

110 West Taylor Street San Jose, CA 95110 Phone 408 279-7900 Fax 408 279-7934

May 2, 2016

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

Advice Letter No. 487

The 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 here to:

Cal. P.U.C. Sheet No.	Title of Sheet	Canceling Cal. P.U.C. Sheet No.
1732-W	Schedule No. 1 General Metered Service (Continued)	1704-W
1733-W	Schedule No. 1B General Metered Service with Automatic Fire Sprinkler System (Continued)	1728-W
1734-W	Schedule No. 1C General Metered Service Mountain District (Continued)	1729-W
1735-W	Schedule No. RW Raw Water Metered Service (Continued)	1730-W
1736-W	Table of Contents	1731-W

These tariffs are submitted pursuant to General Orders Nos. 96-B – Water Industry Rule 7.3.1(3) and pursuant to the authority established by the California Public Utilities Commission (Commission) in Decision (D.) 14-08-006, dated August 14, 2014 (**Attachment A**) as modified by D.15-03-048 (**Attachment B**). This advice letter is designated a Tier I Advice Letter in compliance with GO 96B.

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA ADVICE LETTER NO. 487

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#### Effective Date

SJWC requests that the proposed surcharges become effective May 6, 2016.

### Purpose

With this advice letter SJWC seeks to re-implement a \$0.0360 per 100 cu. ft surcharge to amortize the uncollected balance of \$651,387 remaining from the interim rate true-up recovery originally approved in D.14-08-006 as amended by D.15-03-048. SJWC estimates this surcharge will need to be effective for a period of approximately 6 months to complete the recovery.

### **Background**

SJWC filed a General Rate Case Application 12-01-003 on January 3, 2012 for test year 2013 rates. In accordance with an ALJ Ruling SJWC implemented interim rates effective January 1, 2013 and created a memorandum account to track the difference between interim rates and the final rates adopted in A.12-01-003. On August 14<sup>th</sup>, 2014, the Commission issued D.14-08-006 authorizing rate increases for 2013 and 2014 (due to the delayed Decision) and interim rate recovery through the effective date of the Decision. SJWC implemented a surcharge to recover interim rate true-up revenue through the effective date of the Decision via AL 465 effective September 29, 2014.

On September 15, 2014, SJWC filed an Application for Rehearing of Decision 14-08-006. SJWC argued that D.14-08-006 unlawfully failed to allow SJWC to "true up" its interim rates to the level of adopted rates for escalation year 2014 through the effective date of those rates. This occurred due to the difference in timing of effective rates for escalation year 2014 (September 29<sup>th</sup>, 2014)<sup>1</sup> versus the end of the interim true-up period as stated in D.14-08-06 (August 14<sup>th</sup>, 2014).<sup>2</sup> Effectively, for a 45 day period before escalation year rates became effective, but after the close of the interim true-up period, SJWC was not allowed to collect the difference between interim and actual rates.

In D.15-03-048: Order Granting Limited Rehearing and Modifying D.14-08-006 and Denying Rehearing of Decision, as Modified, in All Other Respects (Attachment B), the Commission determined that "SJWC should be authorized to 'true up' its rates during this 45 day period." Subsequently, Ordering Paragraph No. 3 of D.15-03-048, states that:

<sup>&</sup>lt;sup>1</sup> D.14-08-006 OP #3 provided that 2014 escalation year rates could be come effective no earlier than 45-days from the date of advice letter filing. SJWC filed AL 464 to implement escalation year 2014 rates on August 15<sup>th</sup>, 2015. The escalation year rates became effective on September 29<sup>th</sup>, 2014, 45 days after filing.

<sup>&</sup>lt;sup>2</sup> D.14-08-006 OP #2 provided that the interim rate true up surcharge shall include differences between interim rates and adopted rates through the 2014 escalaction year up to the effective date of the Decision, which was August 14, 2014.

<sup>&</sup>lt;sup>3</sup> D.15-03-048, page

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### "3. Ordering Paragraph 2 of D.14-08-006 is modified to read:

San Jose Water Company is authorized to file by Tier 1 Advice Letter for a surcharge to true-up the difference between interim rates and adopted rates. The surcharge must comply with Standard Practice U-27-W. The Tariff implementing the surcharge may be included in the filing authorized in Ordering Paragarph 2 or filed after SJWC calculates the revenue difference between interim rates and adopted rates. As the effective date of this order is after the beginning of the 2014 escalation year, the surcharge shall include differences between interim rates and adopted rates through the 2014 escalation year up to the effective date of 2014 Escalation Year rates." [Emphasis added]

SJWC calculated the Interim True-Up (Rehearing) undercollected balance as \$1,939,980 and implemented a surcharge of \$0.0360 per ccf to collect the balance via AL 471. This surcharge was determined based on guidance provided in Standard Practice U-27-W and was intended to provide recovery within a 12-month period. AL 471 was approved effective May 6, 2015.

