



**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

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In the matter of the Application of the GOLDEN STATE WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$2,911,400 or 29.9% in 2011 and by \$321,200 or 2.5% in 2012 in its Arden Cordova Service Area; to increase rates for water service by \$1,782,400 or 33.2% in 2011 and by -\$66,200 or -0.9% in 2012 in its Bay Point Service Area; to increase rates for water service by \$409,100 or 22.6% in 2011 and by \$23,300 or 1.0% in 2012 in its Clearlake Service Area; to increase rates for water service by \$1,467,000 or 48.5% in 2011 and by \$50,100 or 1.1% in 2012 in its Los Osos Service Area; to increase rates for water service by \$1,647,900 or 38.8% in 2011 and by \$343,200 or 5.9% in 2012 in its Ojai Service Area; to increase rates for water service by \$2,350,700 or 25.2% in 2011 and by \$363,200 or 3.1% in 2012 in its Santa Maria Service Area and; to increase rates for water service by \$799,500 or 6.5% in 2011 and by \$213,000 or 1.6% in 2012 in its Simi Valley Service Area

A.10-01-009  
(Filed January 13, 2010)

**AMENDED PETITION OF GOLDEN STATE WATER COMPANY  
TO MODIFY DECISION 10-12-059**

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February 15, 2011

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(Filed January 13, 2010)

**AMENDED PETITION OF GOLDEN STATE WATER COMPANY  
TO MODIFY DECISION 10-12-059**

**I. INTRODUCTION**

Pursuant to Rule 16.4 of the Rules of Practice and Procedure of the California Public Utilities Commission's ("Commission"), Golden State Water Company ("GSWC") respectfully submits this amended petition to modify Decision 10-12-059 ("Amended Petition").<sup>1</sup> The Commission issued Decision 10-12-059 on December 20, 2010 ("Decision"), resolving GSWC's general rate case application for its Region I customer service areas ("CSAs") ("Application 10-

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<sup>1</sup> GSWC filed its original "Petition of Golden State Water Company to Modify Decision 10-12-059," A.10-01-009 on February 8, 2011 ("Original Petition"). This Amended Petition corrects a few typographical errors in Appendix II to the Original Petition; it does not make any substantive changes to the Original Petition.

01-009” or “Application”). The Decision authorizes GSWC to undertake a number of pipeline replacement projects in all of its Region I CSAs, and lists these approved pipeline projects on Appendix II to the Decision (“Appendix II”).<sup>2</sup>

As set forth more fully below, GSWC submits this Amended Petition for an order modifying the Decision and Appendix II as follows:<sup>3</sup>

- A. Correctly identify pipeline project Arden Cordova 1.016.1 in Appendix II;
- B. Remove pipeline project Clearlake 1.061.1 from Appendix II;
- C. Add pipeline project Santa Maria 1.001.1 to Appendix II;
- D. Add pipeline project Arden Cordova 1.037.1 to Appendix II; and
- E. Identify the construction cost cap for each approved pipeline project by including its forecasted cost on Appendix II.

## **II. BACKGROUND**

In the Application, GSWC requested to undertake 50 different pipeline projects in its Region I CSAs based on the results of its Pipeline Replacement Program (“PRP”).<sup>4</sup> GSWC’s PRP identifies needed pipeline projects and prioritizes them based on a number of factors, such as water quality concerns and a pipeline’s age, material, leak history and fire flow requirements.<sup>5</sup> A more detailed description of the PRP can be found in GSWC’s opening brief (“GSWC

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<sup>2</sup> See Decision at 20 (“the company may file advice letters seeking authorization to include in rate base, upon completion, the actual costs of the plant additions for the disputed pipeline replacement projects and to receive a corresponding rate adjustment for the additional rate base”).

<sup>3</sup> The proposed corrections to the Decision and Appendix II are set forth on Attachment and Attachment B hereto.

<sup>4</sup> Ex. G-12 (Gisler Testimony) at 32-35.

