



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

December 24, 2019

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

Advice Letter No. 543

To Whom It May Concern:

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

<u>Cal. P.U.C Sheet No.</u>	<u>Title of Sheet</u>	<u>Cancelling Cal. P.U.C. Sheet No.</u>
2010-W	Rule No. 1 Definitions	764-W
2011-W	Rule No. 1 Definitions – Continued	976-W
2012-W	Rule No. 5 Special Information Required on Forms	1936-W
2013-W	Rule No. 5 Special Information Required on Forms - Continued	822-W
2014-W	Rule No. 5 Special Information Required on Forms - Continued	1937-W
2015-W	Rule No. 8 Notices	1054-W
2016-W	Rule No. 8 Notices - Continued	825-W
2017-W	Rule No. 8 Notices - Continued	New
2018-W	Rule No. 10 Disputed Bills	484-W
2019-W	Rule No. 10 Disputed Bills - Continued	485-W
2020-W	Rule No. 10 Discontinuance and Restoration of Service	826-W
2021-W	Rule No. 10 Discontinuance and Restoration of Service –Continued	827-W
2022-W	Rule No. 10 Discontinuance and Restoration of Service - Continued	828-W
2023-W	Rule No. 10 Discontinuance and Restoration of Service - Continued	829-W

2024-W	Rule No. 10 Discontinuance and Restoration of Service – Continued	1055-W
2025-W	Rule No. 10 Discontinuance and Restoration of Service – Continued	1067-W
2026-W	Rule No. 10 Discontinuance and Restoration of Service – Continued	1068-W
2027-W	Rule No. 10 Discontinuance and Restoration of Service – Continued	833-W
2028-W	Rule No. 10 Discontinuance and Restoration of Service – Continued	New
2029-W	Rule No. 10 Discontinuance and Restoration of Service – Continued	New
2030-W	Table of Contents - Continued	1902-W
2031-W	Table of Contents	2009-W

Purpose

The purpose of Advice Letter 543 is to update SJWC’s Rule Nos. 1, 5, 8, 10 and 11 to reflect provisions from the addition of Chapter 6 to Part 12 of Division 104 of the California Health and Safety Code, also known as the Water Shutoff Protection Act. This filing is in accordance with the December 10, 2019, letter from Mr. Bruce DeBerry, Water Division Program Manager, requiring such modifications (Attachment A).

Background

Senate Bill No. 998 (“SB998”), approved by the Governor of California on September 28, 2018, revised the California Health and Safety Code by adding a chapter addressing discontinuance of residential water service for nonpayment of a delinquent account. All sections of Chapter 6 (§§ 116900 – 116926) are being incorporated into SJWC’s Rule Nos. 1, 5, 8, 10 and 11 via this Tier 1 advice letter filing. The revisions in general pertain to notification of discontinuation of water service to residential customers. It requires water utilities with more than 3,000 customers to comply with its provisions by February 1, 2020. The entire copy of SB998 is included as Attachment B.

SJWC files this advice letter to update its Rule Nos. 1, 5, 8, 10 and 11 to incorporate the new provisions in the California Health and Safety Code pertaining to discontinuance of residential water service for nonpayment of an account within its service area. The requested changes are all pursuant to SB998 directives. Rule Nos. 1, 5, 8, 10 and 11 have been modified to include all requirements for residential water service prescribed in SB998. Attachment C provides redline details of changes made to each rule pursuant to discussions with the Water Division.

Effective Date

Per Senate Bill 998, this advice letter is requested to become effective February 1, 2020. Public notice is not required as there is no impact on water rates.

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, 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 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.

The present rates of the SJWC became effective on September 29, 2019, by Advice Letter No. 535. SJWC has Advice Letters 537, 541 and 542 pending before the Commission.

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

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

Index of Workpapers

Attachment A	Water Division Letter
Attachment B	Senate Bill 998
Attachment C	Redlined Changes to Rules Nos. 1, 5, 8, 10, and 11
Attachment D	Service List

