

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



March 4, 2022

Kamilah Jones  
Senior Rates & Regulatory Analyst  
California-American Water Company  
4701 Beloit Drive  
Sacramento, CA 95838-2434

Dear Mr. Linam,

The Water Division of the California Public Utilities Commission has approved California-American Water Company's Advice Letter No. 1354, filed on January 5, 2022, regarding authorization to Establish Schedule 14.1 – East Pasadena and Rio Plaza and Activate Stage 2.

Enclosed are copies of the following revised tariff sheets, effective March 12, 2022, for the utility's files:

<b>P.U.C.</b>	
<b>Sheet No.</b>	<b>Title of Sheet</b>
10323-W	Rule No. 14.1, Water Shortage Contingency Plan All Areas Except Monterey Main System, Sheet 1
10324-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan East Pasadena Service Area, Sheet 1
10325-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan East Pasadena Service Area, Sheet 2
10326-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan East Pasadena Service Area, Sheet 3
10327-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan East Pasadena Service Area, Sheet 4
10328-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan East Pasadena Service Area, Sheet 5
10329-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan Rio Plaza Service Area, Sheet 1
10330-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan Rio Plaza Service Area, Sheet 2

**P.U.C.**

<b>Sheet No.</b>	<b>Title of Sheet</b>
10331-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan Rio Plaza Service Area, Sheet 3
10332-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan Rio Plaza Service Area, Sheet 4
10333-W	Schedule No. 14.1 – EP, Water Shortage Contingency Plan Rio Plaza Service Area, Sheet 5
10334-W	Table Of Contents, Sheet 5
10335-W	Table Of Contents, Sheet 1

Please contact Bradley Leong at [BL4@cpuc.ca.gov](mailto:BL4@cpuc.ca.gov) or 415-703-2307, if you have any questions.

Thank you.

Enclosures

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

**Advice Letter Cover Sheet**

<b>Utility Name:</b> California American Water	<b>Date Mailed to Service List:</b> January 5, 2022
<b>District:</b> East Pasadena and Rio Plaza	
<b>CPUC Utility #:</b> U210W	<b>Protest Deadline (20<sup>th</sup> Day):</b> February 4, 2022
<b>Advice Letter #:</b> 1354	<b>Review Deadline (30<sup>th</sup> Day):</b> February 15, 2022
<b>Tier</b> <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> Compliance	<b>Requested Effective Date:</b> February 15, 2022
<b>Authorization</b> Resolution W-4976	
<b>Description:</b> Establish Schedule 14.1 – East Pasadena and Rio Plaza and Activate Stage 2	<b>Rate Impact:</b> \$See AL See AL%

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:** Kamilah Jones  
**Phone:** 916-568-4232  
**Email:** Kamilah.Jones@amwater.com

**Utility Contact:** Jonathan Morse  
**Phone:** 916-568-4237  
**Email:** Jonathan.Morse@amwater.com

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

**DWA USE ONLY**

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

[ ] APPROVED

[ ] WITHDRAWN

[ ] REJECTED

**Signature:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_



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January 5, 2022

ADVICE LETTER NO. 1354

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California-American Water Company (California American Water) (U210W) hereby submits for review this advice letter, including the following tariff sheets applicable to the Rio Plaza and East Pasadena service areas.

**Purpose:**

The purpose this Advice Letter is to establish (1) Schedule 14.1- RIO Water Conservation and Rationing Plan for California American Water's Rio Plaza service area and (2) modify Schedule 14.1 – EP to be more consistent with California American Water's Schedules 14.1 and activate the Stage 2 water use restrictions as described in the Water Shortage Contingency Plan in Section D of Rule 14.1 for both service areas.

**Request:**

This Advice Letter requests to (1) establish of Schedule 14.1-RIO; (2) modify Schedule 14.1 – EP, (3) activate Stage 2 of the Water Shortage Contingency Plan as authorized per Rule 14.1 and Schedule 14.1 for the Rio Plaza and East Pasadena Service Areas; (4) update Rule 14.1 to include Rio Plaza and East Pasadena.