<sup>5</sup> See Opening Brief of Golden State Water Company, A.10-01-009, at 19-24 (Aug. 4, 2010).

Opening Brief”) in this proceeding.<sup>6</sup> All 50 of the requested pipeline projects are listed on pages 32-35 of the prepared testimony of GSWC’s witness Ernest Gisler.<sup>7</sup>

DRA agreed with 18 of GSWC’s proposed pipeline projects and opposed the remaining 32 projects on various grounds.<sup>8</sup> Following evidentiary hearings, the parties, at the direction of Administrative Law Judge (“ALJ”) Long, collaborated to develop a joint brief outline for all of the issues in this proceeding that were not resolved through settlement (“Joint Brief Outline”).<sup>9</sup> On July 8, 2010, the parties submitted the Joint Brief Outline to ALJ Long, who approved it on July 9, 2010.<sup>10</sup>

The parties then filed opening briefs on August 4, 2010 and reply briefs on August 13, 2010.<sup>11</sup> In their Opening Briefs, the parties identified and discussed the disputed pipeline projects under three sections: (a) the “No History of Leaks in the Previous Five-Year Period” section; (b) the “Not Fully Identified in Appendix N to GSWC’s Pipeline Replacement Program Report” section; and (c) the “Other Contested Projects” section.<sup>12</sup> Each of these three sections listed the various pipeline projects at issue for each category by the pipeline project’s respective project number. The parties intended these sections of their Opening Briefs to address all of the disputed pipeline projects at issue in GSWC’s Application.

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<sup>6</sup> Id.

<sup>7</sup> Ex. G-12 (Gisler Testimony) at 32-35.

<sup>8</sup> See Ex. G-2 (Arden Cordova Operations Report) at 5-4 to 5-5; Ex. G-3 (Bay Point Operations Report) at 5-2; Ex. G-4 (Clearlake Operations Report) at 5-1 to 5-2; Ex. G-5 (Los Osos Operations Report) at 5-8; Ex. G-6 (Ojai Operations Report) at 5-2, 5-8; Ex. G-7 (Santa Maria Operations Report) at 5-1, 5-12, 5-14; Ex. G-8 (Simi Valley Operations Report) at 5-1, 5-9.

<sup>9</sup> The Joint Brief Outline is attached hereto as Exhibit 1.

<sup>10</sup> See email chain between ALJ Long, GSWC’s counsel Matthew K. Narensky, and DRA’s counsel Daryl Gruen, attached hereto as Exhibit 2.

<sup>11</sup> See GSWC Opening Brief; Opening Brief of the Division of Ratepayer Advocates, A.10-01-009 (Aug. 4, 2010) (“DRA Opening Brief”); Reply Brief of Golden State Water Company, A.10-01-009 (Aug. 13, 2010); Reply Brief of the Division of Ratepayer Advocates, A.10-01-009 (Aug. 13, 2010).

<sup>12</sup> See GSWC Opening Brief at 24-33; see also DRA Opening Brief at 20-33.

On December 20, 2010, the Commission issued the Decision, which authorizes GSWC, among other things, to undertake all of contested pipeline projects:

“the company may file advice letters seeking authorization to include in rate base, upon completion, the actual costs of the plant additions for the disputed pipeline replacement projects and to receive a corresponding rate adjustment for the additional rate base.”<sup>13</sup>

The Commission identified in Appendix II the individual pipeline projects that were approved.

The approved projects were identified in Appendix II by project identification number, based on the list of such projects set forth in GSWC’s Opening Brief.<sup>14</sup>

### **III. DISCUSSION**

GSWC requests that the Commission make the following modifications to the Decision so that pipeline projects at issue in this proceeding are correctly identified on Appendix II.