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 543

ATTACHMENT A

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



December 10, 2019

SUBJECT: Requirements Conforming Tariff Rules Pursuant to Senate Bill 998

TO: All Water Utilities With More Than 200 Service Connections

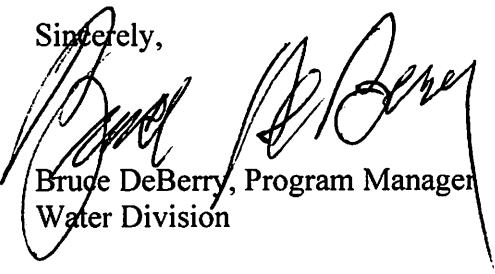
Senate Bill 998 adding Chapter 6, Discontinuance of Residential Service, commencing with Section 116900 of the Health and Safety Code was signed into law in September 2018 and is referred to as the Water Shutoff Protection Act. Senate Bill 998 can be accessed through the following web link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB998

The Water Shutoff Protection Act provides additional procedural protections and expands upon the procedural safeguards contained in the Public Utilities Code and provided for in the water utility Tariff Rules as it relates to utility service disconnections. This necessitates amendments and edits to various Tariff Rules, including: Rule 1 – Definitions; Rule 5 – Special Information Required on Forms; Rule 8 - Notices; Rule 10 – Disputed Bills; and Rule 11 - -Discontinuance and Restoration of Service. Compliance with the Water Shutoff Protection Act for Commission-jurisdictional water utilities serving more than 200 service connections is mandated by February 1, 2020.

The California Water Association along with a number of Class A water utilities have worked to edit the above Tariff Rules to bring the language in conformance with the requirements of the Water Shutoff Protection Act. Enclosed with this letter are both clean and redline versions of the above Tariff Rules showing the changes, both additions and deletions, that are required to the existing Tariff Rules.

All water utilities serving more than 200 service connections will need to file a Tier 1 compliance advice letter in compliance with General Order 96-B, Water Industry Rule 7.3.1(3), to implement the changes shown in the enclosed Tariff Rules 1, 5, 8, 10, and 11 no later than January 27, 2020 to meet the effective date of February 1, 2020 . Any questions regarding this letter should be directed to Jim Boothe at 415-703-1748, or JB5 @cpuc.ca.gov for Class A utilities, or Moises Chavez at 415-703-2805, or MCV @cpuc.ca.gov., for Class B, C or D (if more than 200 connections) water utilities.

Sincerely,



Bruce DeBerry, Program Manager
Water Division

Enclosures (10)

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 543

ATTACHMENT B

Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community

water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained

in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. DISCONTINUATION OF RESIDENTIAL WATER SERVICE

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

116902. For the purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Public water system" has the same meaning as defined in Section 116275.

(c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

(d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.

(e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

(1) A plan for deferred or reduced payments.

(2) Alternative payment schedules.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585

and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

- (i) The customer's name and address.
- (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
- (v) A description of the procedure to petition for bill review and appeal.
- (vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become

customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

(b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 543

ATTACHMENT C

Rule No. 1

DEFINITIONS

Page 1 of 2

Applicant: The person, association, corporation or governmental agency applying for water service.

Business Service: Provision of water for use in connection with commercial premises devoted primarily to operations for profit including offices, stores, markets, apartments, hotels, motels, automobile trailer parks or courts, service stations and the like.

Commercial Service: Provision of water to residential premises or business premises.

Customer: Any person, association, corporation or governmental agency supplied or entitled to be supplied with water service. However, account information can only be discussed with the Customer of Record or their authorized representative.
~~to be supplied with water service for compensation by the utility.~~

Customer of Record: The person, association, corporation or governmental agency who is obligated to pay the water bill.

Date of Presentation: The date upon which a bill or notice is mailed or delivered by the utility to the ~~customer~~Customer of Record.

~~Elderly Customer:—Any residential customer who is age 62 or over.~~

~~Disabled Customer: Any residential customer whose certified health or physical condition may qualify her or him for special consideration. Proof of disability must be by certification from any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic currently enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal beneficiaries as defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code.~~

Electronic Transfer: Paperless exchange of data and /or funds, usually involving computer and telecommunications technology.

Flat Rate Service: Service for which the charges are based upon the types and number of units served.

~~Handicapped Customer:—Any residential customers whose health or physical condition may qualify him for special consideration.~~

Industrial Service: Provision of water to industrial premises where the water is used primarily in manufacturing or processing activities.

Irrigation Service: Provision of water for commercial agricultural, ~~floracultural~~floricultural or horticultural use and billed under distinct irrigation rates.

Main Extension: The extension of water distribution mains beyond existing facilities in accordance with the provisions of the rule applicable to main extensions filed as part of these tariff schedules.

Metered Service: Service for which the charges are computed on the basis of measured quantities of water.

