

CALIFORNIA PUBLIC UTILITIES COMMISSION

Division of Water and Audits

STANDARD PRACTICE
FOR CREATING AND PROCESSING
WATER AND SEWER SYSTEM
ADVICE LETTER FILINGS
AND RESOLUTIONS AND MAINTAINING TARIFFS
UNDER GENERAL ORDER NO. 96-B

Standard Practice U-8-W

San Francisco, California

July, 2007

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A – PURPOSE AND SCOPE

1. The purpose of this standard practice is to provide water or sewer system utilities (Utility or Company) with directions for filing advice letters and Division of Water and Audits (DWA) personnel (Staff) with a detailed description of the steps required to process advice letters and create and process resolutions. It supplements General Order (GO) 96-B, issued January 25, 2007 by Decision (D.)07-01-024 and effective July 1, 2007, as modified by D,07-09-019, September 12, 2007 (Telecommunications Industry Rules) as modified by D.08-05-019, May 19,2008.

2. Definitions:

- a. **Advice Letter:** An advice letter is a document prepared by the Utility that requests action of the Commission.¹ Most commonly an advice letter is used to make changes to the Utility's tariffs.
- b. **Contact Person:** A person authorized to act for the utility with respect to filing and processing advice letters. Normally this will be the owner of the utility. When this contact person changes for Class A utilities, the Utility will file a Tier 1 advice letter modifying the Contact Information on the title page of its tariffs to include the new Contact Person. (See Appendix A)
- c. **Resolution:** A resolution is an order of the Commission that is not the result of a formal filing.²

3. This standard practice includes information explaining how to:

- a. properly prepare an advice letter

¹ GO 96-B, Rule 3-1

² The first water resolution, dated May 2, 1934, allowed the Monterey County Water Works to decrease its rates on less than 30 days notice. Doc Mgmt. #290101

- b. log in submitted advice letters
 - c. review the submissions for compliance
 - d. create the advice letter
 - e. file the advice letter
 - f. evaluate the advice letter
 - g. accept, suspend or reject the advice letter
 - h. prepare a resolution
 - i. process the resolution
 - j. file and maintain tariffs
4. In addition to these instructions, the Utility and its employees who prepare the advice letter must be familiar with and follow the requirements of the current version of General Order 96 and other standard practices that apply to the particular type of advice letter being prepared.
5. The Director of the DWA may modify these rules if the situation so requires.

B – BACKGROUND

6. General Order (GO) No. 96 became effective January 1, 1943, and directed all public utilities to follow certain rules in the filings of their rates, rules and contracts.³ This GO superseded a number of other general orders pertaining to specific classes of utilities. GO 96 was revised and issued as GO No. 96-A effective March 1, 1962. GO 96-B was approved by Decision (D.)07-01-024, January 25, 2007. It incorporated interim Decisions D.01-07-026, July 12, 2001, D.02-01-038, January 9, 2002, and D.05-01-032, January 13, 2005. Provisions of GO 96-B adopted in D.07-01-024 become effective July 1, 2007. The rules in the GO provide for the general form and construction of tariff schedules, procedures to be followed in filing and publishing of schedules, and the procedure to authorize departures from the filed schedules under particular circumstances. The original Standard Practice U-8, which contained a set of procedures for filing tariff schedules, was developed by Utilities Division staff to implement GO 96.⁴

7. This Standard Practice supplements GO 96-B. If any differences arise, the GO will govern.

C – TARIFFS GENERALLY

8. The Utility's tariffs or tariff book includes the entire body of rates, tolls, rentals, charges, classifications and rules of a public Utility.⁵ No regulated Utility can charge for any utility service that is not described and approved by the Commission in its tariffs.^{6, 7} A tariff schedule describes

³ Decision No. 35817, Case No. 4626, September 29, 1942

⁴ CALIFORNIA RAILROAD COMMISSION, Public Utilities Department, PROCEDURE FOR FILING OF TARIFF SCHEDULES Under GENERAL ORDER NO. 96, Special Study No. S-105, U-8, San Francisco, California, Effective January 1, 1943, Dec. Mgmt.#264217.

⁵ Public Utilities Code Section 489 requires that every public Utility file with the California Public Utilities Commission, schedules (i.e., tariffs) showing all rates, tolls charges, classifications, or services, to be collected or enforced, along with all rules and contracts that affect or relate to these rates and charges.

⁶ This does not mean that the Utility, acting as a business, may not charge a customer under other provisions of the law. For example California Civil Code §1714(a) and §3333 allow the Utility to charge a customer for damaging

and sets rates for a specific utility service. When a Company seeks to render both water and sewer service, it may file a single application to do so, but it will receive separate Certificates of Public Convenience and Necessity and must file a separate tariff book for each type of utility service rendered.

9. A tariff is a legal document.⁸ This places limitations on when and how it can be changed and who must be noticed before and after the change. It also requires that these documents be created in the correct format, parlance, and vernacular.

10. A water or sewer system tariff book contains the following sections:

- a. title page,
- b. table of contents,
- c. preliminary statement (including a brief description of the territory served, a map or maps, a brief description of the types and classes of service rendered and descriptions of any memorandum accounts the Commission has approved),
- d. rate schedules,
- e. summary list of contracts and deviations,
- f. rules (Tariff Rules) affecting charges or service to the public, and
- g. sample forms.

11. Each rate schedule contains a schedule number or other designation, an indication as to the class of service, the applicability of the schedule, the territory to which the schedule applies, the rate in tabular form where practicable, and special conditions applicable to the rates. See Appendix A for proper rate schedule numbering. CPUC Document Management #192068 contains a set of sample water utility tariffs. CPUC Document Management #245397 contains a set of sample sewer system utility tariffs. Water and sewer system tariff sheets are numbered consecutively as submitted with –W appended for water tariffs and –SS appended for sewer system tariffs.

D – PROPOSALS

12. A proposal is a request from the Utility to Staff to review an advice letter before the Utility submits it for filing. In form, a proposal is identical to a regular advice letter except:

- a. no advice letter number is assigned,
- b. only two copies are required. Three copies for informal general rate cases,
- c. the term “advice letter” is replaced with “proposed advice letter” in the text of the advice letter and on the Cover Sheet,
- d. no notice is given, and
- e. the proposed advice letter is not served on the service list.

Utility property. See also Section 7951 and 7952 of the Public Utilities Code.

⁷ A regulated water or sewer service utility can also provide non-tariffed services in competition with other providers. See Standard Practice U-21-W.

⁸ See References at the end of this document.

Class B, C and D utility informal general rate cases and loan approval requests are usually submitted as proposals, but if the Utility is sophisticated enough to calculate the resulting rates, they may be filed by advice letter.⁹

13. The Tariff Unit of the DWA logs all proposals in the proposal docket list (Doc. Mgmt. #88265) and into the Proposal/Advice Letter (PAL) database in Oracle. Proposals are processed identically to advice letters (see below) except disposition is by a letter from the project manager suggesting changes for the regular advice letter. The project manager's letter doesn't obligate the Commission or Staff as to whether the resulting advice letter itself will be approved or rejected.

E – ADVICE LETTERS GENERALLY

14. The format for the advice letter depends upon the purpose. See the appropriate standard practice for advice letter format. The submitter must be an agent of the Utility, including a consultant, authorized to speak for the Utility. Normally this will be the "Contact Person" listed on the Title Page of the tariffs.¹⁰ If a consultant has prepared an advice letter for a Utility, and the consultant is not the Contact Person, the advice letter must be signed by the owner or identified contact person.