#### **A. Correct the Typographical Error with Respect to Pipeline Project “Arden Cordova 1.016.1”**

Appendix II lists pipeline project “Arden Cordova 1.006.1” under its “Other Contested Projects” section.<sup>15</sup> However, “Arden Cordova 1.006.1” is an incorrect designation for this pipeline project. As set forth in the Joint Brief Outline, DRA’s Opening Brief and GSWC’s Opening Brief, the correct designation for this pipeline project is “Arden Cordova 1.016.1”, not “Arden Cordova 1.006.1”.<sup>16</sup> GSWC requests that the Commission correct this typographical error in Appendix II as set forth in Attachment B hereto.

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<sup>13</sup> Decision at 19.

<sup>14</sup> See Appendix II.

<sup>15</sup> Id.

<sup>16</sup> See Joint Brief Outline; GSWC Opening Brief at 31; DRA Opening Brief at 33.

**B. Remove Pipeline Project “Clearlake 1.061.1” from Appendix II**

Appendix II lists pipeline project “Clearlake 1.061.1” as an authorized pipeline replacement project.<sup>17</sup> However, GSWC does not in fact seek authorization in this proceeding to undertake pipeline project “Clearlake 1.061.1”. This project was inadvertently added to the list of disputed projects in GSWC’s Opening Brief. Thus, the Commission should remove pipeline project “Clearlake 1.061.1” from Appendix II, as set forth in Attachment B hereto.

**C. Add Pipeline Project “Santa Maria 1.001.1” to Appendix II**

Although the Decision approves GSWC’s construction of all of the contested pipeline projects, Appendix II does not include pipeline project “Santa Maria 1.001.1.”<sup>18</sup> As set forth below, this is because pipeline project Santa Maria 1.001.1 was inadvertently omitted from GSWC’s list of projects in its Opening Brief. Accordingly, pipeline project Santa Maria 1.001.1 should be added to Appendix II.

GSWC requested authorization in its Application to undertake the “Santa Maria 1.001.1” pipeline project (also identified by the parties as the “Depot Road, Foxen Canyon Road and Dome St.” street improvement project).<sup>19</sup> DRA opposed this pipeline project request<sup>20</sup> and thus, it was included in the Joint Brief Outline as a disputed pipeline project and scheduled for briefing. In its Opening Brief DRA reasserted its opposition to pipeline project “Santa Maria 1.001.1.”<sup>21</sup> GSWC’s brief, however, inadvertently omitted to list the “Santa Maria 1.001.1” pipeline project under the category in its brief labeled “Replacement of Pipelines Not Fully Identified in Appendix N to GSWC’s Pipeline Replacement Program.”

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<sup>17</sup> See Appendix II.

<sup>18</sup> Id.

<sup>19</sup> Ex. G-12 (Gisler Testimony) at 34; Ex. G-45-W (Santa Maria Work Papers Vol. 2) at RATEBASE Section, Sheet 45.

<sup>20</sup> Ex. G-7 (Santa Maria Operations Report) at 5-1, 5-12.

<sup>21</sup> DRA Opening Brief at 20-33.

Notwithstanding this clerical error, GSWC’s briefing does address the category of the pipeline projects that were not fully identified in Appendix N, and the Commission approved this group of pipeline projects even though information was missing from Appendix N. Indeed, given the number of pipeline projects at issue, and the fact that the same issues were applicable to several groups of pipelines, GSWC’s briefing addressed the pipeline projects on a category level rather than individually. Thus, the issues regarding the propriety of the “Santa Maria 1.001.1” pipeline project were specifically addressed by DRA, generally addressed by GSWC and resolved by the Commission in favor of GSWC’s position.

Accordingly, GSWC respectfully requests that the Commission remedy this clerical error and add pipeline project “Santa Maria 1.001.1” to the list of approved of pipeline projects in Appendix II, as set forth in Attachment B hereto.

**D. Add Pipeline Project “Arden Cordova 1.037.1” to Appendix II**

As with pipeline project “Santa Maria 1.001.1,” Appendix II omits pipeline project “Arden Cordova 1.037.1” from Appendix II.<sup>22</sup> GSWC’s request in its Application to undertake pipeline project “Arden Cordova 1.037.1” was disputed by DRA and was never resolved through settlement.<sup>23</sup> As such it is a disputed pipeline project that should have been included in the Joint Brief Outline and ultimately in Appendix II.