Occupant: Any adult person demonstrably residing on premises actively served by the utility. However, account information can only be discussed with the Customer of Record or their authorized representative.

Older Adult Customer: Any residential customer who is age 62 or over.

(Continued)

Rule No. 1

DEFINITIONS

(Continued)

Page 2 of 2

Premises: The integral property or area, including improvements thereon, to which water service is, or is to be, provided.

Public Utilities Commission: In these rules the word "Commission" or words "Public Utilities Commission" shall be construed to mean the Public Utilities Commission of the State of California.
California.

(Continued)

Rule No. 1

DEFINITIONS

(Continued)

Page 2 of 2

Residential Service: ~~Provision of water for household purposes, including water used on the premises for sprinkling lawns, gardens and shrubbery; washing vehicles; and other similar and customary purposes pertaining~~ Water service to a residential connection that includes single or multiple family dwellings residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

Service Address: Address of the property to which water service is provided.

Service Connection: The point of connection of the customer's piping or ditch with the meter, service pipe or ditch owned by the utility.

Service Pipe: The connection between the utility's mains and the service connection, including all the pipe, fittings and valves necessary to make the connection.

Tariff Schedules or Tariff Schedule Book: The entire body of effective rates, rentals, charges, rules, and sample forms collectively, as set forth herein.

Tariff Sheet: An individual sheet of the tariff schedule book.

Utility: The public utility named herein.

Rule No. 5

SPECIAL INFORMATION REQUIRED ON FORMS

A. Contracts

Each contract for service will contain substantially the following provisions:

1. Unless exempted by the Public Utilities Commission:

“This contract shall at all times be subject to such changes or modification by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.”

2. Unless otherwise not required by the Public Utilities Commission:

“It is the understanding of the parties to this contract that it shall not become effective until the authorization of the Public Utilities Commission of the State of California has been first obtained.”

B. Bill for Service

On each bill for service will be printed substantially the following language:

“This bill is due and payable upon date of presentation. It will become past due if not paid within 19 days from the date of mailing.”

“If you believe there is an error on your bill or have a question about your service, please call Customer support at 800-999-4033. We welcome the opportunity to assist you.

If after contacting us, you are still not satisfied with the company’s response, you may submit a complaint to the California Public Utilities Commission (CPUC) by visiting <http://www.cpuc.ca.gov/complaints/>. Billing and service complaints are handled by the CPUC’s Consumer Affairs Branch (CAB), which can be reached by the following means if you prefer not to submit your complaint online:

- ~~— submit a complaint to the California Public Utilities Commission (CPUC) by visiting~~
- ~~— <http://www.cpuc.ca.gov/complaints/>. Billing and service complaints are handled by the~~
- ~~— CPUC’s Consumer Affairs Branch, which can be reached by the following means if you~~
- ~~— prefer not to~~ ~~Submit your complaint online:~~

— **Telephone:** 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday)

Mail: California Public Utilities Commission, Consumer Affairs Branch,
505 Van Ness Avenue, Room 2003, San Francisco, CA 94102

If you have limitations hearing or speaking, dial 711 to reach the California Relay Service, which is for those needing direct assistance relaying telephone conversations, as well their friends, family, and business contacts.

(Continued)

Rule No. 5

SPECIAL INFORMATION REQUIRED ON FORMS

(Continued)

B. Bill for Service (Continued)

If you prefer having your calls immediately answered in your mode of communication, dial one of the toll-free language-specific numbers below to be routed to the California Relay Service provider.

Type of Call	Language	Toll-free 800 Number
TTY/VCO/HCO to Voice	English	1-800-735-2929
	Spanish	1-800-855-3000
Voice to TTY/VCO/HCO Voice	English	1-800-735-2922
	Spanish	1-800-855-3000
From or to Speech-to-Speech	English	1-800-854-7784
	Spanish	

To avoid having service turned off while you wait for the outcome of a complaint to the CPUC **specifically regarding the accuracy of your bill**, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.

The Commission will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of a utility's service, general level of rates, pending rate applications and sources of fuel or power.