**Background**

Prior Implementation of Rule 14.1 Water Shortage Contingency Plan

California American Water's Rule 14.1 was approved via Advice Letter 831, with an effective date of October 17, 2008. Rule 14.1 has been updated several times since then, including most recently in March of 2017 through Advice Letter 1150-A. California American Water's Rio Plaza service area is part of the Duarte service area for ratemaking purposes but geographically within Ventura County. California American Water's East Pasadena service area is a recently acquired system geographically located in Los Angeles County near the San Marino service area.

Rule 14.1 provides that California American Water may file a Tier 2 advice letter to designate a particular stage of its Water Shortage Contingency Plan.

Current Water Supply Conditions and the Need to Implementation of Stage 2

On October 19, 2021, Governor Gavin Newsom expanded his Drought Emergency Proclamation of a State of Emergency to the entire state including Ventura, Los Angeles and San Diego counties, among other southern California Counties and San Francisco. The Proclamation makes several orders including asking local water suppliers to activate the water shortage contingency plans at a level appropriate for local supply conditions. On November

9, 2021, Metropolitan Water District also declared a drought emergency and called for increased efforts to maximize conservation.

In light of the above, California American Water requests authorization to establish Rio Plaza Schedule 14.1, update the East Pasadena Schedule 14.1, and activate Stage 2 mandatory restrictions for both service areas.

### Customer Noticing

In terms of customer outreach, the Public Advisor's Office has reviewed and approved California American Water's draft customer notices for the Geyserville service area. California American Water notices contain updates and detailed information about Rule and Schedule 14.1, for its Rio Plaza and East Pasadena Service Area customers. California American Water anticipates mailing this notice to customers on or around January 10, 2022 and placing newspaper notices on the week of January 10, 2022. Virtual public hearings for each service area are set for January 25-27, 2022 to discuss the filing and get customer input. Information on the virtual public hearing is provided in the customer notice. Additionally, California American Water has been communicating with customers about the drought and the programs we have available through direct mail, bill inserts, earned media and social media.

### Tier Designation:

These tariffs are submitted pursuant to General Order No. 96-B and this advice letter is designated as a Tier 2 filing. California American Water is simply requesting an update of its tariffs so that it is in compliance with Executive Order B-40-17.

### Effective Date:

California American requests an effective date of February 15, 2022.

### 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.

### RESPONSE OR PROTEST<sup>1</sup>

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

A **response** supports the filing and may contain information that proves useful to the Commission in evaluating the AL. A **protest** objects to the AL in whole or in part and must set forth the specific grounds on which it is based. These grounds<sup>2</sup> are:

1. The utility did not properly serve or give notice of the AL;

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<sup>1</sup> G.O. 96-B, General Rule 7.4.1

<sup>2</sup> G.O. 96-B, General Rule 7.4.2

2. The relief requested in the AL would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
3. The analysis, calculations, or data in the AL contain material error or omissions;
4. The relief requested in the AL is pending before the Commission in a formal proceeding; or
5. The relief requested in the AL requires consideration in a formal hearing, or is otherwise inappropriate for the AL process; or
6. The relief requested in the AL is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require re-litigating a prior order of the Commission.
7. 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.

DWA must receive a response or protest via email (or postal mail) within 20 days of the date the AL is filed. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

The addresses for submitting a response or protest are:

**Email Address:**

[Water.Division@cpuc.ca.gov](mailto: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 California American Water at:

**Email Address:**

[ca.rates@amwater.com](mailto:ca.rates@amwater.com)

**Mailing Address:**

4701 Beloit Drive  
Sacramento, CA 95838

[Kamilah.Jones@amwater.com](mailto:Kamilah.Jones@amwater.com)

4701 Beloit Drive  
Sacramento, CA 95838

[sarah.leeper@amwater.com](mailto:sarah.leeper@amwater.com)

555 Montgomery Street, Ste. 916  
San Francisco, CA 94111

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**<sup>3</sup>

<sup>3</sup> G.O. 96-B, General Rule 7.4.3

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 on each person who filed the protest or response to the AL.