15. In addition to submitting the advice letter, Class A and B Water Utilities shall:¹¹

- a. Provide a large properly-stamped self-addressed envelope for the copy of the advice letter that is to be stamped and returned to the Utility (if requested).
- b. Provide two colored letter-sized folders with the filing to hold two copies of the advice letter and the work papers.¹² The folder label should be white with the following information:

Company Name	AL #
Type of Filing	

- c. The two folders should be fully assembled with advice letters and workpapers as follows:

- (i) Holding the folder like a book, with the label side to your right:
- (ii) On the outside front attach a Proposal/Advice Letter Summary Sheet (Appendix B) and over it attach an Advice Letter Filing Summary Sheet (Appendix C).¹³
- (iii) On the inside left side of the folder, attach a complete copy of the Decision or Resolution that authorizes the filing, including Tables and Stipulations (if any).
- (iv) On the right side of the folder attach the workpapers in tabbed order (see below).¹⁴

⁹ D.92-03-093, March 31, 1992, Ordering Paragraph 9

¹⁰ GO 96-B, Water Industry Rule 1.4

¹¹ Letter to All Class A Water Companies, May 1, 1995, Subject: New Procedures for Filing Step Increase, Attrition and Offset Advice Letters, Doc. Mgmt. #269358.

¹² Class A utilities are encouraged to determine a distinct color for each Utility.

¹³ GO 96-B, Rule 4.6

- (v) On the top of the workpapers, attach the advice letter.
- (vi) Arrange the workpapers as follows:
 - a. Table of Contents of Workpapers: listing all the sheets in the workpapers by title and sheet number.
 - b. Description of Calculations: a narrative describing how the tariff calculations in the workpapers were done. Divide the workpapers by tabs as appropriate. Each workpaper sheet shall be numbered consecutively (by tabs if used). Staff will refer to workpaper sheets by sheet number.
 - c. Workpapers: Workpapers must be easily readable and printed on one side only. If the workpapers contain spreadsheet printouts, minimum type pitch will be 10 pt. All copies will be clear and dark. Handwritten annotations that help explain the calculations or connection with other workpaper sheets are encouraged.

16. For advice letters requesting changes to the tariff book, the Utility shall file three copies of the advice letter with the Tariff Unit. For other advice letters two copies are required. Two of the filed advice letters must have attached adequate workpapers to justify the relief sought (if applicable). The Utility shall include an extra copy of the advice letter if it wants one stamped and returned. A separate copy of each Class A advice letter shall be send to the Division of Ratepayer Advocates

17. Notice: Each advice letter filing must include a copy of the notice provided customers, the date the notice was provided and the justification for that type of notice. Tier 1 advice letters need not be noticed, but if not noticed, the utility shall inform it customers by bill insert, of the change in rates in dollar and percentage terms when the first bill that includes the increase is rendered.¹⁵ Each advice letter must contain information about how to file a protest or response and must contain the following language:¹⁶

RESPONSE OR PROTEST

Anyone may respond to or protest this advice letter. 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 grounds are:

- (1) The Utility did not properly serve or give notice of the advice letter;
- (2) The relief requested in the advice letter 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 advice letter contain material error or omissions;

¹⁴ The contents of the workpapers depend upon the purpose of the Advice Letter. See the other Standard Practices for descriptions of the content of the specific Advice Letters and Workpapers.

¹⁵ Res. No. W-4664, November 1, 2007

¹⁶ GO 96-B, Rules 4.1, 4.2 and 7.4.2

(4) The relief requested in the advice letter is pending before the Commission in a formal proceeding; or

(5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or

(6) The relief requested in the advice letter 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 or protest must be made in writing or by electronic mail and must be received by the DWA within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

Tariff Unit, DWA, 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 DWA, the respondent or protestant shall send a copy by mail (or e-mail) to the Utility, addressed to:

(Name and address and electronic mail address of the Utility contact.)

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

18. If the advice letter requests changes to a prior resolution, it must specify the resolution to which the change is requested and state that the advice letter is:

- a. subject to Section 1708 of the Public Utilities Code and
- b. that anyone protesting requesting an evidentiary hearing, must explain the need for the hearing by identifying material disputed facts and why a hearing must be held.¹⁷

19. Service: Copies of the advice letter and cover sheet, without workpapers, must be served on a service list, which can be unique for the type of advice letter being filed, but which must always include:

¹⁷ GO 96B, Rule 2.2 (9)

- a. nearby similar utilities (water or sewer, both regulated and unregulated),
- b. other utilities that have requested notification,
- c. the city, if the service includes customers within the city limits,
- d. the county in which service is being rendered and
- e. any individuals or groups who have requested service for that particular type of advice letter.¹⁸
- f. Requests for acceptance of contiguous service area extensions shall be served on the county Local Area Formation Commission.¹⁹

20. The Utility shall provide a copy of the workpapers to customers and parties on the service list upon request. If a business, governmental entity or member of the public so requests, the Utility shall provide a copy of the workpapers within two business days. Non-service list parties and non-customers may be charged a reasonable amount for copying and mailing.²⁰

21. For Class A utilities each service list must be posted to the Utility's web site so that persons may request and receive only those advice letters they are interested in.

22. Replies: The Utility shall reply to each protest and may reply to any response. Each reply must be received by the DWA within five business days after the end of the protest period, and shall be served on the same day to the person who filed the protest or response.²¹

¹⁸ GO 96B, Water Industry Rule 4.1

¹⁹ Resolution M-4818, March 15, 2007

²⁰ Typically 10-25 cents per page. Charging the actual cost of copying done by a professional copy house and actual postage costs is encouraged.

²¹ GO 96B, Rule 4.3

F – FILED AND EFFECTIVE DATES

23. Advice letters are deemed filed on the date received at the San Francisco office of the DWA.

24. The Utility may request a specific effective date.²²

25. If there is already a Commission order authorizing the rate increase or service quality decrease, and the ordering paragraph authorizes the filing, the advice letter is a compliance advice letter, effective upon filing (Tier 1).²³ Tier 1 advice letters are “deemed approved,” which means that although they are reviewed by staff they do not require staff approval.²⁴ If staff discovers that a Tier 1 advice letter is incorrect or otherwise faulty, the Division Director will inform the Utility by issuing a Notice to Correct Tariffs.²⁵ If appropriate, the Commission may order refunds.²⁶

26. If the advice letter can be approved by staff it is a Tier 2 advice letter. Normally a tier 2 advice letter is deemed approved on 30 days notice, with no specific approval action required by staff unless the advice letter is protested. Staff may approve a Tier 2 filing in less than 30 days if doing so would not be injurious to the public interest. If it is discovered, after the effective date, that the tariffs resulting from a Tier 2 filing are incorrect or otherwise faulty, the same Notice to correct Tariffs action would apply.

27. If the advice letter requires approval by Commission resolution it is a Tier 3 filing. The advice letter then becomes effective on the date specified in the resolution, except:

- a. if the resolution rejects the advice letter it does not become effective,
- b. if the resolution modifies the advice letter the advice letter may require a supplement, or,
- c. if the modifications are substantial, the advice letter may need to be rejected or withdrawn and a new, compliance, advice letter filed.

28. The Utility may request that a Tier 1 type of advice letter be processed as Tier 2 or Tier 3 and that a Tier 2 type of advice letter be processed as a Tier 3, at its option.²⁷ The DWA may approve, at its option, a Tier 1 or Tier 2 advice letter even if it was filed requesting a resolution.²⁸

G – WITHDRAWAL, SUSPENSION, AND REJECTION OF ADVICE LETTERS

29. Withdrawal: If the Utility desires to withdraw a filed advice letter, it must inform the DWA by letter or e-mail with service to the service list prior to staff disposition or the issuance of a proposed

²² GO 96B, General Rule 7.3.2

²³ GO 96B, Water Industry Rule 1.3

²⁴ D.08-05-019 at 4 and General Rule 7.5.2, paragraph 3

²⁵ GO 96 B, General Rule 8.3

²⁶ GO 96B, General Rule 7.3.3, paragraph 2

²⁷ GO 96B, General Rules 7.3.3

²⁸ GO 96B, General Rule 7.3.5

resolution.²⁹ Withdrawn sheets are stamped “WITHDRAWN” and a copy is returned to the Utility for its files. Withdrawn advice letter numbers and sheet numbers shall not be reused.

30. Suspension: All Tier 2 advice letters will be suspended if Staff requires more than 30 days to review and dispose of the advice letter.³⁰ If not so suspended, and if the advice letter is subject to Public Utilities Code Section 455, it will become effective on the 30th day. Tier 3 advice letters are automatically suspended, but Staff will still give notice of the suspension.³¹ Staff will inform the Utility by e-mail and issue a Suspension Notice to the Utility and any protestants (See Appendix D) and post a notice of the suspension on the Commission’s web site.