C. Discontinuance of Service for Nonpayment - Notice

Every written notice of discontinuance of service for non-payment of bills shall include all of the following information:

1. The name and address of the customer whose account is delinquent.
2. The amount of delinquency.
3. The date by which payment or arrangements for payment is required in order to avoid discontinuance.
4. ~~The procedure by which~~ A description of the customer may initiate a ~~complaint or request~~ process to apply for an

~~_____ investigation concerning service or extension of time to pay delinquent charges-~~

~~5. The procedures to petition for bill review and appeal to the Commission.~~

(Continued)

Rule No. 5

SPECIAL INFORMATION REQUIRED ON FORMS

D(Continued)

C. Discontinuance of Service for Nonpayment - Notice (Continued)

- 5 6. The procedure by which the customer may request a deferred (paying at a later date), reduced (spreading payments out over an agreed upon period of time not to exceed 12 months), or some other alternative payment schedule, including an amortization of the unpaid charges.
- 6 7. The procedure for the customer to obtain information on the availability of financial assistance, including private, Local, state, or federal sources, if applicable.
- 7 8. The name, address, and telephone number of a representative of the utility who can provide additional information and assist users customers in continuing service or in making arrangements for payment.
- 8 9. The telephone numbers of the Commission (Consumer Affairs Branch) (800) 649-7570 or TTY (800) 735-2929/22 English or (800) 855-3000 Spanish or (800) 854-7784 to which inquiries by the customer may be directed.

Residential Customers. Where water service is provided to residential users occupants in a detached single-family dwelling, multi-unit residential structure, mobile home mobilehome park, or permanent residential structures in a labor

camp, where the owner, manager or operator is listed by the utility as the customer of record but is not the occupant, the notice of discontinuance shall further include:

- a. _____ a. The date on which service will be discontinued.

b. _____ ~~b.~~ What the ~~users~~occupants are required to do in order to prevent the discontinuance or to reestablish service.

c. _____ ~~c.~~ The estimated monthly cost of service: (where service is master-metered).

_____ ~~d.~~ The address and telephone number of a legal services project, as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association, which will assist the ~~users~~.

d. _____ occupants (where service is master-metered).

Rule No. 8
NOTICES

A. Notice to Customers

1. In Writing

Notice to a customer will normally be in writing ~~and, depending.~~ Depending on the type of notice, written notice will either be delivered or mailed to the customer's last known address, except as otherwise specified by the utility's tariffs.

2. Exception

In emergencies or when circumstances warrant, the utility, where feasible, will endeavor to promptly notify the customer affected and may make such notification orally, either in person or by telephone.

3. Notice of Discontinuance of Residential Water Service for Nonpayment

a.
The

~~Utility~~utility shall ~~make a reasonable attempt to~~ contact ~~1.)~~ the residential

cust

owner of record ~~by mailing a separate notice at least 5 business~~ 10 days prior to discontinuance, ~~or 2.) an adult person on the residential customer's~~

~~premises by telephone or in person at least 24 hours prior to any discontinuance.~~ written notice.

~~b. For elderly or handicapped residential customers, the utility~~

Written notice shall ~~make a~~

reaso

~~nable attempt~~ be mailed to ~~contact, 1.)~~ the address of the residential customer of record ~~by mailing a separate notice at least 5 business days prior to discontinuance, or 2.) an adult person on the residential customer's premises by telephone or in person at least 48 hours prior to any discontinuance.~~

c.
When

~~e water~~ residence to which the residential service is provided ~~to residential users in a multi-unit~~

reside

~~ntial structure, mobilehome park, or permanent residential~~

struct

~~ures in a labor camp, where.~~ If the customer's address is not the owner, manager, or operator is

_____ listed
by the utility as the customer of record, the utility will inform

_____ the
users by means of a notice, when the account is in arrears, that

- (1) _____
address of the property to which residential service will be discontinued, is provided, the notice also shall be sent to the service address with "Occupant" as the addressee. The notice will inform the users that they shall include the information prescribed in Rule No. 5. C.

_____ have
the right to become a customer, to whom the service will then be

_____ billed
, without being required to pay any amount which may be due to

_____ the
delinquent account.

- (2) Telephone notice shall be to the customer named on the account. In providing such notice by telephone, the utility shall offer to: (i) provide customer with a written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and procedures to petition for bill review and appeal.

- (3) If the utility is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned as undeliverable, the utility will make a good faith effort to visit the residence and leave (or make other arrangements for placement in a conspicuous place) a notice as prescribed herein, along with a written copy of the utility's policy on discontinuation of service for nonpayment.