As of April 30, 2016, approximately twelve months from initial effective date of the surcharge implementation, there is a remaining under-collected balance of \$651,387 (**Attachment C**). This under-collection is due entirely to actual sales being substantially lower than the Commission authorized sales estimate which was used to calculate the surcharge amount.

With this Advice Letter SJWC seeks to re-implement the \$0.0360 per 100 ccf surcharge to recover the remaining \$651,387 uncollected balance. If the remaining undercollection is not amortized until SJWC's next General Rate Case (for Test Year 2019) this will create intergenerational inequity brought about by customers in 2019 paying for revenue shortfall incurred in 2013/2014. Clearly, some intergenerational inequity already exists, however, by allowing re-implementation of the surcharge the Commission will help mitigate this effect. SJWC recommends maintaining the surcharge at \$0.0360 per ccf to avoid customer confusion that would be caused by fluctuating surcharge levels. SJWC estimates that, with an effective date of May 6, 2016, the under-collected balance would be recovered within approximately 6 months. SJWC's billing system will allow the company to monitor the account balance and terminate the surcharge when the balance has been collected.

Public notice is not required as notice was completed at the time of SJWC's filing of A.12-01-003.

### Rate Calculation and Average Bill Comparison

Rates became effective March 30, 2016 by AL 483.

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As discussed above, SJWC proposes to re-implement the \$0.0360 per 100 ccf surcharge authorized by the Commission Decision 14-08-006 as amended by D.15-03-048. As a result of this surcharge the bill for a customer using 15 ccf per month will increase by \$0.54, or 0.62% (**Attachment C**).

### Protests and Responses

- (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. When submitting a response or protest please include the utility name and advice letter number in the subject line. 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

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San Jose, California 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.

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 D**.

SJWC currently has no Advice Letters outstanding before the Commission.

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

Very truly yours,

/S/ WES OWENS WES OWENS Director of Regulatory Affairs

Enclosures

### SAN JOSE WATER COMPANY (U-168-W) Advice Letter No. 487

Attachment D Page 1 of 2

A copy of Advice Letter No. 487 has been sent to the following municipalities, water companies and interested parties:

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

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

City of Cupertino 10300 Torre Avenue Cupertino, CA 95014

City of Campbell 70 North First Street Campbell, CA 95008

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

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

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

San Jose Mercury News Attn: Paul Rodgers 4 N. Second St., Suite 800 San Jose, CA 95113 Town of Los Gatos
Attn: Director of Public Works

110 E. Main Street Los Gatos, CA 95032

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

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

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

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

James M. Fiedler P.E., D.WRE Chief Operating Officer Water Utility Enterprises Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118

Brush & Old Well Mutual Water Company 20732 Brush Road Los Gatos, CA 95030

### SAN JOSE WATER COMPANY (U-168-W) Advice Letter No. 487

Attachment D Page 2 of 2

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

Marty Feldman P.O. Box 537 Los Gatos, CA 95031 Canceling

Revised Revised Cal. P.U.C. Sheet No. <u>1732-W</u> Cal. P.U.C. Sheet No. <u>1704-W</u>