31. The Staff suspension shall be for a period of up to 180 days. If Staff determines that a resolution is required, and the Commission has not acted before the end of that period, the advice letter is automatically suspended for another 180 days. Staff shall notice this suspension to the utility, all parties and the CPUC web site also. If the Commission has not acted by the end of the second suspension period, and the advice letter is subject to Public Utilities Code Section 455, it will become effective at the end of the second suspension period.

32. The suspension process shall not be used to delay the effective date of an advice letter in order to allow the Utility time to negotiate a protest. If Staff cannot dispose of a protested advice letter expeditiously because the Utility needs time to negotiate a protest, the advice letter should be rejected without prejudice.

33. Rejection: Tariff filings will be rejected by Staff where they (1) do not conform to statutory requirements or (2) are not properly processed by advice letter (contain material issues of fact or irresolvable protests).³² Rejected sheets are stamped “REJECTED” and a copy is returned to the Utility for its files. Rejected advice letter numbers and sheet numbers may not be reused. When a Tier 1 advice letter is rejected, it shall be replaced by the Utility by the filing of a new advice letter as directed by Staff.³³

34. The legal effect of withdrawal, rejection or suspension is to leave the existing tariff schedules in effect.

35. The Tariff Unit retains the original copy of the withdrawn or rejected tariff sheets in the file of cancelled tariffs. Any revised tariff sheets, submitted by a subsequent advice letter, should show the cancellation of the then-effective tariff sheet, not the sheet number of the rejected or withdrawn sheets since the latter never became effective and therefore cannot be cancelled.

H – TARIFF CANCELLATIONS BECAUSE OF WITHDRAWALS OF SERVICE

36. No Utility may withdraw from service either wholly or in part or discontinue any specific service without authorization from this Commission. When a Utility desires to cancel a schedule

²⁹ GO 96-B, Rule 5.3

³⁰ GO 96-B, Rule 7.5.2

³¹ GO 96-B, Rule 7.5.2, paragraph 1, last sentence.

³² GO 96-B, Rule 7.61, paragraph 2

³³ GO 96-B, Rule 8.3

for a service which it is either able to render on another schedule or it desires to discontinue offering, including discontinue offering in part of its service territory, it may request approval by Tier 3 advice letter. If the Commission approves the resolution, the Tariff Unit stamps the affected tariff sheets "Sheet Cancelled (Not Superseded) by Advice No. _____, Authority _____." This procedure is used where no substantial withdrawals of service are involved; otherwise a formal application is required.³⁴

I – CONTRACTS AND DEVIATIONS

37. Normally when a contract for Utility service is required, it will be in accordance with a standard form contract filed in the sample forms portion of the tariffs.³⁵ Other contracts or exceptions to tariffed service require Commission approval. When a contract differs from the standard form contract or provides service at other than filed tariff rates (either higher or lower) or at conditions departing from the tariffs, it must be authorized by the Commission before it can become effective.³⁶ Contracts are required to contain a clause indicating the jurisdiction of the Commission.³⁷ Contracts for service with governmental agencies may be entered into by utilities without Commission authorization, provided copies of the contract are filed with the DWA by advice letter.³⁸ The Commission may in an appropriate proceeding determine the reasonableness of all such service at other than filed rates. Utilities shall maintain an up-to-date list of contracts (other than standard form contracts) as part of their tariff schedules.

38. The Commission by an appropriate order or resolution may authorize a deviation from the provisions of General Order No. 96. The Commission may also by order or resolution authorize the utilities to deviate from their filed rates pursuant to Section 532 of the Public Utilities Code. Within 30 days of establishment or cancellation of a deviation, it shall be updated in the List of Contracts and Deviations filed as part of the tariff schedules.

J – PROCESSING ADVICE LETTERS

39. The Utility submits one copy of the cover sheet and advice letter (without workpapers) to the service list and three copies of the cover sheet and advice letter (two copies if no tariffs are being changed) and two copies of workpapers, if any, to the DWA in San Francisco, who forwards them to the Tariff Unit. For a copy of the cover sheet see Appendix B.

³⁴ See Res. No. W-714, July 20, 1960, Order authorizing Pacific Gas and Electric Company to cancel Schedule No. SA-2, Residential Flat Rate Service, and to revise Rule No. T-12, Rates and Optional Rates, applicable in the Salinas Tariff Area. Doc. Mgmt. #289848.

³⁵ See Standard Practice U-17-W, CONTRACTS AND MAIN EXTENSION AGREEMENTS

³⁶ GO 96-B, Rule 8.2.1

³⁷ "This agreement shall at all times be subject to such changes or modifications by the Commission as the Commission may from time to time direct in the exercise of its jurisdiction."

³⁸ GO 96-B, Rule 8.2.3

40. Utilities may also submit electronically by sending the submittal to water_division@cpuc.ca.gov or by facsimile to (415) 703-2655. Class A utilities shall follow up the electronic filing with the hard-copy filings described above.³⁹

41. The tariff clerk stamps the date and time of receipt of each submittal and reviews the package for:

- a. conformance with GO 96, including format and cover sheet contents.
- b. Proper tariff sheet numbering. Even if the Utility has chosen to allow staff to number the new tariff sheets, any sheet being replaced must be properly numbered in the advice letter.
- c. Adequate notice. The advice letter will not be accepted for filing until the required notice has been published or the last bill insert notice has been mailed. In addition to notice to the service list, certain advice letters (rate increases and service area extensions, for example) require published notice. See the appropriate Standard Practice for details.

42. If the Utility has chosen to allow staff to number the new tariff sheets, the tariff clerk checks to see if there are other active advice letters from the same company. If there are, the sheets will not be numbered until the order of approval of all advice letters are known. If there are no other active filings, the tariff clerk fills in the proper numbers by numbering the first non-table of contents tariff sheet with the next available number (one count higher than the existing first table of contents tariff sheet number), the next non-table of contents tariff sheet with the next number and so on. The table of contents tariff sheets are numbered last, with the first table of contents sheet receiving the highest number. The body of the table of contents sheets will have to be modified as well.

43. If the advice letter is not acceptable for filing, the tariff clerk informs the Branch Chief and requests changes/additions from the Utility. After being accepted for filing, the tariff clerk does the following:

- a. Enters a record of the filing in the advice letter docket book and in CPUC Doc. Mgmt. #87927 (Advice Letter Docket List).
- b. Enters the necessary information in the PAL system on Oracle.
- c. Posts a notice in the daily calendar that the advice letter has been filed.
- d. Returns a copy to the Utility stamped with the date filed (if requested).

44. The tariff clerk prepares the advice letter for review by doing the following:

- a. For non-Class A utilities, create a blue folder as described above, with an Advice Letter Review Routing Sheet (Appendix B), containing the work copy of the advice letter together with supporting documents and workpapers, if any. Create a yellow folder containing the original and one (or more) copies of the advice letter and one copy of the work papers, and label the folders with the name of the Utility, the advice letter number and a brief description of the filing.

³⁹ Resolution No. M-4809, June 19, 2003 delegates to the Executive Director the authority to allow for electronic filing of advice letters.

- b. Fill out the upper part of the Routing Sheet, putting down the review comments as directed on the form (including comments related to corrections needed to the tariffs) and the suspense date information, and attach the sheet to the cover of the blue folder.
- c. Route the blue folder to the Branch Chief, who assigns the filing to an analyst. The Blue folder goes to the Supervisor who notes the analyst's name in the proposal or advice letter docket list and PAL and sends the folder to the analyst.
- d. File the yellow folder in the "pending" file of active advice letters alphabetically by company.

45. The Tariff Unit forwards the work folder to the Branch Chief, who assigns it to one of the Supervisors who will act as Project Manager. Once the Supervisor decides which analyst to assign the advice letter to, the supervisor will change the PAL entry to show that that analyst has been assigned and inform the Tariff Unit who will change the Advice Letter Docket File. The Supervisor will forward the work folder to the analyst.