(Continued)

Rule No. 8

Page 2 of 2

NOTICES

~~(Continued)~~

A. Notice to Customers (Continued)

3. Notice of Discontinuance of Residential Water Service for Nonpayment (Continued)

~~Continued~~
Continued)

b. The utility shall contact the residential occupants of a detached single-family dwelling, multi-unit residential structure, mobilehome park, or permanent residential structures in a labor camp, where the owner, manager, or operator is listed by the utility as the customer of record, as follows:

(1) Where ~~said users~~ individually metered water service is provided, the utility will make every good faith effort to inform the occupants by means of a notice at least 10 days prior to any discontinuance, when the account is in arrears, that service will be discontinued. In addition to including the information prescribed in Rule No. 5, the notice will inform the occupants that, if the utility's verification and other requirements are met, they have the right to become a customer, to whom the service will then be billed, without being required to pay any amount which may be due to the delinquent account.

~~(1)(2)~~ Where master metered by the utility service is provided, the written notice will be at least 15 days prior to discontinuance of service. The notice will be posted on the door of each residential unit. If it is not reasonable or practical to post the notice on the door of each residential unit, the utility will post two copies of the notice in each accessible common area and at each point of access to the structure or structures. ~~The notice will be in English and, to the~~

~~extent~~
practical, in any other language that the utility determines is the primary-

~~language spoken by a significant number of the occupants. The notice will be-~~
language

as prescribed in Rule 5, and

~~(2)(3)~~ Notice to occupants shall be independent of, and in addition to, other notice(s) as may be prescribed in the utility's tariffs.

c. All notices of discontinuance for nonpayment relating to residential services will be in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the utility's service area. The notice will include the information prescribed in Rule No. 5.C.

d. Procedures for the discontinuance

~~d. Discontinuance and restoration of service procedure is outlined~~ are specified in Rule No. 11.

4. Notice of Discontinuance of All Other Services (Nonresidential) for Nonpayment

The utility shall make a reasonable attempt to contact: (i) the customer of record by mailing a separate notice at least 10 days prior to discontinuance, or (ii) an adult person on the customer's premises by telephone or in person at least 24 hours prior to any discontinuance.

(Continued)

A. Notice to Customers (Continued)

5. Discontinuance of Service for Reasons Other Than Nonpayment

The utility may discontinue service for reasons not related to payment. Rule No. 11 provides additional examples of circumstances resulting in discontinuation of service and related notice, if any, associated with the specific situation.

6. Third-Party Notification

Notice of availability of third-party notification shall be given annually to all residential

Notic

~~customers, commencing at time of first full billing after the effective date of this tariff schedule~~ customers.

B. Notice from Customers

1. A customer may make notification in person, by telephone or by letter to the utility at its commercial office, or to an authorized representative of the utility.
2. Customers who wish to qualify for consideration under Rule No. 11.B.1.e ~~are elderly or handicapped~~ must have presented evidence to the utility establishing their status ~~if they wish to qualify for consideration under~~.
- ~~3. Rule No. 8.A.3.b. (above) or under~~ Older Adult or disabled ~~Rule No. 11.B.1.e.~~
- ~~3. Elderly or handicapped~~ customers who desire third-party notification must so inform the utility with certification of status and with a letter from the third party accepting the responsibility.

4. Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of handicap must be by certification from a licensed physician, public health nurse or social worker.

Rule No. 10

DISPUTED BILLS

Page 1 of 2

A. Correctness of Bill

Any customer (or adult occupant of a residential service address) who has initiated a complaint to the utility or requested an investigation by the utility within five days of receiving a contested bill shall be given an opportunity for review of such complaint or investigation by a review manager of the utility. The review shall include consideration of whether the customer should be permitted to amortize the unpaid balance of her or his account over a reasonable period of time.

B. Notice of Deposit to Avoid Discontinuance

If an explanation satisfactory to the customer is not made by the utility and the bill is not paid within 19 days after its presentation or at the time the explanation is made, whichever is longer, the utility will notify the customer in writing substantially as follows:

1. To avoid discontinuance of service, in lieu of paying the bill in question, the residential customer within 15 days and the nonresidential customer within 7 days of the date of this notice, may deposit with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003 San Francisco, California 94102 the amount of the bill claimed by the utility to be due.

C. Commission Appeal

When a customer and the utility fail to agree on a bill for service:

1. To avoid discontinuance of service, in lieu of paying the disputed bill the customer may deposit, with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco, California 94102, the amount claimed by the utility to be due.
2. Checks or other forms of remittance for such deposit should be made payable to the California Public Utilities Commission and should be accompanied with the bill in question and a statement setting forth the basis for the dispute of the amount of the bill.
3. Upon receipt of the deposit, the bill and the customer's statement of the dispute, the Commission will notify the utility, will review the basis of the billed amount, and will advise both parties of its findings and disburse the deposit in accordance therewith.