The parties, however, inadvertently omitted pipeline project “Arden Cordova 1.037.1” from the list of disputed projects in the Joint Brief Outline submitted to ALJ Long,<sup>24</sup> and as a result also inadvertently omitted this pipeline project from their respective Opening Briefs. Although the parties’ briefing does not directly address pipeline project Arden Cordova 1.037.1,

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<sup>22</sup> See Appendix II.

<sup>23</sup> See Ex. G-2 (Arden Cordova Operations Report) at 5-4 to 5-5.

<sup>24</sup> See Joint Brief Outline.

it does address other, similar pipeline projects that will be undertaken for the same purpose – to eliminate dead-end mains that pose potential water quality issues.<sup>25</sup> In fact, pipeline project “Arden Cordova 1.037.1” is one of several pipeline projects requested by GSWC and approved by the Commission in this proceeding to connect dead-end mains in the Arden Cordova CSA.<sup>26</sup> Therefore, the propriety of undertaking pipeline project “Arden Cordova 1.037.1” to eliminate the identified dead-end main at issue in was addressed by the parties and resolved by the Commission.

Accordingly, GSWC respectfully requests that the Commission remedy this clerical error and add pipeline project “Arden Cordova 1.037.1” to the list of approved pipeline projects in Appendix II, as set forth on Attachment B hereto.

**E. Identify the Construction Cost Cap for Each Approved Pipeline Project by Including its Forecasted Cost on Appendix II**

In Ordering Paragraph 3 of the Decision the Commission states that for “Golden State Water Company to timely recovery the revenue requirement of a [pipeline] project it must file a Tier 2 Advice Letter only if it actually builds the project, capped at the forecast[ed] cost.”<sup>27</sup> Although the actual forecasted cost of each approved pipeline project is included in the proceeding’s record,<sup>28</sup> none of those forecasts are specifically identified in the Decision or Appendix II. Given that Water Division must confirm that each pipeline project submitted for approval in a Tier 2 Advice Letter does not exceed its forecasted cost,<sup>29</sup> omitting such forecasts

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<sup>25</sup> See GSWC Opening Brief at 27; see also Ex. G-12-A-12 (Risk Based Asset Management Program Report), Appendix N, Los Osos CSA, Projects: 1.032.1; 1.033.1; 1.034.1; 1.035.1; 1.036.1.

<sup>26</sup> See Decision at 8-9 (approving the following pipeline projects as part of the settlement: Ex. G-12-A-12 (Risk Based Asset Management Program Report), Appendix N, Arden Cordova CSA, Projects: 1.034.1; 1.035.1; 1.036.1; 1.038.1; 1.039.1; 1.040.1; 1.041.1).

<sup>27</sup> Decision at Ordering Paragraph 3 (as modified by D.10-12-068).

<sup>28</sup> Ex. G-12 (Gisler Testimony) at 32-35.

<sup>29</sup> General Order 96-B, Section 7.3.3(8)(iii).

from the Decision or Appendix II would require Water Division to reexamine the record, thus creating an unnecessary administrative burden. Accordingly, GSWC respectfully requests that the Commission include on Appendix II the forecasted cost of each approved pipeline project and identify such forecasted amount as the pipeline project's construction cost cap, as set forth on Attachment B hereto.

#### IV. CONCLUSION

For the reasons set forth above, the Commission should modify the Decision as proposed herein.

Respectfully Submitted,

Date: February 15, 2011

\_\_\_\_\_/s/ Joseph M. Karp

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*Attorneys for Golden State Water Company*

## ATTACHMENT A

### Proposed Changes to Decision 10-12-059

- **(Section 5.1, p. 10)**

Apart from the proposed settlement Golden State and DRA could not agree upon the need for 5 wells, ~~3~~0 pipeline relocations or installations, a backhoe, a trailer, and a dump truck.