#### Schedule No. 1

### GENERAL METERED SERVICE (Continued)

- 6. To offset the July 2013 increase in Purchased Water from the Santa Clara Valley Water District, beginning August 15, 2014, as required by Section 792.5 of the Public Utilities Code, an increase in purchased water costs of \$58.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.0739 per 100 cu.ft., are being tracked in a reserve account.
- 7. To offset the July 2013 increase in Ground Water Charges from the Santa Clara Valley Water District, beginning August 15, 2014, as required by Section 792.5 of the Public Utilities Code, an increase in ground water charges of \$58.00 /acre-foot, relative to the ground water charges adopted by D.14-08-006, and associated revenue increase of \$0.0623 per 100 cu.ft., are being tracked in a reserve account.
- 8. To offset the July 2014 increase in Purchased Water from the Santa Clara Valley Water District, beginning August 15, 2014, as required by Section 792.5 of the Public Utilities Code, an increase in purchased water costs of \$67.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.0853 per 100 cu.ft., are being tracked in a reserve account.
- 9. To offset the July 2014 increase in Ground Water Charges from the Santa Clara Valley Water District, beginning August 15, 2014, as required by Section 792.5 of the Public Utilities Code, an increase in ground water charges of \$67.00 /acre-foot, relative to the ground water charges adopted by D.14-08-006, and associated revenue increase of \$0.0719 per 100 cu.ft., are being tracked in a reserve account.
- To amortize the under-collection in Balancing Accounts, a surcharge of \$0.0492 per 100 cu.ft is to be added to the Quantity rate shown for a 6 month period beginning with the effective date of Advice Letter 481.
- 11. To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account, a surcharge of \$0.2888 per 100 cu.ft is to be added to the Quantity rate shown for a 36 month period beginning with the effective date of Advice Letter 465-B.
- 12. To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account (Rehearing), a surcharge of \$0.0360 per 100 cu.ft is to be added to the Quantity rate shown for a 6 month period beginning with the effective date of Advice Letter 487.
- 13. To offset the July 2015 increase in Purchased Water from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in purchased water costs of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1872 per 100 cu.ft., are being tracked in a reserve account.

(continued)

(To be inserted by utility)	Issued by	(To be inserted by Cal. P.U.C.)
Advice No. 487	PALLE JENSEN	Date Filed
Dec. No.	Senior Vice President,  Regulatory Affairs  TITLE	Effective Resolution No

Canceling

Revised Revised Cal. P.U.C. Sheet No. <u>1733-W</u>
Cal. P.U.C. Sheet No. <u>1728-W</u>

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Schedule No. 1B

### GENERAL METERED SERVICE WITH AUTOMATIC FIRE SPRINKLER SYSTEM (Continued)

- 11. To amortize the under-collection in Balancing Accounts, a surcharge of \$0.0492 per 100 cu.ft is to be added to the Quantity rate shown for a 6 month period beginning with the effective date of Advice Letter 481.
- 12. To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account, a surcharge of \$0.2888 per 100 cu.ft is to be added to the Quantity rate shown for a 36 month period beginning with the effective date of Advice Letter 465-B.
- 13. To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account (Rehearing), a surcharge of \$0.0360 per 100 cu.ft is to be added to the Quantity rate shown for a 6 month period beginning with the effective date of Advice Letter 487.
- 14. To offset the July 2015 increase in Purchased Water from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in purchased water costs of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1872 per 100 cu.ft., are being tracked in a reserve account.
- 15. To offset the July 2015 increase in Ground Water Charges from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in ground water charges of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1578 per 100 cu.ft., are being tracked in a reserve account.
- 16. To amortize the under-collection in the Mandatory Conservation Revenue Adjustment Memorandum Account, a surcharge of \$0.08 per 100 cu.ft. is to be added to the Quantity Rate shown for a 12-month period beginning with the effective date of Advice Letter 477.
- 17. To amortize the under-collection in the Water Conservation Memorandum Account from 2015, a surcharge of \$0.1441 per 100 cu.ft. is to be added to the Quantity Rate shown for a 12-month period beginning with the effective date of Advice Letter 486.

(To be inserted by utility)	Issued by	(To be inserted by Cal. P.U.C.)
Advice No. 487	PALLE JENSEN	Date Filed
	Senior Vice President,	Effective
Dec. No.	Regulatory Affairs	Resolution No.

**TITLE** 

Revised Canceling

Original

Cal. P.U.C. Sheet No. <u>1734-W</u> Cal. P.U.C. Sheet No. <u>1729-W</u>

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Schedule No. 1C

# GENERAL METERED SERVICE Mountain District (Continued)

16.	To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account (Rehearing),
	a surcharge of \$0.0360 per 100 cu.ft is to be added to the Quantity rate shown for a 6 month period
	beginning with the effective date of Advice Letter 487.