CALIFORNIA-AMERICAN WATER COMPANY

*/s/ Kamilah Jones*

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Kamilah Jones  
Senior Rates & Regulatory Analyst

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
10323-W	Rule No. 14.1. WATER SHORTAGE CONTINGENCY PLAN ALL AREAS EXCEPT MONTEREY MAIN SYSTEM Sheet 1	10038-W
10324-W	Schedule No. 14.1 - EP WATER SHORTAGE CONTINGENCY PLAN EAST PASADENA SERVICE AREA Sheet 1	10106-W
10325-W	Schedule No. 14.1 - EP WATER SHORTAGE CONTINGENCY PLAN EAST PASADENA SERVICE AREA Sheet 2	10107-W
10326-W	Schedule No. 14.1 - EP WATER SHORTAGE CONTINGENCY PLAN EAST PASADENA SERVICE AREA Sheet 3	10108-W
10327-W	Schedule No. 14.1 - EP WATER SHORTAGE CONTINGENCY PLAN EAST PASADENA SERVICE AREA Sheet 4	10109-W
10328-W	Schedule No. 14.1 - EP WATER SHORTAGE CONTINGENCY PLAN EAST PASADENA SERVICE AREA Sheet 5	
10329-W	Schedule 14.1 - RP WATER SHORTAGE CONTINGENCY PLAN RIO PLAZA SERVICE AREA Sheet 1	
10330-W	Schedule 14.1 - RP WATER SHORTAGE CONTINGENCY PLAN RIO PLAZA SERVICE AREA Sheet 2	
10331-W	Schedule 14.1 - RP WATER SHORTAGE CONTINGENCY PLAN RIO PLAZA SERVICE AREA Sheet 3	
10332-W	Schedule 14.1 - RP WATER SHORTAGE CONTINGENCY PLAN RIO PLAZA SERVICE AREA Sheet 4	
10333-W	Schedule 14.1 - RP WATER SHORTAGE CONTINGENCY PLAN RIO PLAZA SERVICE AREA Sheet 5	



<b>Cal P.U.C. Sheet No.</b>	<b>Title of Sheet</b>	<b>Cancelling Cal P.U.C. Sheet No.</b>
10334-W	TABLE OF CONTENTS Sheet 5	10318-W
10335-W	TABLE OF CONTENTS Sheet 1	10322-W

Rule No. 14.1.

Sheet 1

**WATER SHORTAGE CONTINGENCY PLAN  
ALL AREAS EXCEPT MONTEREY MAIN SYSTEM**

A utility’s water supply may be interrupted or reduced due to a variety of circumstances, for instance, a drought or a catastrophic event, such as an earthquake or fire that damages water delivery and storage facilities, or a power outage that affects water treatment or the pumping of water to customers, or in response to legal or court-imposed restrictions. This Water Shortage Contingency Plan (“Plan”) enables the utility to respond effectively to a wide variety of water supply conditions or catastrophic events that cause severe water shortages from time to time.

**A. GENERAL INFORMATION:**

This rule is applicable within all systems served by California American Water Company and are listed on their tariffs except the Monterey Main System in Monterey County. Systems covered by this rule in the Southern Division include the districts of San Diego County District, the Los Angeles County District, comprised of the Duarte, San Marino, and Baldwin Hills Districts, the Ventura County District, the Rio Plaza and the East Pasadena Service Areas. It also covers the Northern Division districts of Larkfield and Sacramento, which includes Dunnigan and Geyserville. This rule is also applicable to the Central Satellite systems in the Central Division which include the Toro, Ambler Park, Ralph Lane, Garrapata, and Chualar service areas. The Monterey Main System in Monterey County is included in a separate Water Shortage Contingency Plan.

(T)  
(T)

Should supply conditions or government directives dictate, prior to, or in response to, a declaration of emergency issued by a water wholesaler or other government agency, a utility may request permission from the Commission to add a Schedule 14.1 – Staged Water Contingency Plan for one or more of the above districts, which sets forth charges for water waste and drought surcharge rates applicable to quantities of water consumed.