46. Every advice letter must be reviewed. Such review encompasses consideration of conformance of the request with the legislation, resolution or decision authorizing the advice letter and any similar resolutions or decisions; the correctness of filed rates or other quantities, compliance with the appropriate division standard practice, including weather normalized or recorded means test, workpapers and attachments; conformance with Commission policy and procedures; and consideration of protests or responses from the Division of Ratepayer Advocates or the public. For advice letters for which the Utility has requested Tier 1 or Tier 2 review (review and approval by Staff because the Commission has already made clear what the standards of review should be), the analyst recommends disposition as follows:

- a. If the advice letter is to be approved, check the "No Resolution Required" box on the Cover Sheet, annotate the Route Sheet and include an analysis if appropriate.
- b. If the request is not justified in the showing in the advice letter or if the advice letter is protested and Staff cannot resolve the protest, then the advice letter should be rejected without prejudice for refiling as a new advice letter (after the Utility resolves the protest) or as an application. Check the "No Resolution Required" box on the Cover Sheet, annotate the Route Sheet, and include a rejection letter for the Branch Chief's signature that describes the reason for rejection and advises the Utility to file again after it resolves the protest or to file a formal application.
- c. If the advice letter is to be rejected without prejudice because there is an active formal proceeding that should address the issue, check the "No Resolution Required" box on the Cover Sheet, annotate the Route Sheet and prepare a cover letter to the Utility describing the reason for rejection.
- d. If the advice letter is to be approved in part, approved with modifications, or if the advice letter otherwise requires a resolution, check the "Resolution Required" box on the Cover Sheet, annotate the Route Sheet and attach a draft resolution approving, approving in part or conditionally, or approving with modifications. Draft a cover letter for the project manager's signature informing the Utility that the advice letter has been reclassified as Tier 3 and

that a copy of the draft resolution is attached, and inform the Tariff Unit. The Tariff Unit posts this information along with the new expected completion date to the Commission calendar.

47. Advice Letters will be processed as provided in the appropriate Standard Practice. Advice letters must include all information required by relevant statutes and Commission orders, including provisions requiring an adequate showing and justification of the proposed tariffs. If the filing is deficient, Staff should request information in detail, as soon as possible, so that the Utility may provide the required information before the initial default effective date. The Utility must provide the requested information within five days of Staff's request, or at least one day prior to the initial effective date, whichever is earlier.

48. Letters from Customers: Although letters from customers that complain about rate increases are sometimes called protests, they are not. A protest is defined in Rule 8.1 of the Commission Rules of Practice and Procedure and in G.O. 96, and must be served on the Utility, and responded to by the Utility within 5 days. Nevertheless letters to the Commission that object to the advice letter are important indicators of the ratepayer's attitude and must be answered immediately. If service or noncompliance is not an issue, the assigned staff shall reply to the customers using the form letter in Appendix E. However, if the customer's letter includes specific questions or complaints, the letter should be modified to include an informed response to each specific item (service, billing or other problems). Additionally, letters of this type should be forwarded to the Consumer Affairs Branch for logging-in (and possibly for handling).

49. Disposition: The Project Manager is responsible for the disposition of all Tier 1 and Tier 2 advice letters. Tier 1 advice letters are effective upon filing, but still require review and Staff disposition. Tier 2 advice letter require Staff review and disposition before becoming effective. In both cases, this review will usually occur after the 20-day protest period and before the 30-day deadline. If Staff has not suspended the advice letter by the end of the initial review period (see General Rule 7.5.2), the advice letter is considered accepted and the Tier 2 advice letter will become effective 30 days after the date of filing.⁴⁰

50. If the Project Manager identifies the need to modify or reject a Tier 1 advice letter, he or she will draft a letter for the Director's signature explaining the reason for modification or rejection and directing the Utility how to correct the error.⁴¹ The Utility shall perform whatever actions the Director requires. The replacement tariff sheets will have the same effective date as the original Tier 1 sheets. The Utility is responsible for taking appropriate action remediate any problems caused by the erroneous tariffs. Whenever a Utility fails to submit a timely or satisfactory revision after notice by the Industry Division, as prescribed in the procedures, the Commission may impose a penalty and/or take such other actions as may be appropriate to protect consumers and ensure compliance with law.⁴²

⁴⁰ GO 96-B, Rule 7.3.4

⁴¹ GO 96-B, Rule 8.3

⁴² GO 96-B, Rule 7.5.3

51. If the Project Manager plans to approve a protested advice letter, he or she will inform the protestant prior to approval. In this case, the Project Manager will issue a disposition letter explaining why the advice letter was approved and the protest was rejected.⁴³ If the protestant informs the project manager that he or she will request Commission review of the approval (under Rule 7.7.1) the Project Manager will prepare a resolution for Commission consideration approving the advice letter and rejecting the protest.

52. If an approved Tier 1 or Tier 2 advice letter is appealed by the protestant or any other party, the analyst will prepare a resolution for the Commission's consideration explaining why the advice letter was approved.⁴⁴

53. If a Tier 3 advice letter is filed, Staff will still issue a letter of suspension prior to 30 days of review.⁴⁵ Disposition of a Tier 3 advice letter requires a resolution. This should occur within 150 days of filing, but if disposition will take longer, the analyst must draft a letter for the project manager's signature, delaying disposition for up to an additional 180 days, and send a copy to the Utility, and to the Tariff Unit, which will notice the delay on the Commission's Daily Calendar.⁴⁶ Informal general rate case advice letters are processed in accordance with the Service Guarantee Plan (see Standard Practice U-9-SM) and don't require suspension. Requests for loan approval are processed in accordance with Appendix F.

K – RESOLUTIONS

54. Resolutions are required for Tier 3 advice letters or for advice letters that were submitted as Tier 1 or 2, but which require Commission disposition based on interpretation of policy. The analyst drafts the resolution using the resolution style in Word (available from the Tariff Unit). The contents of the resolution depend on the situation and what the advice letter is requesting, but there are certain elements that all resolutions must contain:

- a. The resolution must stand on its own. It must contain all information, including citations if necessary, that applies to the request made in the advice letter and a complete analysis that substantiates the disposition that the resolution recommends.
- b. It must be the analyst's original work. No analyst should ever ask a Utility to prepare all or part of a resolution.
- c. It must be understandable to someone unfamiliar with Utility regulation. It should avoid using regulatory jargon and provide definitions or descriptions where necessary.
- d. It must be complete. It must discuss every item the Utility asked for and the reasoning behind approving or disapproving each request. Informal general rate case resolutions should only address areas of disagreement between Staff and the Utility.
- e. It must be correct. All calculations must be properly done and arithmetically correct. Numbers in the text must be the same as the numbers in the tables. The Project Manager is responsible for the correctness of all numbers and calculations.
- f. The sections of most resolutions are:

⁴³ GO 96-B, Rule 7.6.1

⁴⁴ GO 96-B, Rule 7.7.1

⁴⁵ GO 96-B, Rule 7.5.2

⁴⁶ GO 96-B, Rule 7.5.2

1. Title—a description of what the resolution does. It starts with the Resolution number in parentheses, the full name of the Utility, and the abbreviation of the name, in parentheses, that will be used in the resolution.
2. Summary—a one or two paragraph description of what the resolution recommends. Finish with a description of the number of service connections and the location of the service area being affected.
3. Background—the events that occurred in the past that led to the filing of the advice letter and a description of what the advice letter is requesting. Often this section contains the precedent actions of the Commission
4. Notice—a description of how the advice letter was noticed and whether any protests or responses were received. All notices must include information on how to file a protest or response.⁴⁷ If the public provides written comments, state that the staff has answered each comment.⁴⁸
5. Discussion—a logical and complete evaluation of the merits of each element of the request and whether and why it should be approved, modified or rejected. If a request is to be approved, describe what the Utility needs to do and what the consequences are.
6. Recommendations—summarize the results of the discussion. If the Resolution is for a General Rate Case, give the customer bill comparison and present and adopted revenues.⁴⁹
7. Findings and Conclusions—facts that pertain to the situation and results of the discussion for each issue.
8. Ordering Paragraphs—approve, disapprove or modify the requests in the advice letter and specify the actions that the Utility is allowed to or is ordered to take, along with timeframes and deadlines. Authorize a compliance advice letter effective on not less than 5 days notice if the subject advice letter cannot be approved as filed. The final ordering paragraph gives the effective date of the resolution. Normally a resolution is effective 30 days from being voted on. If it is to be made effective earlier, justify the earlier date in the Discussion and Conclusions.
9. Appendices—all General Rate Case Resolutions must contain Appendices containing the adopted quantities.⁵⁰

- g. A good resolution depends upon a reasonable argument organized coherently and presented persuasively. It is neither a list of unconnected 'points,' nor a 'lawyer's brief' that argues for only one side of an issue without acknowledging its limitations or liabilities.