- **(Section 7, pp. 17-18)**

“7. Pipeline Projects

There are ~~3~~4 disputed pipeline projects. There are ~~nine~~ nineteen projects categorized as those with no previous leaks reported in the last 5 years (~~1~~2 in Arden Cordova, ~~1 in Clearlake~~, 2 in Ojai, and 4 in Santa Maria). There are ~~nine~~ ten more projects which Golden State admits were not “fully identified” in its Pipeline Replacement Program Report (5 in Los Osos, 1 in Santa Maria, and 4 in Simi Valley). And finally, there are four more “other contested projects” (1 in Bay Point, 2 in Arden Cordova, and 1 in Clearlake).

~~(Golden State Opening Brief, at 24 – 33.)”~~

- **(Section 7, p. 20)**

Consistent with our approach on the disputed wells, we will again adopt a mechanism that the company may file advice letters seeking authorization to include in rate base, upon completion, the actual costs of the plant additions for the disputed pipeline replacement projects (subject to their respective construction cost caps as set forth in Appendix II) and to receive a corresponding rate adjustment for the additional rate base.

## ATTACHMENT A

- **(Section 7, p. 20)**

“Because of the large number of projects, 312, Golden State must bundle the filings into single monthly advice letters for multiple service areas.”

- **(Ordering Paragraph 3, p. 34)**

3. The disputed construction of 312 pipeline projects in Application 10-01-009, which are not included in the proposed settlement between Golden State Water Company and the Division of Ratepayer Advocates, is adopted for inclusion in rate base and to recover the revenue requirement.

ATTACHMENT B

Proposed Changes to Decision 10-12-059, Appendix II

APPENDIX II

**3.2 Disputed Pipeline Replacement Projects**  
**(with respective construction cost caps)**

**(Abstracted from Golden State's Opening Brief at 22 – 34)**

No Leaks – 5 years

1. Arden Cordova 1.024.1 (\$425,900)
2. Arden Cordova 1.028.1 (\$292,400)
3. Arden Cordova 1.026.1 (\$226,900)
4. Arden Cordova 1.027.1 (\$161,600)
5. Arden Cordova 1.029.1 (\$214,800)
6. Arden Cordova 1.030.1 (\$85,600)
7. Arden Cordova 1.031.1 (\$92,400)
8. Arden Cordova 1.013.1 (\$306,700)
9. Arden Cordova 1.014.1 (\$236,900)
10. Arden Cordova 1.015.1 (\$310,100)
11. Arden Cordova 1.998.1 (\$1,010,500)
12. ~~Clear Lake 1.016.1~~ Arden Cordova 1.037.1 (\$120,600)
13. Ojai 1.007.1 (\$601,200)
14. Ojai 1.026.1 (\$171,000)
15. Santa Maria 1.032.1 (\$203,600)
16. Santa Maria 1.033.1 (\$366,900)
17. Santa Maria 1.034.1 (\$209,900)
18. Santa Maria 1.003.1 (\$371,500)

Not Completely Identified in Replacement Program

19. Los Osos 1.032.1 (\$77,100)
20. Los Osos 1.033.1 (\$94,800)
21. Los Osos 1.034.1 (\$91,300)
22. Los Osos 1.035.1 (\$123,800)
23. Los Osos 1.036.1 (\$115,900)
24. ~~Santa Maria 1.001.1~~ (\$584,600)
25. Simi Valley 1.025.1 (\$347,200)
26. Simi Valley 1.026.1 (\$347,200)
27. Simi Valley 1.027.1 (\$347,200)
28. Simi Valley 1.028.1 (\$496,700)

Other Contested Projects

29. Bay Point 1.003.1 (\$124,300)
30. Arden Cordova 1.005.1 (\$98,400)
31. Arden Cordova 1.001.1 (\$116,100)
32. Clear Lake 1.016.1 (\$72,500)

(END OF APPENDIX II)