- 17. To amortize the over-collection of the Schedule 1C elevation charge within the 2013 GRC Interim Rates Memorandum Account (Rehearing), a one-time refund of \$3.06 per service connection will be added to the bills of all non-mutual customers beginning with the effective date of Advice Letter 471.
- 18. To amortize the over-collection of the Schedule 1C service charges collected from the Mutual Water Companies within the 2013 GRC Interim Rates Memorandum Account (Rehearing), a one-time refund is to be added to the bills of the Mutual Water Companies listed below beginning with the effective date of Advice Letter 471 as follows:

<u>Mutual:</u>	<u>C</u>	One-time Refund
Brush & Old Well Mutual Water		\$265
Gillette Mutual Water Co.		\$42
Oakmont Mutual Water Co.		\$116
Stagecoach Mutual Water Co.		\$30
Summit West Mutual Water Co.		\$402
Ridge Mutual Water Co.		\$352
Villa Del Monte Mutual Water Co.		\$455
Big Redwood Park Water & Improvement		\$177
Mountain Summit Mutual Water Co		\$20

- 19. To offset the July 2015 increase in Purchased Water from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in purchased water costs of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1872 per 100 cu.ft., are being tracked in a reserve account.
- 20. To offset the July 2015 increase in Ground Water Charges from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in ground water charges of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1578 per 100 cu.ft., are being tracked in a reserve account.
- 21. To amortize the under-collection in the Mandatory Conservation Revenue Adjustment Memorandum Account, a surcharge of \$0.08 per 100 cu.ft. is to be added to the Quantity Rate shown for a 12-month period beginning with the effective date of Advice Letter 477.
- 22. To amortize the under-collection in the Water Conservation Memorandum Account from 2015, a surcharge of \$0.1441 per 100 cu.ft. is to be added to the Quantity Rate shown for a 12-month period beginning with the effective date of Advice Letter 486.

(To be inserted by utility)	Issued by	(To be inserted by Cal. P.U.C.)
Advice No. 487	PALLE JENSEN	Date Filed
	Senior Vice President,	Effective
Dec. No	Regulatory Affairs	Resolution No.
	TITLE	

Canceling

<u>Revised</u>

Original

Cal. P.U.C. Sheet No. <u>1735-W</u> Cal. P.U.C. Sheet No. <u>1730-W</u>

Schedule No. RW

### RAW WATER METERED SERVICE (Continued)

11	l.To amortize the under-collection in Balancing Accounts, a surcharge of \$0.0492 per 100 cu.ft
	is to be added to the Quantity rate shown for a 6 month period beginning with the effective
	date of Advice Letter 481.

- 12. To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account, a surcharge of \$0.2888 per 100 cu.ft is to be added to the Quantity rate shown for a 36 month period beginning with the effective date of Advice Letter 465-B.
- 13. To amortize the under-collection in the 2013 GRC Interim Rates Memorandum Account (Rehearing), (T) a surcharge of \$0.0360 per 100 cu.ft is to be added to the Quantity rate shown for a 6 month period beginning with the effective date of Advice Letter 487.
- 14. To offset the July 2015 increase in Purchased Water from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in purchased water costs of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1872 per 100 cu.ft., are being tracked in a reserve account.
- 15. To offset the July 2015 increase in Ground Water Charges from the Santa Clara Valley Water District, as required by Section 792.5 of the Public Utilities Code, an increase in ground water charges of \$147.00 /acre-foot, relative to the purchase water costs adopted by D.14-08-006, and associated revenue increase of \$0.1578 per 100 cu.ft., are being tracked in a reserve account.
- 16. To amortize the under-collection in the Mandatory Conservation Revenue Adjustment Memorandum Account, a surcharge of \$0.08 per 100 cu.ft. is to be added to the Quantity Rate shown for a 12-month period beginning with the effective date of Advice Letter 477.
- 17. To amortize the under-collection in the Water Conservation Memorandum Account from 2015, a surcharge of \$0.1441 per 100 cu.ft. is to be added to the Quantity Rate shown for a 12-month period beginning with the effective date of Advice Letter 486.

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Advice No. 487	PALLE JENSEN	Date Filed
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Dec. No	Regulatory Affairs	Resolution No.
	TITLE	

Revised Revised

Cal. P.U.C. Sheet No. <u>1736-W</u>
Cal. P.U.C. Sheet No. <u>1731-W</u>

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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:

C.P.U.C. Sheet No.

Subject Matter of Sheet

Title 1495-W

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Schedule No. 1C, General Metered Service

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Schedule No. 4, Private Fire Service 1620-W and 1621-W

Schedule No. 9C, Construction and Other

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(Continued)

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

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Senior Vice President,

Dec. No.

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Senior Vice President,

Regulatory Affairs

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Effective

Resolution No.

TITLE