55. The analyst forwards the draft resolution to the Supervisor or other designated project manager. The project manager reviews the resolution for correctness and checks that all calculations are

⁴⁷ Letter from Fred L. Curry to All Commission Regulated Water and Sewer System Utilities, April 11, 2001

⁴⁸ Memorandum from Wes Franklin to All Hydraulic Supervisors and Seniors, August 3, 1983, Subject: Customer Protests in Advice Letter Proceedings

⁴⁹ Memorandum from Mary C. Carlos, Chief Administrative Law Judge to All Administrative Law Judges, November 24, 1982, Subject: Water Rate Case Decisions

⁵⁰ Letter from Wesley Franklin, Chief of the Hydraulic Branch to Supervisors and Seniors, dated August 31, 1983

properly done, and then forwards it to the Tariff Unit. The Tariff Unit reviews and finalizes the resolution for grammar, format and style, and sends it, with the blue and green cover sheets (Appendix G), to the Branch Chief and the Division Director for review. After review is complete and any changes are made, the Tariff Unit makes the requisite number of copies of the proposed resolution and sends them to the Process Office.

56. Any subsequent changes to the proposed resolution (“starred” versions) are finalized by the Tariff Unit and undergo review using the blue cover sheet. The Tariff Unit makes the requisite number of copies of starred revisions for the Process Office. If the changes are major, the analyst prepares a cover letter (Appendix H) for the Division Director’s signature.

57. If the resolution is contested, it must be sent out for comment. Not later than 30 days before the Commission meeting send the letter to all concerned parties using the cover letter in Appendix I. Also, not later than 21 days prior to the Commission meeting, the Tariff Unit sends an electronic copy of all draft resolutions that will be mailed with the agenda to the support staff of the Chief of the Water Branch. The support staff saves a copy of each resolution to the WEBPUB database by importing the document using CPUC Document Management and the naming conventions in Appendix J. The Chief or other designated approver reviews the resolution by logging into the WEBPUB database and viewing the document to make sure it matches the printed resolution. If it matches, the approver changes the status on the document profile to “approved” and the resolution is automatically published to the Commission web site. If disapproved, after corrections are made, the resolution is published to the site.

58. For a detailed description of how to post resolutions to the Web site, see Document Management #234752.

59. The Agenda Review meeting is normally held the Tuesday afternoon before the Commission meeting. It is chaired by the Chief ALJ and attended by advisors and the Division Director or designate. At that meeting resolutions may be held, withdrawn or moved to the regular agenda. If a resolution is not complete (including receipt of supplemental advice letters) it will be held at that meeting. Resolutions may be held and agenda blurbs changed if approved by the Chief ALJ at other times. After approval, the final resolution should be mailed to the service list of the advice letter and, if the resolution modifies actions taken by another resolution or decision, the service list of that proceeding or resolution.

L –EFFECTIVE ADVICE LETTERS

60. When the advice letter is effective, the Tariff Unit does the following:

- a. Prepares a transmittal letter (Appendix J) and sends it to the Utility, along with a complete copy of the advice letter with all tariff sheets stamped with the filed date, effective date and resolution number, and the resolution (if any).
- b. Stamps all tariff sheets with the date filed and date effective, places the tariff sheets in the tariff book and enters the AL status in PAL. Unless they are original sheets, the sheets that are superseded are removed and stamped “Sheet Cancelled – superseded by

- Revised Cal. P.U.C. Sheet No. _____.” These cancelled sheets are retained in the Cancelled Tariffs file for as long as the Utility is certificated.
- c. Puts the original copy of the advice letter in the company’s advice letter file.
 - d. Sends a copy the advice letter and stamped tariff sheets to the Consumer Affairs Branch (CAB) in San Francisco.
 - e. Puts a copy of the resolution (if any) in the resolution binders.
 - f. Puts a copy of the resolution (if any) in the Utility’s resolutions file (see section paragraph 41 g. below).
 - g. Sends an electronic copy of the final version of the resolution (if any) to the Water Branch for publishing as described above.
 - h. Retrieves the work file folder from the analyst (if necessary) and puts it in the work file filing cabinet alphabetically by company. Work files are kept until the next general rate case.

M – RECORDS MAINTAINED BY THE TARIFF CLERK

61. The tariff clerk is responsible for the following: Tariff book files, Proposal Docket List, Advice Letter Docket List, Contract Files, Advice Letter Files, Resolution Files, Work Files, the Cancelled Tariffs File and Exemptions of General Order 96 File.

- a. The tariff book file contains the original copies of the title page, table of contents, preliminary statement, effective schedules of rates, list of contracts and deviations, tariff rules, and forms.
- b. The Proposal Docket list is a list of all proposals received from the utilities in reverse chronological order. It contains the following information:
 - (1) Name of Utility
 - (2) Assigned Proposal No.
 - (3) Date Filed
 - (4) Date Due
 - (5) Analyst
 - (6) Subject Date Received
 - (1) Utility Authority (Decision or Resolution number and effective date)
 - (7) Type of Filing
 - (8) Disposition
- c. The Advice Letter Docket List is a list of all advice letters received from the utilities in reverse chronological order and contains the following information.
 - (2) Name of Utility
 - (3) Advice Letter Number
 - (4) Date Filed
 - (5) Date Due

- (6) Analysis
 - (7) Subject
 - (8) Authority for filing (Decision or Resolution number and effective date)
 - (9) Type of Filing
 - (10) Requested effective date
 - (11) Disposition
- d. The Advice Letter File contains all of the advice letters in reverse numerical order, by company.
 - e. The Contract File is a file of the contracts relating to all services at other than tariffed rates provided after January 1, 1943 (the date General Order No. 96 became effective), when such information is filed by the utilities.
 - f. The Tariff Unit maintains two files of the conformed copy of resolutions. One copy is filed in a binder containing one calendar year of resolutions in order of resolution number, and the second copy is filed alphabetically by company in reverse resolution number order. Conformed copies of resolutions show the vote of the Commission, date of the vote, and certification of Executive Director.
 - g. The Cancelled Tariff file contains, by company, all cancelled or superseded tariffs in reverse numerical order.
 - h. The Work File contains the analyst work folder for each advice letter submitted by the Utility since its last approved general rate case. These folders are filed by Utility in reverse advice letter number order. When a new general rate case work folder is filed, all previous work files are discarded.
 - i. The exemption file contains a copy of all pertinent correspondence relating to a Utility's request for authority to be relieved from certain requirements of the General Order No. 96 industry rules or the Division's standard practices, filed by Utility name, and the Division Director's commitment in response to the request.

N – ORDER CORRECTING ERROR

62. In the event that an error, typo or omission is discovered after the resolution has been approved, such inadvertent/minor error(s) may be corrected by writing an "Order Correcting Error" to be signed by the Executive Director (See Appendix L). The Executive Director Order shall include the following:

- a. Statement of the error.
- b. "Resolution A-4661, dated March 19, 1977, authorizes the Executive Director to sign orders involving correction of inadvertent errors."
- c. The correction being authorized.

O – EXTENSION OF TIME

63. If a Utility needs an extension of time to file an advice letter or perform a Commission order, it can request it from the Executive Director in accordance with Commission's Rule of Practice and Procedure No. 48 (b). Appendix L contains an example of a letter authorizing such delay.