After Schedule No. 14.1 has been activated and the utility determines that water supplies are again sufficient to meet demands, and staged reduction measures are no longer necessary, the utility shall seek Commission authority via a Tier 1 advice letter to de-activate the particular stage of reduction that was previously authorized.

Unless otherwise specified in the Rule or Schedule 14.1, all expenses incurred by utility to implement Rule 14.1 and Schedule 14.1 and requirements of the California State Water Resources Control Board (“SWRCB”) that have not been considered in a General Rate Case or other proceeding shall be accumulated in a separate memorandum account, authorized in Resolution W-4976, for disposition as directed or authorized from time to time by the Commission.

To the extent that a Stage of Water Shortage Contingency Plan in Schedule 14.1 has been activated, and a provision of this Rule is inconsistent with the activated Stage in Schedule 14.1, the provisions of Schedule 14.1 apply.

The utility shall make available to its customers water conservation kits as required by Rule 21. The utility shall notify all customers, at least annually, of the availability of conservation kits and other helpful information via bill inserts or direct mailers.

(Continued)

<p>(TO BE INSERTED BY UTILITY)</p> <p>Advice 1354</p> <p>Decision</p>	<p>ISSUED BY</p> <p>J. T. LINAM</p> <p>DIRECTOR - Rates &amp; Regulatory</p>	<p>(TO BE INSERTED BY C.P.U.C.)</p> <p>Date Filed <u>01/05/2022</u></p> <p>Effective <u>03/12/2022</u></p> <p>Resolution _____</p>
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Schedule No. 14.1 - EP  
WATER SHORTAGE CONTINGENCY PLAN  
EAST PASADENA SERVICE AREA

C. STAGES

4. Stage 4 Third Enforcement Stage of the Water Shortage Contingency Plan - A Stage 4 Water Shortage Contingency Plan condition is also referred to as an “Emergency” condition. A Stage 4 condition exists when it is determined that a critical water shortage emergency exists, or that the measures in Stages 1 through 3 are ineffective in complying with a necessary reduction.
5. Stage 5 Mandatory Rationing. A rationing plan will be implemented when it is determined that the efforts in Stage 4 are insufficient to meet the regulatory or physical limitations of the available water supply.

D. WATER USE VIOLATION FINE

1. When an Enforcement Stage of the Water Shortage Contingency Plan has been activated by Commission authorization, the water use restrictions of Stage 1 in the Water Shortage Contingency Plan in Section D of Rule 14.1 become subject to fines and penalties imposed by the utility. The utility will first work closely with local law enforcement and public agencies charged with enforcing the mandatory water use restrictions. However, should the utility find that the local agency is not effectively enforcing the mandatory use restrictions, the utility, after written warnings, such as door hangers and letters, may begin to issue fines. If a customer is seen violating the water use restrictions, as outlined in Rule No. 14.1 and the Special Conditions below, the customer will be subject to the following fine structure:
  - a. First offense: Written warning, including explanation of penalty for subsequent offense.
  - b. Second offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and \$100 fine.
  - c. Third offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$250 fine.
  - d. Fourth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$500 fine.
  - e. Fifth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and service termination pursuant to Rule 11 and a \$500 fine.
  - f. Sixth offense within 1 year. (of the same restriction): Installation of a flow restricting device on customer’s water meter for duration of enforcement stage of the Water Contingency Plan.
2. Offenses for separate water use restrictions will each start at the warning stage.
3. The water use violation fine is in addition to the regular rate schedule charges and any applicable drought surcharge rates.