(Continued)

Rule No. 10

DISPUTED BILLS

Page 2 of 2

C. Commission Appeal (Continued)

~~When a customer and the utility fail to agree on a bill for service:~~

4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission (Consumer Affairs Branch), pending the outcome of the Commission's review.
5. Failure of the customer to make such deposit prior to the expiration of the discontinuance of service notice as given in Rule No. 10B.1. will warrant discontinuance of service.
6. If before the completion of the Commission's review, additional bills become due which the customer wishes to dispute, she or he shall also deposit with the Commission the additional amounts claimed by the utility to be due for such additional bills before they become past due and failure to do so will warrant discontinuance of her or his service in accordance with Rule No. 11.

Rule No.11

DISCONTINUANCE AND RESTORATION OF SERVICE

A. Customer's Request for Discontinuance of Service

1. A customer may have service discontinued by giving not less than two ~~day's advance~~ days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.

~~notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.~~

2. When such notice is not given, the customer ~~will~~may be required to pay for service until two days after the utility has knowledge that the customer has vacated the premises or otherwise has discontinued water service.

B. Discontinuance of Service by Utility

1. For Nonpayment of Bills

a. Past-Due Bills.

When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing.

(1) Residential Service

~~For the purposes of this rule, residential service means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing. When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing. The utility shall allow every residential customer-at least~~

~~19~~ a total of 79 days from the date of mailing its bill for services, postage prepaid, to make payment of the bill. prior to discontinuance of service. The utility ~~may~~shall not discontinue residential service for nonpayment of a delinquent account unless the utility first gives notice of the delinquency and impending discontinuance, ~~at least~~

~~10 days prior to the proposed discontinuance, by means of a~~ in conformance with Rule No. 8.A.3, which establishes notice

_____ mailed, postage prepaid, to the customer to whom periods ranging from 7 to 15 days, depending on the service is

_____ provided if different than to whom occupancy type. The utility will provide notices timely to ensure that the service is billed, not earlier than_____

_____ 19 days from applicable notice period is included in the date of mailing the utility's bill for services. The

_____ 10 total 79-day discontinuance of service notice shall not commence until period referenced above and does not provide additional time to pay.

_____ five days after

(2) All Other Service (nonresidential)

_____ The utility shall not discontinue nonresidential service for nonpayment of a delinquent account unless the mailing utility first gives notice of the notice.

delinquency _____ ~~b. When a bill for water service has become past due and a 10-day~~ impending discontinuance of residential service notice or a 7-day discontinuance in conformance with Rule No. 8.A.4.

_____ of residential service notice for nonpayment has been issued, service may

_____ be discontinued if bill is not paid within the time required by such notice.

_____ The customer's service, however, will not be discontinued for nonpayment

_____ until the amount of any deposit made to establish credit for that service has

_____ been fully absorbed.

(Continued)

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE

(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

b. When a bill for water service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if bill is not paid in full (or alternative payment arrangements acceptable to the utility have not been made) within the time required by such notice. The customer's service, however, will not be discontinued for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.

c. Petition for Utility Review.

(1) Any customer, (or adult occupant of a residential as well as nonresidential, service address) may petition the utility for review of a bill for water service in accordance with Rule Nos. 5 and 10.

(2) Such customer shall not have the water service discontinued for nonpayment during the pendency of an investigation by the utility of a complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the utility, if:

(i) The customer who has initiated a billing complaint or requested an investigation within 5 days of receiving a disputed bill, or

or who has, before (ii) Before discontinuance of service, the customer made a request for extension of the

payment period of arrangements for a bill asserted to be beyond the means of the customer to pay in full within the normal period for payment, shall not have residential water service,

discontinued for nonpayment during the pendency of an investigation by the utility of such customer complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the utility. The

(3) The review shall include consideration of whether a residential customer shall be permitted to make installment payments on any unpaid balance of the delinquent account over a reasonable period of time, not to exceed 12 months. Such service

Such service shall not be discontinued for nonpayment for any customer complying with an installment payment agreement entered into with the utility, provided the customer also keeps current her or his account for water service as charges accrue in each subsequent billing period.

