

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

**Advice Letter Cover Sheet**

**Utility Name:** San Jose Water Company

**Date Mailed to Service List:** 4/6/2018

**District:** N/A

**CPUC Utility #:** U-168-W

**Protest Deadline (20<sup>th</sup> Day):** 4/26/2018

**Advice Letter #:** 520

**Review Deadline (30<sup>th</sup> Day):** 5/6/2018

**Tier**    ☒ 1    ☐ 2    ☐ 3    ☒ Compliance

**Requested Effective Date:** 4/11/2018

**Authorization**    Commission Direction

**Rate Impact:** \$0

**Description:** Rule 19 – Metering of New Multi-Tenant  
Buildings

0%

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

**Utility Contact:** John Tang

**Utility Contact:** Ann Lindahl

**Phone:** 408-279-7933

**Phone:** 408-279-7979

**Email:** john.tang@sjwater.com

**Email:** ann.lindahl@sjwater.com

**DWA Contact:** Tariff Unit

**Phone:** (415) 703-1133

**Email:** [Water.Division@cpuc.ca.gov](mailto:Water.Division@cpuc.ca.gov)

**DWA USE ONLY**

DATE

STAFF

COMMENTS

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

[ ] APPROVED

[ ] WITHDRAWN

[ ] REJECTED

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

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

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

\_\_\_\_\_



110 W. Taylor Street  
San Jose, CA 95110-2131

April 6, 2018

California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Advice Letter No. 520

San Jose Water Company (U-168-W) (SJWC) hereby transmits for filing the following changes in tariff schedules applicable to its service area and which are attached hereto:

<u>Cal. P.U.C Sheet No.</u>	<u>Title of Sheet</u>	<u>Cancelling Cal. P.U.C. Sheet No.</u>
1901-W	Rule No. 19 Service to Separate Premises and Multiple Units, and Resale of Water (Continued)	495-W
1902-W	Table of Contents (Continued)	1899-W
1903-W	Table of Contents	1900-W

### Background

Senate Bill 7 (SB 7), signed into law on September 25, 2016, adds a provision to the California water code that prohibits water utilities like SJWC from providing water service to new multiunit residential structures or new mixed-use (residential/commercial) structures unless the residences in those buildings are metered or submetered.

SJWC's current Tariff Rule 19 addresses "Service to Separate Premises and Multiple Units, and Resale of Water." To implement the new requirement of SB 7, SJWC proposes to add a section at the end of Tariff Rule 19 that includes the relevant specific language of SB 7. This will facilitate SJWC's ability to enforce this mandate with developers of new construction.

Specifically, SJWC proposes to add the following new section at the end of Rule 19:

#### D. Newly Constructed Multiunit Structures

In compliance with Water Code Section 537.1, the utility shall not sell, lease, rent, furnish, or deliver water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted, without requiring a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The measurement may be by individual water meters or submeters.

### Purpose

In accordance with General Order (GO) No. 96B – Water Industry Rule 7.3.1(3), this advice letter is designated as a Tier 1 Advice Letter. With this advice letter, SJWC requests authority to update the Rule 19 to comply with the requirements of SB 7.

These tariffs are submitted pursuant to GO No. 96-B and in accordance with Commission direction. This advice letter will have no impact on rates.

### Effective Date

SJWC requests that the updated tariff sheets become effective upon 5 days after the filing of this advice letter.

### Protests and Responses

Anyone may respond to or protest this advice letter. A response does not oppose the filing but presents information that may prove 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 may include the following:

- (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;
- (4) The relief requested in the advice letter is pending before the Commission in a formal proceeding;
- (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 response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

Tariff Unit, Water Division, 3<sup>rd</sup> floor  
California Public Utilities Commission,  
505 Van Ness Avenue  
San Francisco, CA 94102  
water\_division@cpuc.ca.gov

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

Regulatory Affairs  
San Jose Water Company  
110 West Taylor Street  
San Jose, CA 95110  
Fax 408.279.7934  
regulatoryaffairs@sjwater.com.

The advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period. Public notice is not required.

In compliance with Paragraph 4.3 of General Order 96-B, a copy of this advice letter has been mailed to all interested and affected parties as detailed in Attachment A.

SJWC has Advice Letters 518, and 519 pending before the Commission.

This filing will not cause the withdrawal of service, nor conflict with other schedules or rules.