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1354	J. T. LINAM	Date Filed <u>01/05/2022</u>
Decision	DIRECTOR - Rates & Regulatory	Effective <u>03/12/2022</u>
		Resolution _____

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Schedule No. 14.1 - EP  
WATER SHORTAGE CONTINGENCY PLAN  
EAST PASADENA SERVICE AREA

Sheet 3

E. APPLICABLE DROUGHT SURCHARGE RATES

1. When in Stage 3 of the Water Shortage Contingency Plan - a surcharge rate be will be added to all residential water usage in excess of 13 CCF. The surcharge rate will be equal 50% of the residential rate in effect at the time Stage 3 is enacted.
2. When in Stage 4 of the Water Shortage Contingency Plan – The Stage 3 residential drought surcharge rates will be tripled for all usage in excess of 13 CCF in Stage 4.
3. Rule 14.1 includes provisions to allow customers to seek a variance to the drought surcharge rates. Those residential customers who prevail in their request for a variance will receive a 50% increase in the amount of usage not subject to the surcharge rate. The usage not subject to the surcharge rate would be increased from 13 CCF to 19 CCF.

F. ENFORCEMENT

1. Letter/Fine: From second violation of the same restriction within a one-year period and onwards, a violation letter will be posted on property and sent to billing address, if different.
2. Aging of violation: Violations will accrue for the period of one year and be considered corrected and expunged one year after the violation occurs. The purpose of this rule is to prevent discrete violations from accruing in the event of a multi-year enforcement of the Water Contingency Plan.

(C)

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(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

Advice 1354

J. T. LINAM

Date Filed 01/05/2022

Decision

DIRECTOR - Rates & Regulatory

Effective 03/12/2022

Resolution \_\_\_\_\_

**Schedule No. 14.1 - EP  
WATER SHORTAGE CONTINGENCY PLAN  
EAST PASADENA SERVICE AREA**

Sheet 4

**3. Applies to all Enforcement Stages of Water Shortage Contingency Plan.**

	Violation 1	Violation 2 (of the same restriction)	Violation 3 (of the same restriction)	Violation 4 (of the same restriction)	Violation 5/6 <sup>(2)</sup> (of the same restriction)
<b>Proof of violation</b>	Employee or Customer reports, with no additional verification required	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW
<b>Letter/fine</b>	Warning letter mailed to premise and billing address	Violation letter posted and mailed with \$100 penalty on next bill	Violation letter posted and mailed with \$250 penalty on next bill	Violation letter posted and mailed with \$500 penalty on next bill	Violation letter posted and mailed, shut off per Rule 11 and \$500 penalty on next bill
<b>Fixing leaks</b> Stage 1 Stage 2 Stage 3 Stage 4	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate
<b>Time to correct violation</b>	5 days	5 days	5 days	5 days	5 days
<b>Time customer has to request variance of the alleged violation</b>	14 days to contact CAW in writing	14 days to contact CAW in writing	10 days to file an appeal with CAW in writing	10 days to file an appeal with CAW in writing	10 days to file an appeal with CAW in writing
<b>If the customer does not agree with CAW's resolution</b> <sup>(1)</sup> <b>Reference Section K of Rule 14.1</b>	Further reported violations of the same restricted use will not be counted in the determination of further action until one week after the variance request is resolved	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC

<sup>(1)</sup> If a customer has appealed the receipt of the penalty, the penalty will continue to be posted on the customer's account, but will not result in further service action, until at least 14 days after the resolution of appeals. Once resolved, if in the customers favor, the penalty will be immediately removed from the account. If not resolved in the customers favor, then the penalty will be due and payable as part of the next billing cycle and subject to all such further actions as with any other billed charge.

<sup>(2)</sup> For violation 6 instead of shut-off per Rule 11 and \$500 penalty, a flow restrictor will be installed for duration of enforcement.

(Continued)

(TO BE INSERTED BY UTILITY)

Advice 1354  
Decision

ISSUED BY

J. T. LINAM  
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)

Date Filed 01/05/2022  
Effective 03/12/2022  
Resolution \_\_\_\_\_

Schedule No. 14.1 - EP  
WATER SHORTAGE CONTINGENCY PLAN  
EAST PASADENA SERVICE AREA

G. FLOW RESTRICTOR REMOVAL CHARGE

(N)

The charge for removal of a flow-restricting device and/or reconnecting water service shall be:

Connection Size	Removal Charges
5/8" to 1"	\$150.00
1-1/2" to 2"	\$200
3" and larger	Actual Cost

H. SPECIAL CONDITIONS

1. The Tier 2 advice letter requesting activation of any Enforcement Stage of Schedule 14.1 shall include documentation of the overall water shortage justifying activation of that particular stage.
2. This tariff schedule shall remain in effect until the utility files a Tier 1 advice letter to deactivate specific stage of Water Shortage Contingency Plan and such is authorized by the Commission.
3. Water use violation fines must be separately identified on each bill.
4. Water penalty surcharges must be separately identified on each bill.
5. All bills are subject to the reimbursement fee set forth on Schedule No. UF.
6. All monies collected by the utility through drought surcharges or penalties or fees for water use violations shall be booked to the Water Revenue Adjustment Mechanism (WRAM) or a memorandum account to offset recovery of lost revenues. All flow restrictor removal charges collected by the utility and all expenses incurred by the utility to implement Rule 14.1 and Schedule 14.1, and the requirements of the California State Water Board Resources Control Board ("SWRCB"), or other agencies, that have not been considered in a General Rate Case or other proceeding, shall be tracked in a memorandum account for disposition as directed or authorized from time to time by the Commission and shall be recoverable by the utility if determined to be reasonable by the Commission.

(N)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1354	J. T. LINAM	Date Filed	<u>01/05/2022</u>
Decision		DIRECTOR - Rates & Regulatory	Effective	<u>03/12/2022</u>
			Resolution	_____

655 W. Broadway, Suite 1410  
 San Diego, CA 92101

Schedule 14.1 - RP  
 WATER SHORTAGE CONTINGENCY PLAN  
RIO PLAZA SERVICE AREA

Sheet 1

A. APPLICABILITY

1. This schedule applies to all water customers served under all tariff schedules authorized by the Commission for Rio Plaza Service Area. It is only effective in times of implementation of the Water Shortage Contingency Plan enforcement stages, as required by Rule No. 14.1, and only for the period noted in the Special Conditions section below.
2. This Schedule shall remain dormant until activated by Commission authorization via a Tier 2 advice letter.
3. Once the Schedule is activated, utility can implement Stages of the Schedule by filing a Tier 2 advice letter
4. When this schedule is activated, it shall remain in effect until the utility files a Tier 1 advice letter to deactivate a specific stage of the Water Shortage Contingency Plan and such is authorized by the Commission.

B. TERRITORY

1. This Schedule applies to all customers in the Rio Plaza Service Area. All other customers served by California-American Water Company are excluded from this particular tariff but are included in separate and distinct Water Shortage Contingency Plans.

C. STAGES

1. Stage 1 of the Water Shortage Contingency Plan enacts water conservation requirements established in Rule 14.1 Section D. The non-essential or unauthorized water uses in Section D are in effect at all times.
2. Stage 2 First Enforcement Stage of the Water Shortage Contingency Plan - A Stage 2 Water Shortage Contingency Plan condition exists when it is determined that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a further consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Stage 2 of the Water Shortage Contingency Plan will be enacted upon a determination that water usage should be further reduced from current levels, that a temporary water emergency exists necessitating implementation or that the requirements of Stage 1 are ineffective in complying with the necessary reduction.
3. Stage 3 Second Enforcement Stage of the Water Shortage Contingency Plan - A Stage 3 Water Shortage Contingency Plan Condition exists when it is determined that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a further consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Stage 3 will be enacted upon a determination that water usage should be reduced further from current levels, that a temporary water emergency exists necessitating implementation or that the requirements in Stages 1 and 2 are ineffective in complying with the necessary reduction.