References

There are several court decisions that hold that tariffs have the force and effect of law:

- *Pink Dot Inc. v. Teleport Communications Group*, 89 Cal. App. 4th 407 (2001) (“Certainly a state-filed tariff when so published and filed, has the force and effect of a statute”, quoting *Dyke Water Co. v. Public Utilities Com.*, 56 Cal. 2d 105 (1961).)
- *Trammell v. Western Union Tel. Co.*, 57 Cal. App. 3d 538 (1976) (“As the tariff and the limitation of liability provisions have the force and effect of law, they are binding on the public generally.”)
- *Colich & Sons, et al. v. Pacific Bell*, 198 Cal. App. 3d 1225 (1988) (“The PUC has been vested by the Legislature with broad supervisory and regulatory powers (citation omitted). Pac Bell as a public Utility is subject to applicable provisions of the Public Utilities Code (§§ 216, 761). It is required to file tariffs with the PUC covering the terms and conditions, including rates, classifications and attendant liabilities, under which it renders service (§ 489). ‘A public Utility’s tariffs filed with the PUC have the force and effect of law.’ (citation omitted).”)

Other decisions affirm that Utility tariffs in essence become the contract for service between the Utility and the customer.

- *Waters v. Pacific Telephone Company*, 12 Cal. 3d 1 (1974) (The court stated in the dissent, “Section 489 provides that a telephone company shall file with the Public Utilities Commission schedules showing its rates together with all rules and contracts which in any manner relate to such rates and its telephone service. Upon such filing and approval by the commission, the schedule becomes, in effect, the contract between the company and its subscribers.”)
- *Los Angeles Cellular v. The Superior Court of Los Angeles County*, 65 Cal. App. 4th 1013 (1998) (The court said, “A condition imposed by a tariff binds a Utility’s customers without regard to whether a contract is signed by the customer and without regard to the customer’s actual knowledge of the tariff.”)

There are also decisions of the Public Utilities Commission that charge the Utility with the responsibility to enforce their tariffs pursuant to sections 532 and 453 of the Public Utility Code.

- Decision No. 90-12-019 (“Our conclusion in that case (D.90-02-044) that shareholders should be liable for associated revenue shortfalls was based on our view that Sections 532 and 453 required the utilities administer and enforce their tariffs.”) Section 532 prohibits a public Utility from charging different rates than are in its schedules on file, whereas section 453 prohibits granting any preference or advantage to any person as to rates, charges, services, or in any other respect.
- Decision No. 91-05-007 (“As we have said in other decisions, the utilities have a duty to take reasonable steps to enforce tariffs and to keep all costs down.”)
- Decision No. 90-11-058, (“We note that a Utility has an obligation to enforce its tariffs and to ensure that certain customers are not able to obtain free of charge services for which other customers must pay.”)

WATERCOMPANY

Original

Cal. P.U.C. Sheet No. 1-W

LOCATION

Cancelling

Cal. P.U.C. Sheet No.

TARIFF SCHEDULES

Applicable To

WATER SERVICE

including

Rates and Rules
Affecting Rates and Services
of

WATERCOMPANY

(Name of Utility)

MAILING ADDRESS

(Mailing Address, City, and ZIP)

Operating In or Near

CITY AND COUNTY

(City or Town and County)

Contact Person: _____

Telephone No. _____

Fax No. _____

e-mail: _____

(Mailing Address if different from above)

The following tariff schedules embracing Rates and Rules have been regularly filed with the Public Utilities Commission of the State of California and are the effective rates and rules of this utility.

No officer, inspector, solicitor, agent or employee of the utility has any authority to waive, alter or amend these schedules or any part thereof in any respect.

(To be inserted by utility)

Issued

(To be inserted by Cal. P.

Advice Letter No. 1-W

OWNER

Name

Date Filed

Dec. No. DECISIONNO.

TITLE

Title

Effective

Resolution No.

GUIDE TO NUMBERING RATE SCHEDULES

1. The rate schedule number will indicate the class of service as shown in the following tabulation. (These numbers have been selected to correspond generally to the revenue classes in the present uniform system of accounts for water utilities.)

Schedule

<u>No.</u>	<u>Class of Service</u>
------------	-------------------------

- | | |
|-----|---|
| 1. | Metered service. |
| 2. | Flat rate service. |
| 3. | Irrigation service. |
| 4. | Private fire protection service. |
| 5. | Public fire hydrant service. |
| 6. | Resale service. |
| 7. | Service to governmental agencies. |
| 8. | Interdepartmental service. |
| 9. | Other water service (such as construction service). |
| 10. | Service to company employees. |

2. Where appropriate, the number indicating the class of service will be followed by one or more of the suffixes shown below to further define the type of service covered by the schedule in those situation when the service rendered may be somewhat different than might be expected for the particular type of service.

Suffix.

Type of Service

- | | |
|---|--|
| A | Annual service. |
| C | Construction service under Schedule 9. |
| E | Special Charges. |
| F | Flat rate service for other than service under Schedule 9. |
| I | Industrial service, under Schedule 9. |
| L | Limited service, as to area or customers. |
| M | Measured service for other than service under Schedule 1. |
| O | Optional service. |
| R | Residential service. |
| S | Seasonal service. |
| T | Treated water (other than service under Schedule 1 or 2) utilized for human consumption. |
| U | Untreated water for other than irrigation service. |
| W | Off season or winter irrigation service. |
| X | Temporary service. |
| Z | Surplus water sales. |

3. When a tariff area has more than one rate zone (such as a lower and an upper elevation zone) each rate zone will be designated by a single identifying capital letter prefix followed by a hyphen placed ahead of the rate schedule

number indicating the class of service. For example, the zone prefixes for the Valley Rate Zone and the Hill Rate Zone could be V- and H-, respectively, followed by the class of service number and, where appropriate, the type of service suffix. If the Utility has more than one system, the zone prefix will follow the system prefix.

4. For a water Utility which has different rates established for its separately operated systems (such as districts or divisions of a multi-system Utility) the rate schedule numbers applicable to each system will be further codified by use of a system prefix comprising the first two letters of the system's name (tariff area), both capitalized. This prefix will be separated from the remainder of the schedule number designation by a hyphen. If the names of two systems have the same first two letters, the second letters should be changed to other distinguishing letters that will maintain the alphabetical sequence of the full names. For example, the designations for Normandy and Norwalk could be NM and NW.

5. Where a rate schedule is universally applicable throughout all of the systems of a multi-system or district Utility, the schedule number should have the prefix AA (applicable all areas), and the schedule heading should show that it is of general application, as follows:

Schedule No. AA-9FC

All Tariff Areas

CONSTRUCTION AND OTHER TEMPORARY FLAT RATE SERVICE

6. In rate schedules for individual systems of a multi-system Utility, the schedule number will be followed on separate lines by the tariff area name (and rate zone, where required) and by the class of service title, as indicated below:

Schedule No. BAC – 3ML

Bakersfield Tariff AreaCrest Zone

LIMITED MEASURED IRRIGATION SERVICE

7. Some examples of rate schedule numbers are:

Schedule No. 1	(metered service, single-system Utility)
Schedule No. 2S	(seasonal, flat rate service, single-system Utility)
Schedule No. U-3F	(flat rate irrigation service, upper zone, single-system Utility)
Schedule No. BA-3M	(Bakersfield tariff area, measured irrigation service)
Schedule No. VA-9MI	(Vacaville District, metered industrial service)
Schedule No. SUH-1X	(Suburban tariff area, Hill Zone, temporary metered service)

8. The following material lists typical wording for the “applicability” portion of the rate schedule.

Schedule

<u>No</u>	<u>APPLICABILITY</u>
1	Applicable to all metered water service or sewer that uses metered water as the basis.
1A	Applicable to all metered water or sewer service furnished on an annual basis
1S	Applicable to all metered water or sewer service furnished on a seasonal basis.
2	Applicable to all flat rate water or sewer service.
2A	Applicable to all flat rate water or sewer service furnished on an annual basis.
2LX	Applicable to all flat rate water service furnished on a limited temporary basis.
2R	Applicable to all flat rate residential water or sewer service.
2RA	Applicable to all flat rate residential water or sewer service furnished on an annual basis.
2RS	Applicable to all flat rate residential water service or sewer furnished on a seasonal basis.
2X	Applicable to all flat rate residential water service furnished on a temporary basis.
3FL	Applicable to all flat rate irrigation service furnished on a limited basis.
3M	Applicable to all measured irrigation service.
3ML	Applicable to all measured irrigation service furnished to the lands owned by John A. Doe as of January 1, 1942.
4	Applicable to all water service furnished to privately owned fire protection systems.
5	Applicable to all fire hydrant service furnished to municipalities, organized fire districts and other political subdivisions of the State.
6	Applicable to all water service furnished for resale purposes.
7F	Applicable to all flat rate water service furnished to public parks.
9E	Applicable to all service furnished under schedules for metered and flat rate water service. (For service establishment or other special charges.)
9FC	Applicable to all flat rate water service furnished for general construction.
9M	Applicable to all tank truck water sales.
9MC	Applicable to all measured water service furnished for street paving, grading and trench flooding and for delivery to tank trucks.
10R	Applicable to all residential water service furnished to regular and pensioned

employees of the company.