Very truly yours,

/S/ JOHN TANG  
JOHN TANG  
Vice President of Regulatory Affairs

Enclosure

**SAN JOSE WATER COMPANY**

**ADVICE LETTER NO. 520**

**ATTACHMENT A**

SAN JOSE WATER COMPANY (U-168-W)  
Advice Letter No. 520

Attachment A

Page 1 of 2

A copy of Advice Letter No. 520 has been sent to the following municipalities, water companies and interested parties:

City of San Jose  
Municipal Water Dept.  
Attn: Jeffrey Provenzano  
3025 Tuers Road  
San Jose, CA 95121

San Jose Mercury News  
Attn: Paul Rogers  
4 N. Second Street, Suite 800  
San Jose, CA 95113

California Water Service Co.  
Attn: Regulatory Affairs  
1720 North First Street  
San Jose, CA 95112

Town of Los Gatos  
Attn: Director of Public Works  
110 E. Main Street  
Los Gatos, CA 95032

City of Cupertino  
10300 Torre Avenue  
Cupertino, CA 95014

City of Monte Sereno  
Attn: Director of Public Works  
18014 Saratoga-Los Gatos Road  
Monte Sereno, CA 95030

City of Campbell  
70 North First Street  
Campbell, CA 95008

City of Saratoga  
Attn: Director of Public Works  
13777 Fruitvale Avenue  
Saratoga, CA 95070

City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

County of Santa Clara  
70 W. Hedding Street  
San Jose, CA 95110

Great Oaks Water Company  
P.O. Box 23490  
San Jose, CA 95153

Department of Water Resources  
Safe Drinking Water Office,  
Room 804  
1416 9<sup>TH</sup> Street  
Sacramento, CA 95814

City of Milpitas  
Attn: Utilities Engineering  
455 East Calaveras Blvd.  
Milpitas, CA 95035

Santa Clara Valley Water  
District  
5750 Almaden Expressway  
San Jose, CA 95118

Nina Hawk  
Chief Operating Officer  
Water Utility Enterprises  
Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118

Gillette Mutual Water Company  
21976 Gillette Drive  
Los Gatos, CA 95033

Bob Burke  
Regulatory Liaison For The Six  
Mutual Water Companies  
420 Alberto Way, Unit 49  
Los Gatos, Ca 95032

Brush & Old Well Mutual  
Water Company  
21105 Brush Road  
Los Gatos, CA 95033

Oakmount Mutual Water Company  
P.O. Box 31536  
Stockton, CA 95213

Summitt West Mutual Water Company  
P.O. Box 974  
Los Gatos, CA 95031

Ridge Mutual Water Company  
22316 Citation Drive  
Los Gatos, CA 95033

Villa Del Monte Mutual Water Company  
P.O. Box 862  
Los Gatos, CA 95031

Big Redwood Park Water  
& Improvement Assoc.  
18522 Mt. View Avenue  
Los Gatos, CA 95033

Redwood Estates Services Association  
PO Box 591  
Redwood Estates, CA 95044-0591

Stagecoach Mutual Water Co  
21825 Stagecoach Road  
Los Gatos, CA 95033

Mt. Summit Mutual Water Co  
P.O. Box 3416  
Saratoga, CA 95070

Mountain Springs Mutual Water Co.  
17956 Greenwood Road  
Los Gatos, CA 95033

Raineri Mutual Water Company  
P.O. Box 11  
Los Gatos, CA 95031

James Hunter  
6475 Dwyer Street  
San Jose, CA 95120

Saratoga Heights Mutual Water Company  
P.O. Box 337  
Saratoga, CA 95071

WRATES  
Rita Benton  
18555 Ravenwood Drive  
Saratoga, CA 95070

Saratoga City Council Member  
Rishi Kumar  
13777 Fruitvale Avenue  
Saratoga, CA 95070

Pat Kearns, MD  
7 W Central Ave  
Los Gatos, CA 95030

Rule No. 19

SERVICE TO SEPARATE PREMISES AND MULTIPLE UNITS, AND RESALE OF WATER  
(Continued)

C. Resale of Water

Except by special agreement with the utility, or except as  
Provided in B.2.b above, no customer shall resell any of the  
water received from the utility, nor shall such water be  
delivered to premises other than those specified in such  
customer's application for service.

D. Newly Constructed Multiunit Structures

(N)

In compliance with Water Code Section 537.1, the utility shall not sell, lease, rent, furnish,  
or deliver water service to a newly constructed multiunit residential structure or newly  
constructed mixed-use residential and commercial structure for which an application for a water  
connection, or more than one connection, is submitted, without requiring a measurement of the  
quantity of water supplied to each individual residential dwelling unit as a condition of new water  
service. The measurement may be by individual water meters or submeters.