If a residential customer fails to comply with an installment payment agreement, the utility will give a 10-day discontinuance of service notice no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further investigation by the utility.

d. Any customer whose complaint or request for an investigation pursuant to subdivision (c) has resulted in an adverse determination or alternative payment arrangements by the utility may,

appeal the determination to the Commission. Any subsequent appeal of the dispute or complaint to the Commission shall be in accordance with the Commission adopted Rules of Practice and Procedure.

e. Service to a residential water customer will not be discontinued for nonpayment when the customer has previously established to the satisfaction of the utility that:

~~(Continued)~~

Page 3 of 10

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

d. Appeal to the Commission.

Any _____ e. ~~(Continued)~~

(1) The customer is elderly (age 62 or over) or handicapped,* or upon

_____ certification of a licensed physical or surgeon customer (or adult occupant of a residential service address) whose complaint or request for an investigation pursuant to subdivision (c) has resulted in a determination by the utility adverse to such customer or adult occupant, may appeal the determination to the Commission in accordance with Rule Nos. 5 and 10 (including depositing the disputed amount with the Commission). Any such appeal of the disputed bill to the Commission shall be in accordance with the Commission's Rules of Practice and Procedure. Written documentation of an appeal filed and diligently pursued with the Commission will prevent discontinuation of residential water service during the official appeal process.

e. ~~that to discontinue water~~
_____ will be life threatening to the customer; and

_____ *Proof of age must be supported by certificate of birth, driver's license,

~~_____ passport or other reliable document. Proof of handicap must be by
_____ certification from a licensed physician, surgeon, public health nurse
_____ or social worker.~~

~~_____ (2) Residential Health and Safety Exception.~~

~~(1) Service to a residential water customer will not be discontinued for
nonpayment when such customer establishes to the satisfaction of the
utility that all three of the following conditions are met:~~

~~(i) The residential customer submits certification from a primary care
provider*, as defined by the Water Shutoff Protection Act, that
discontinuation of residential water service will be life threatening
to, or pose a serious threat to the health and safety of, a resident
of the premises where residential service is provided;~~

~~*Proof must be by certification from any internist, general
practitioner, obstetrician-gynecologist, pediatrician, family
practice physician, nonphysician medical practitioner, or
primary care clinic, rural health clinic, community clinic or
hospital outpatient clinic. A “nonphysician medical
practitioner” means a physician assistant or certified nurse-
midwife performing services under physician supervision,
or a nurse practitioner performing services in collaboration
with a physician. (See Section 14088(b)(1)(A) and (c) of
the California Welfare and Institutions Code.~~

(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

e. Residential Health and Safety Exception. (Continued)

~~(ii) The residential customer demonstrates that she or he is financially
unable to pay for residential service within the urban and
community water system’s normal billing cycle. The customer shall
be deemed financially unable to pay for residential service within
the urban and community water system’s normal billing cycle if
any member of the customer’s household is a current recipient of
CalWORKs, CalFresh, general assistance, Medi-Cal,
Supplemental Security Income/State Supplementary Payment
Program, or California Special Supplemental Nutrition Program for~~

Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level; and,

(iii) The residential customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment.

(2) If all three of the above conditions are met, the utility shall offer the customer one or more of the following options:

- a. Amortization of the unpaid balance.
- b. Participation in an alternative payment schedule.
- c. A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.
- d. Temporary deferral of payment.

(3) ~~The~~ The customer is temporarily unable to pay for such service in accordance with the provisions of the utility's tariffs; and

(3) ~~The customer is willing to arrange installment payments satisfactory to the utility, over a period not to exceed 12 months, including arrangements for prompt payment of subsequent bills.~~

~~However, service may be discontinued to any customer who does not comply with an installment payment agreement or keep current his account for water service as charges accrue in each subsequent billing period.~~

(f) A customer's utility may choose which of the payment options the customer undertakes and may set the parameters of that payment option. The repayment option offered should result in repayment of any remaining outstanding balance within 12 months.

(4) Notwithstanding the above, residential service may be discontinued for nonpayment of a bill to any customer meeting the conditions above who:

(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

e. Residential Health and Safety Exception. (Continued)

_____ for _____ (i)

Does not agree to or comply with an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment after incurring delinquent charges for 60 days or more.

OR

_____ (ii) After agreeing to an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment for delinquent charges, the customer does not pay her or his current residential service charges for 60 days or more.

_____ Notice of discontinuation for either of these reasons will be posted in a prominent and conspicuous location no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further investigation or alternative payment arrangements by the utility.

f. Other Disconnection Terms

_____ A customer's residential service may be discontinued for nonpayment of a bill for residential service previously rendered her or him at any location served by the utility.