Note: Other specialized schedules shall follow the same order of designation outlined above, i.e., first, flat rate or metered; second, purpose or use of water; third, limitations.

9. Some examples of territorial descriptions are given below. The phrase “and vicinity” will usually be included in the territory description.

TERRITORY

Los Altos and vicinity, Santa Clara County.

Keeler and vicinity, Inyo County.

Graeagle and vicinity, located approximately 12 miles southwest of Portola, Plumas County.

Tracts Nos. 1187 and 1188, and vicinity, located three miles north of Simi, Ventura County.

Tahoe Valley Center, Gardner Mountain Subdivision, Tamarack Subdivision and Tucker Subdivision, and vicinity, located in Tahoe Valley, El Dorado County.

Portions of Bellflower, Lakewood and Paramount, and vicinity, Los Angeles County.

Tracts Nos. 9389, 9775, 9856 and 1138, located in portions of Downey and Pico Rivera, and vicinity, Los Angeles County.

*****REVIEW AND ROUTE AS INDICATED*****

CALIFORNIA PUBLIC UTILITIES COMMISSION Advice Letter Filing Summary Sheet		<u>(Date Filed / Received Stamp by CPUC)</u>	
Company Name: _____		CPUC Utility Number U - _____	
Address: _____			
City, State, Zip: _____			
AL #: _____		Requested Effective Date: _____	
		<input type="checkbox"/> Resolution Required?	
Contact Name: _____		Email Address: _____	
Phone No.: _____		Fax No.: _____	
Filer			
Alternate			No. Tariff Sheets: _____
(Name, email address & Phone and FAX numbers <u>are required</u> for "Filer")			
Annual Revenue Change: \$ _____ % _____			
Date Filed with the CPUC _____		Date Served to the Service List _____	
Tariff Schedule Nos: _____			
Subject of filing: _____ <small>(Service(s) included)</small>			
Authorization for filing: _____ <small>(Resolution #, Decision #, etc.)</small>			
Related Advice Letter(s): _____ <small>(Similar service, replacement filing)</small>			
Notes/Comments: _____ <small>(Other information & reference to advice letter, etc.)</small>			
<u>Send Protest and/or Correspondence within 20 days to:</u>		Director, Division of Water and Audits 505 Van Ness Ave., San Francisco, CA 94102	
<u>and if you have email capability, also email to:</u>		water_division@cpuc.ca.gov	
<u>Protest also must be served on Utility:</u>		(see attached advice letter for more information)	
(FOR CPUC USE ONLY)			
<input type="checkbox"/> WTS Program/Activity/Type _____/_____/_____		Supv. / Analyst _____ / _____	
<input type="checkbox"/> Resolution Required		Due Date to Supv.: _____	
<input type="checkbox"/> WD Suspension on: ____ / ____ / ____		Analyst Completion Date: _____	
<input type="checkbox"/> Comm. Suspension on: ____ / ____ / ____		Supervisor Approval Date: _____	
Resolution No.: W - _____		AL / Tariff Effective Date: _____	
Rev. 04/01/05		Notes: _____	

ADVICE LETTER (AL) SUSPENSION NOTICE *

DIVISION OF WATER AND AUDITS

Utility Name _____ Date Utility Notified ____/____/____ via:
 Utility No./Type _____ [] Fax No. () _____
 Advice Letter No. _____ [] E-Mail _____
 Date AL filed _____ [] Mail _____
 Utility Contact Person _____ Date Calendar Clerk Notified ____/____/____
 Utility Telephone No. () _____ Date Commissioners/Advisors Notified ____/____/____
 WD Staff Analyst _____

[] FIRST SUSPENSION (up to 120 DAYS)

This is to notify you that the above-indicated AL is suspended from ____/____/____ to ____/____/____ for the following reason(s). If the Commission does not act on this AL within this time, the second suspension will commence automatically.

- [] AL Protested
- [] Resolution is required
- [] AL not in compliance with Commission Statute/Decision/Resolution
- [] Additional information is required
- [] Additional time is required
- [] Other _____

[] SECOND SUSPENSION (180 DAYS)

The Commission has not taken action on this AL; therefore, an additional 180-day suspension period will automatically commence on ____/____/____.

If you have any questions regarding this matter, please contact _____ at _____ or via e-mail at _____.

 Hilda Pay, Project Manager
 Division of Water and Audits

* Reference – Resolution M-4801, dated April 19, 2001

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



Date

Name

Address

City, St ZIP

Dear (Mr./Ms.) _____ Name _____:

I am replying to your recent letter of _____ concerning Any Water Company's Notice of Rate Increase.

The Commission staff is now in the process of thoroughly reviewing Any Water Company's request for this offset rate increase. The purpose of this type of increase is to permit a Utility to recover, on a dollar-for-dollar basis, increases in (power, water, etc.) costs that are beyond its control. Commission procedures in authorizing offset increases ensure that the Utility receives no profit from the increase.

Thank you for your time and concern.

Very truly yours,

_____, (Analyst, Utilities Engineer)

Water and Sewer Advisory Branch

Division of Water and Audits

PROCESSING FINANCING APPLICATION/ADVICE LETTER

TIME SCHEDULE

<u>ACTIVITY</u>	<u>DAY</u>	
	Application	Advice Letter
Filing received by Docket Office	0	
Filing received by Division of Water and Audits		0
Filing appears on Commission's Daily Calendar	5	7
SB960 Commission categorizes filing as ratesetting, adjudicatory, or quasi-legislative	19	
Filing categorized as ratesetting	20	10
Assigned to Examiner/Staff Analyst		
Processing	30	20
- Review filing for completeness		
- Send Utility Supplemental Data Request		
- Correspond with Utility/other parties		
- Write draft decision/resolution		
Filings coupled with surcharge	75	65
- Utility provides notice to customers		
- Public meeting conducted		
- Protests and response to protests		
- Continue writing draft decision/resolution		
Draft Decision/Resolution completed and signed out by ALJ Office/Commissioner's Office	85	75
- Changes/Revisions		
- Advice Letters may be converted to formal if controversial		
- Agenda No. assigned/draft distributed		
Commission Meeting	101	91
Utility pays financing fee; decision/resolution issued and mailed out	105	95

WATER ADVISORY BRANCH
DRAFT RESOLUTION ROUTE SHEET

Resolution No. _____ Meeting Date _____
 Utility Name _____ Adv. Ltr. No. _____
 Process Deadline _____

 (Pls. attach the AL workfolder with the draft resolution.)