(N)

(N)

(Continued)

(TO BE INSERTED BY UTILITY) Advice      1354 Decision	ISSUED BY J. T. LINAM DIRECTOR - Rates & Regulatory	(TO BE INSERTED BY C.P.U.C.) Date Filed <u>01/05/2022</u> Effective <u>03/12/2022</u> Resolution
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Schedule 14.1 - RP  
**WATER SHORTAGE CONTINGENCY PLAN**  
**RIO PLAZA SERVICE AREA**

Sheet 2

**C. STAGES**

4. Stage 4 Third Enforcement Stage of the Water Shortage Contingency Plan - A Stage 4 Water Shortage Contingency Plan condition is also referred to as an "Emergency" condition. A Stage 4 condition exists when it is determined that a critical water shortage emergency exists, or that the measures in Stages 1 through 3 are ineffective in complying with a necessary reduction.
5. Stage 5 Mandatory Rationing. A rationing plan will be implemented when it is determined that the efforts in Stage 4 are insufficient to meet the regulatory or physical limitations of the available water supply.

**D. WATER USE VIOLATION FINE**

1. When an Enforcement Stage of the Water Shortage Contingency Plan has been activated by Commission authorization, the water use restrictions of Stage 1 in the Water Shortage Contingency Plan in Section D of Rule 14.1 become subject to fines and penalties imposed by the utility. The utility will first work closely with local law enforcement and public agencies charged with enforcing the mandatory water use restrictions. However, should the utility find that the local agency is not effectively enforcing the mandatory use restrictions, the utility, after written warnings, such as door hangers and letters, may begin to issue fines. If a customer is seen violating the water use restrictions, as outlined in Rule No. 14.1 and the Special Conditions below, the customer will be subject to the following fine structure:
  - a. First offense: Written warning, including explanation of penalty for subsequent offense.
  - b. Second offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and \$100 fine.
  - c. Third offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$250 fine.
  - d. Fourth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$500 fine.
  - e. Fifth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and service termination pursuant to Rule 11 and a \$500 fine.
  - f. Sixth offense within 1 year. (of the same restriction): Installation of a flow restricting device on customer's water meter for duration of enforcement stage of the Water Contingency Plan.
2. Offenses for separate water use restrictions will each start at the warning stage.
3. The water use violation fine is in addition to the regular rate schedule charges and any applicable drought surcharge rates.

(Continued)

(N)

(N)

655 W. Broadway, Suite 1410  
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Schedule 14.1 - RP  
WATER SHORTAGE CONTINGENCY PLAN  
RIO PLAZA SERVICE AREA

Sheet 3

E. APPLICABLE DROUGHT SURCHARGE RATES

1. When in Stage 3 of the Water Shortage Contingency Plan - a surcharge rate be will be added to all residential water usage in excess of 11 CCF. The surcharge rate will be equal to the Tier 3 residential rate for the Rio Plaza Service Area in effect at the time Stage 3 is enacted. The surcharge rate for low-income customers will be 50% of the Stage 3 surcharge rate. For all other customers there will be no surcharge imposed at Stage 3.
2. When in Stage 4 of the Water Shortage Contingency Plan – The Stage 3 residential drought surcharge rates will be tripled for all usage in excess of 11 CCF in Stage 4. The surcharge rate for low-income customers will be 50% of the residential Stage 4 surcharge rate. All other customers will pay a drought surcharge rate of 25% of the regular rate on all usage in Stage 4.
3. Rule 14.1 includes provisions to allow customers to seek a variance to the drought surcharge rates. Those residential customers who prevail in their request for a variance will receive a 50% increase in the amount of usage not subject to the surcharge rate. The usage not subject to the surcharge rate would be increased from 11 CCF to 17 CCF.

F. ENFORCEMENT

1. Letter/Fine: From second violation of the same restriction within a one-year period and onwards, a violation letter will be posted on property and sent to billing address, if different.
2. Aging of violation: Violations will accrue for the period of one year and be considered corrected and expunged one year after the violation occurs. The purpose of this rule is to prevent discrete violations from accruing in the event of a multi-year enforcement of the Water Contingency Plan.

