sandiego.gov

Jon Giffen
City Attorney
City of Carmel-By-The-Sea
P.O. Box 805
Carmel-By-The-Sea, CA 93921
jgiffen@kaglaw.net

William Burke
Deputy County Counsel
County of Sacramento
600 8th Street
Sacramento, CA 95814
burkew@saccounty.net