# **Exhibit 1**

**Golden State Water Company Region I General Rate Case  
Application No. A.10-01-009**

**Joint Outline For Opening Brief**

I. INTRODUCTION

II. BACKGROUND

III. DISCUSSION OF DISPUTED CAPITAL PROJECTS

A. GSWC's Requests to Drill and Equip Wells

1. Background

2. Disputed Well Projects

- a) Ojai CSA – Mutual Well #6 (Ojai System)
- b) Los Osos CSA – New Edna Road Well (Edna Road System)
- c) Santa Maria CSA
  - (1) Foxen Canyon Well #5 (Sisquoc System)
  - (2) Vineyard Well #6 (Lake Marie System)
  - (3) Tanglewood #3 (Tanglewood System)

B. GSWC's Request to Add or Replace Pipelines

1. Background

2. Disputed Projects

a) Pipelines With No History of Leaks in Last Five Years

[Note – The following pipeline projects may or may not be discussed individually: (i) Arden Cordova CSA: (A) 1.024.1 (Backyard Main); (B) 1.028.1 (Backyard Main); (C) 1.026.1 (Backyard Main); (D) 1.027.1 (Backyard Main); (E) 1.029.1 (Backyard Main); (F) 1.030.1 (Backyard Main); (G) 1.031.1 (Backyard Main); (H) 1.013.1; (I) 1.014.1; (J) 1.015.1; and (K) 1.998.1 (Chardonnay Dr.) (Backyard Main); (ii) Bay Point CSA: (A) 1.003.1; (iii) Clearlake CSA: (A) 1.016.1; (iv) Ojai CSA: (A) 1.007.1; and (B) 1.026.1; and (v) Santa Maria CSA: (A) 1.032.1; (B) 1.033.1; (C) 1.034.1; and (D) 1.003.1.]

b) Projects Without Information in GSWC's Pipeline Replacement Program Report, Appendix N

[Note – The following pipeline projects may or may not be discussed individually: (i) Arden Cordova CSA: (A) 1.998.1 (Chardonnay Dr.); (ii) Los Osos: (A) 1.032.1; (B) 1.033.1; (C) 1.034.1; (D) 1.035.1; and (E) 1.036.1; (iii) Santa Maria CSA: (A) Depot Road, Foxen Canyon Road and Dome Street (1.001.1); and (iv) Simi Valley CSA: (A) 1.025.1; (B) 1.026.1; (C) 1.027.1; and (D) 1.028.1.]

c) Other Contested Projects

[(i) Arden Cordova CSA: (A) 1.005.1 and (B) 1.016.1.]

C. Santa Maria CSA – Replace Backhoe, Trailer and Dump Truck

IV. CONCLUSION

# **Exhibit 2**

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---

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**Cc:** Gruen, Darryl; Allen, Peter; Karp, Joseph M.; Richardson, Seth F.  
**Subject:** RE: A.10-01-009 -- Joint Outline for Opening Brief  
**Attachments:** image001.jpg

Fine with me – can you also agree on a reasonable but modest page limit?

Douglas M. Long  
Administrative Law Judge  
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**From:** Narensky, Matthew K. [mailto:MNarensky@winston.com]  
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**Subject:** A.10-01-009 -- Joint Outline for Opening Brief

Dear Judge Long:

GSWC and DRA have agreed upon the attached Joint Outline for the Opening Brief in the above-referenced proceeding. Please let us know if you have any questions or comments.

Thank you.

**Matthew K. Narensky**

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## Certificate of Service

I hereby certify that I have this day served a copy of the:

**AMENDED PETITION OF GOLDEN STATE WATER COMPANY  
TO MODIFY DECISION 10-12-059**

on all known parties to A.10-01-009 by sending a copy via electronic mail and by mailing a properly addressed copy by first-class mail with postage prepaid to each party named in the official service list without an electronic mail address.

Executed on February 15, 2011, at Los Angeles, California.

/s/ Seth F. Richardson  
Seth F. Richardson



California Public  
Utilities Commission

CPUC Home

## CALIFORNIA PUBLIC UTILITIES COMMISSION Service Lists

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