(N)

(N)

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
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Schedule 14.1 - RP  
 WATER SHORTAGE CONTINGENCY PLAN  
RIO PLAZA SERVICE AREA

Sheet 4

3. Applies to all Enforcement Stages of Water Shortage Contingency Plan.

(N)

	Violation 1	Violation 2 (of the same restriction)	Violation 3 (of the same restriction)	Violation 4 (of the same restriction)	Violation 5/6 <sup>(2)</sup> (of the same restriction)
<b>Proof of violation</b>	Employee or Customer reports, with no additional verification required	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW
<b>Letter/fine</b>	Warning letter mailed to premise and billing address	Violation letter posted and mailed with \$100 penalty on next bill	Violation letter posted and mailed with \$250 penalty on next bill	Violation letter posted and mailed with \$500 penalty on next bill	Violation letter posted and mailed, shut off per Rule 11 and \$500 penalty on next bill
<b>Fixing leaks</b> <b>Stage 1</b> <b>Stage 2</b> <b>Stage 3</b> <b>Stage 4</b>	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate
<b>Time to correct violation</b>	5 days	5 days	5 days	5 days	5 days
<b>Time customer has to request variance of the alleged violation</b>	14 days to contact CAW in writing	14 days to contact CAW in writing	10 days to file an appeal with CAW in writing	10 days to file an appeal with CAW in writing	10 days to file an appeal with CAW in writing
<b>If the customer does not agree with CAW's resolution</b> (1)  <b>Reference Section K of Rule 14.1</b>	Further reported violations of the same restricted use will not be counted in the determination of further action until one week after the variance request is resolved	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC	If the customer disagrees with CAW's resolution, they may file a formal complaint with the CPUC

(1) If a customer has appealed the receipt of the penalty, the penalty will continue to be posted on the customer's account, but will not result in further service action, until at least 14 days after the resolution of appeals. Once resolved, if in the customers favor, the penalty will be immediately removed from the account. If not resolved in the customers favor, then the penalty will be due and payable as part of the next billing cycle and subject to all such further actions as with any other billed charge.

(2) For violation 6 instead of shut-off per Rule 11 and \$500 penalty, a flow restrictor will be installed for duration of enforcement.

(N)

(Continued)

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Schedule 14.1 - RP  
 WATER SHORTAGE CONTINGENCY PLAN  
RIO PLAZA SERVICE AREA

Sheet 5

G. FLOW RESTRICTOR REMOVAL CHARGE

(N)

The charge for removal of a flow-restricting device and/or reconnecting water service shall be:

Connection Size	Removal Charges
5/8" to 1"	\$150.00
1-1/2" to 2"	\$200
3" and larger	Actual Cost

H. SPECIAL CONDITIONS

1. The Tier 2 advice letter requesting activation of any Enforcement Stage of Schedule 14.1 shall include documentation of the overall water shortage justifying activation of that particular stage.
2. This tariff schedule shall remain in effect until the utility files a Tier 1 advice letter to deactivate specific stage of Water Shortage Contingency Plan and such is authorized by the Commission.
3. Water use violation fines must be separately identified on each bill.
4. Water penalty surcharges must be separately identified on each bill.
5. All bills are subject to the reimbursement fee set forth on Schedule No. UF.
6. All monies collected by the utility through drought surcharges or penalties or fees for water use violations shall be booked to the Water Revenue Adjustment Mechanism (WRAM) or a memorandum account to offset recovery of lost revenues. All flow restrictor removal charges collected by the utility and all expenses incurred by the utility to implement Rule 14.1 and Schedule 14.1, and the requirements of the California State Water Board Resources Control Board ("SWRCB"), or other agencies, that have not been considered in a General Rate Case or other proceeding, shall be tracked in a memorandum account for disposition as directed or authorized from time to time by the Commission and shall be recoverable by the utility if determined to be reasonable by the Commission.

(N)

<p>(TO BE INSERTED BY UTILITY)</p> <p>Advice      1354</p> <p>Decision</p>	<p>ISSUED BY</p> <p>J. T. LINAM</p> <p>DIRECTOR - Rates &amp; Regulatory</p>	<p>(TO BE INSERTED BY C.P.U.C.)</p> <p>Date Filed      <u>01/05/2022</u></p> <p>Effective        <u>03/12/2022</u></p> <p>Resolution      _____</p>
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