A. PROJECT TEAM REVIEW & APPROVAL

		Comments and Changes (Indicate the pages)
1. Originator/ Author	Date _____	_____
Name _____		_____
Phone _____		
Note: 1 - Branch to prepare compliance filing?		_____(Y) ____ (N)
2 - Send OA copy to JRB and JLJ.		
2. Project Engineer	Date _____	_____

3. Program Supervisor	Date _____	_____

B. ADMINISTRATIVE REVIEW & APPROVAL

1. Tariff Unit	Date _____	_____
a. Process for management approval		_____
b. Assign Resolution Number		
2. Fred L. Curry	Date _____	_____

3. Kayode Kajopayie	Date _____	_____

4. Kevin Coghlin	Date _____	_____

C. FINAL DRAFTING AND PROCESSING FOR COMMISSION AGENDA
(Pls. write additional instructions, if any.)

Appendix G
PROPOSED RESOLUTION



THIS SHEET MUST ACCOMPANY THE ORIGINAL COPY OF THE PROPOSED RESOLUTION, BE PROPERLY FILED OUT, AND BE SIGNED BY THE DIVISION BEFORE IT WILL BE CONSIDERED FOR THE COMMISSION AGENDA

ADVICE LETTER: _____ ASSIGNED BRANCH: _____
 FILED BY: _____
 DATE FILED: _____ COMMISSION MEETING: _____

	NAME	INITIAL	DATE
BRANCH CHIEF			
DIRECTOR			
ASSIGNED COMMISSIONER			

PROTESTS? YES ☐ NO ☐
 CONTROVERSIAL YES ☐ NO ☐
 REQUIRES DISCUSSION YES ☐ NO ☐
 READY FOR DISTRIBUTION DATE _____
 CONSENT CALENDAR YES ☐ NO ☐
 SUBJECT TO PUBLIC COMMENT? YES ☐ NO ☐

RESOLUTION SUMMARY

Date signed: _____

W-2
9/7/2000

State of California
Public Utilities Commission
San Francisco

MEMORANDUM

Date: September 5, 2000

To: The Commission
(Agenda Distribution List)

From: Director Smith

File No: W-XXXX, Any Water Company Loan Approval

Subject: Agenda item W-2 for September 7, 2000 Meeting

As a result of the City of Any meeting on August 31, 2000, I have revised the resolution to deny the Utility's request for loan approval at this time. This resolution does approve a \$100,000 planning loan that will have no immediate rate impact, and orders the Utility to pursue approval of the filtration project easement appeal.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



December 19, 2006

Draft Resolution No. W- 4630

Agenda ID # 6254

TO: Parties to California Water Service Water Company's Appeal to Alco's Advice Letter
No. 107-W.

This is the draft Resolution of the Division of Water and Audits (DWA). This draft Resolution will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on a draft Resolution, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare a different Resolution. Only when the Commission acts does the Resolution become binding on the parties.

Parties may submit comments on the draft Resolution. An original and two copies of the comments, with a certificate of service, should be submitted to:

Fred L. Curry
Division of Water and Audits
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Fax: 415-703-4426

Any comments on the draft Resolution must be received by the DWA by January 18, 2007. Those submitting comments must serve a copy of their comments on 1) the service list attached to the draft Resolution, 2) all Commissioners, and 3) the Director of the DWA, on the same date that the comments are submitted to the DWA.

Comments shall be limited to five pages in length plus a subject index listing the recommended changes to the draft Resolution, a table of authorities, and an appendix setting forth the proposed findings and ordering paragraphs.

Comments shall focus on factual, legal, or technical errors in the draft Resolution. Comments that merely reargue positions taken in the advice letter or protests will be accorded no weight and are not to be submitted.

Late submitted comments will not be considered.

Thomas Doubting, Director
Division of Water and Audits

Enclosures: Draft Resolution W-4630
Certificate of Service
Service List

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of draft Resolution No. W-4630 on all parties in these filings or their attorneys as shown on the attached list.

Dated December 19, 2006, at San Francisco, California.

Josie L. Jones

NOTICE

Parties should notify the Division of Water and Audits, Public Utilities Commission, 505 Van Ness Avenue, Room 3106, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the Resolution number of the service list on which your name appears.

CPUC01 NAMING CONVENTIONS	WEBPUB NAMING CONVENTIONS
Agenda Resolutions (Res-A) Res. W-4310 (Rate Increase for Bakman)	Agenda Resolutions (Res-A) Agenda Resolution W-4310 (Rate Increase for Bakman)
Final Resolution (Res-F) Resolution W-4310 (Rate increase for Bakman Water Company)	Final Resolution (Res-F) Resolution W-4310 (Rate increase for Bakman Water Company)

Each proposed agenda item that our process office mails to the public is to be posted on the "Agenda Mailed Date" (10 days before the Commission Meeting)

Each time an agenda item is held over it needs a new CPUC01 number.

Finalize signed agenda items prior to the close of business the following day.

Approver: The Branch Chief or whomever is designated.

NOTE: Each time an agenda item is held over to a new commission meeting date, the held item is to have a new CPUC01 number.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



September 5, 20XX

File No. 602-9

I. M. Regulated, Owner
Regulated Small Water System
100 Harms Way
GAMMA, CA 96075

Dear Mr. Regulated:

The Commission has received and filed the Utility's Advice Letter No. 15-W, together with the following revised Cal. P.U.C. Tariff Sheets, that were submitted for processing:

Cal. P.U.C.

Sheet No.

Title of Sheet

140-W	Schedule No. 1A, Annual Metered Service
141-W	Schedule No. 2RA, Annual Residential Flat Rate Service
142-W	Table of Contents

We are returning a copy of the approved advice letter and tariff sheets, with the filing and effective dates shown, for the Utility's files.

Very truly yours,

R. D. WORKER
Program Technician III
Water Branch

Enclosures

cc: Sam Pler, Consultant

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 7, 20XX

File No. 602-19

Dan Sharpe
Director, Rates and Revenues
Regulated Water Company
123 Main St
P O Box 100
DELTA, CA 99000-0100

Dear Mr. Sharpe:

The Commission passed Resolution No. W-4XXX on August 3, 2000, which authorized the tariff revisions proposed in the Utility's Advice Letter No. 100. We have thus processed the advice letter and the following revised Cal. P.U.C. Tariff Sheets, applicable to its Los Angeles County Division, that were submitted:

<u>Cal. P.U.C. Sheet No.</u>	<u>Title of Sheet</u>
1525-W, 1526-W	Schedule No. 1, General Metered Service
1527-W, 1528-W	Schedule No. 3L, Limited Irrigation Service
1529-W, 1530-W	Schedule No. 6, Reclaimed Water Metered Service
1531-W, 1532-W	Table of Contents

Enclosed is a copy of the approved resolution, advice letter, and tariff sheets with the filing and effective dates shown, for the Utility's files.

Very truly yours,

R. D. WORKER
Program Technician III
Water Branch

Enclosures

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**DIVISION OF WATER AND AUDITS
Water and Sewer Advisory Branch**

**RESOLUTION NO. W-XXXX
March 10, 2000**

RESOLUTION

**(RES. W-XXXX), ANY WATER COMPANY. ORDER
CORRECTING NONSUBSTANTIVE ERRORS IN
RES. W-XXXX**

SUMMARY

The commission has been informed of nonsubstantive errors in Res. W-XXXX which was passed on December 16, 20XX. The resolution did not include reference to modification of other rule and form pertaining to customer deposits. To correct this, attached are Rule No. 5, Special Information Required on Forms, and Form No. 2, Customer Deposit Receipt

Pursuant to Resolution A-4661.

IT IS ORDERED that:

1. Page 2 of Resolution W-XXXX is hereby replaced. Pages 3 through 6 of Appendix B. are hereby added.
2. This order is effective today.

Signed and dated in San Francisco, California on March 10, 20XX

X. L. Lent
Executive Director

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



June 23, 2005

Mr. Roger Any
Chairman & Chief Executive Officer
Any Water Company
P.O.Box 12345
ANYWHERE CA 95123

Dear Mr. Any:

On June 21, 2005, you requested via electronic mail an extension of time for Any Water Company to submit its General Rate Case application required by Decision 04-01-001. You stated that Any Water currently has pending before the Commission Advice Letter 17 requesting Commission authorization to use the Advice Letter process for this General Rate Case, rather than the application process. You requested an extension of time to comply with the application filing requirement in D.04-01-001 until 20 days after the Commission rules on your Advice Letter filing request. You also informed me that the Office of Ratepayer Advocates objects to any extension beyond the current application due date of July 1, 2005.

For good cause shown, your request is granted. Any Water Company's General Rate Case application shall be filed no later than 20 days after the Commission acts on Advice Letter 17, but no later than September 16, 2005.

In accordance with Rule 48(b), you are instructed to provide copies of this letter to the Service List in R.03-09-005.

Very truly yours,

X. L. Lent
Executive Director

Cc: ALJ Karen Aboutcha
Thomas Doubting, Director, Division of Water and Audits