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|  
|  
|  
|  
(N)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice No. 520

JOHN TANG

Date Filed \_\_\_\_\_

Vice President,

Effective \_\_\_\_\_

Dec. No. \_\_\_\_\_

Regulatory Affairs

Resolution No. \_\_\_\_\_

TITLE



TABLE OF CONTENTS  
(Continued)

<u>Subject Matter of Sheet</u>	<u>C.P.U.C.</u> <u>Sheet No.</u>	
Rules		
No. 10 Disputed Bills	484-W and 485-W	
No. 11 – Discontinuance and Restoration of Service	826-W thru 829-W, 1055-W, 1067-W, 1068-W, 833-W	
No. 12 - Information Available to Public	1132-W and 365-W	
No. 13 - Temporary Service	366-W and 367-W	
No. 14 - Continuity of Service	368-W	
No. 14.1 – Water Conservation and Rationing Plan	1658-W, 1659-W, 1778-W, 1779-W 1662-W, 1663-W, and 1664-W	
No. 15 - Main Extensions	722-W thru 734-W, 1898-W, 923-W	
No. 16 - Service Connections, Meters, and Customer's Facilities	735-W thru 738-W, 977W and 740-W thru 742-W	
No. 17 – Standards for Measurement of Service	375-W	
No. 18 – Meter Tests and Adjustment of Bills for Meter Error	376-W, 383-W and 384-W	
No. 19 – Service to Separate Premises, and Multiple Units, and Resale of Water	495-W and 1901-W	(C)
No. 20 – Water Conservation	318-W	
No. 21 – Military Family Relief Program	1225-W and 1226-W	
No. 22 – Customer Information Sharing	1464-W	
Sample Forms:		
No. 1 - Application for Water Service – New	378-W	
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No. 2 - Portable Meter Deposit	534-W	
No. 2A – Portable Meter Customer – Terms	1119-W	
No. 3 - Bill Form	1313-W	
No. 3A – Past Due Notice (10-Day Notice)	1429-W	
No. 3B – Final Notice (Individually Metered Customers)	1441-W	
No. 3D – Closing Bill	1316-W	
No. 3E – 15-Day Tenant Notice (Master Metered Customers)	1430-W	
No. 3F – Electronic Bill Form	1317-W	
No. 4 - Main Extension Contract, “B Rule” – Individual Utility Install	813-W	
No. 5 - Main Extension Contract, “B Rule” – Individual Applicant Install	814-W	

(Continued)

(To be inserted by utility)

Issued by

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Advice No. 520

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Resolution No. \_\_\_\_\_

TITLE

TABLE OF CONTENTS

The following listed tariff sheets contain all effective rates, rules and regulations affecting the rates and service of the Utility, together with information relating thereto:

Subject Matter of Sheet	C.P.U.C. Sheet No.	
Title	1495-W	
Table of Contents	1903-W, 1795-W, 848-W and 1831-W	(T)
Preliminary Statement	919-W, 1303-W, 1699-W, 1700-W, 1702-W, 1420-W, 1889-W, 1427-W, 1469-W, 1492-W, 1508-W, 1542-W, 1799-W, 1818-W and 1873-W	
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Service Area Map Locator, Index	1589-W	
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Rate Schedules:		
Schedule No. 1, General Metered Service	1891-W, 1840-W and 1881-W	
Schedule No. 1B, General Metered Service With Automatic Fire Sprinkler System	1892-W, 1741-W, 1882-W and 1883-W	
Schedule No. 1C, General Metered Service Mountain District	1893-W, 1744-W, 1884-W and 1885-W 1894-W and 1621-W	
Schedule No. 4, Private Fire Service		
Schedule No. 9C, Construction and Other Temporary Metered Service	1118-W and 1094-W	
Schedule No. 10R, Service to Employees	152-W	
Schedule No. 14.1 Water Shortage Contingency Plan With	1668-W, 1669-W, 1780-W, 1671-W, 1672-W, 1673-W, 1766-W, and 1820-W	
Staged Mandatory Reductions And Drought Surcharges		
Schedule No. RW, Raw Water Metered Service	1895-W, 1886-W and 1887-W	
Schedule No. RCW, Recycled Water Metered Service	1896-W and 1848-W	
Schedule No. UF, Surcharge to Fund Public Utilities Commission, Reimbursement Fee	1871-W	
Schedule No. WRAP, Water Rate Assistance Program	1723-W and 1211-W	
List of Contracts and Deviations	1857-W	
Rules:		
No. 1 - Definitions	764-W and 976-W	
No. 2 - Description of Service	525-W	
No. 3 - Application for Service	351-W and 903-W	
No. 4 - Contracts	352-W	
No. 5 - Special Information Required on Forms	821-W thru 823-W	
No. 6 - Establishment and Re-establishment of Credit	354-W	
No. 7 - Deposits	355-W and 356-W	
No. 8 - Notices	1054-W and 825-W	
No. 9 - Rendering and Payment of Bills	996-W, 997-W and 1146-W	

(Continued)

(To be inserted by utility)

Issued by

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JOHN TANG

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TITLE