A nonresidential service may be discontinued for nonpayment of a bill for residential as well as nonresidential service previously rendered her or him at any location served by the utility.

The discontinuance of service notice as set forth in subdivision (b) will be given in both cases stated above before discontinuance of service takes place.

_____ ~~in both cases stated above before discontinuance of service takes place.~~

(Continued)

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE

~~B. Discontinuance of Services by Utility (continued)~~

~~1. For Nonpayment of Bills (continued)~~

~~f. Residential services will not, however, be discontinued for nonpayment of bills for separate nonresidential service.~~

~~g. g. Timing of Disconnection~~

~~Service will not be discontinued by reason of delinquency in payment for service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the utility are not open to the public. The utility will avoid disconnection of service on Fridays and a day prior to a holiday. The utility will inform customers of the option to reconnect during regular business hours to avoid the more costly fees associated with after-hours service.~~

~~h. Where water service is provided to residential users in a multi-unit residential structure, mobilehome park, or permanent residential structures in a labor camp, where the owner, manager, or operator is listed by the utility as the customer of record, the utility will make every good faith effort to inform the users, when the account is in arrears, that service will be discontinued. Notice will be in as prescribed in sub-division (a) above, and in Rules Nos. 5 and 8.~~

~~(1) Where said users are individually metered.~~

~~The utility is not required to make service available to these users unless each user agrees to the terms and conditions of service and meets the requirement of the law and the utility's rules and tariffs. However, if one or more users are willing and able to assume responsibility for subsequent charges by these users to the account to the satisfaction of the utility, and if there is a practical physical means, legally available to the utility of selectively providing services to these users who have met the requirements of the utility's rules and tariffs, the utility will make service available to these users. For these selected users establishment of credit will be as prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the utility, proof that is acceptable to the utility of residence and prompt payment of rent or other credit obligation during that period of time is a satisfactory equivalent.~~

(Continued)

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

~~B. Discontinuance of Services by Utility (Continued)~~

~~1. For Nonpayment of Bills (Continued)~~

~~h. (Continued)~~

~~(2) Where said users are master metered.~~

~~The utility is not required to make service available to these users unless each user agrees to the terms and conditions of service, and meets the requirements of the law and the utility's rules and tariffs and the following:~~

~~The same Rule 11, item B.1.h. (1) above which applies to individually metered users also applies to master metered users, except a representative may act on the behalf of a master metered user, and the utility will not discontinue service in any of the following situations:~~

~~(a) During the pendency of an investigation by the utility of a master-meter customer dispute or complaint.~~

~~(b) When the master metered customer has been granted an extension of the period for repayment of a bill.~~

~~(c) For an indebtedness owned by the master metered customer to any other person or corporation or when the obligation represented by the delinquent account or any other indebtedness was incurred with a person or corporation other than the utility demanding payment therefor.~~

~~(d) When a delinquent account relates to another property owned, managed, or operated by the master metered customer.~~

~~(e) When a public health or building officer certifies that determination would result in a significant threat to the health or safety of the residential occupants or the public. Proof of age or handicap are described in Rule ~~11.B.1.e.~~~~

~~(Continued)~~

~~Page 6 of 10~~

~~Rule No. 11~~

~~DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)~~

~~B. Discontinuance of Services by Utility (Continued)~~

~~1. For Nonpayment of Bills (Continued)~~

~~i. A reasonable attempt must be made by the utility to personally contact an adult person on the residential customer's premises either by telephone, or in person, at hours prior to discontinuance. For elderly or handicapped residential customers, the utility shall provide at least 48 hours' notice by telephone or in person. For these customers, if telephone or personal contact cannot be made, a notice of discontinuance of service shall be posted in a conspicuous location at the service address at least 48 hours prior to discontinuance. Such notice shall be independent of and in addition to, other notices(s) as may be prescribed in the utility's tariffs.~~

~~j. Residential Customer's Remedies Upon Receipt of Discontinuance Notice.~~

~~(1) If upon receipt of a 10 day discontinuance notice, a residential customer is unable to pay, he must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service.~~

~~(2) If, after contacting the utility, the residential customer alleges to the Commission an inability to pay and that he is unable to make payment arrangements with the utility he should write to the Commission's Consumer Affairs Branch (CAB) to make an informal complaint. This action must be taken within the 10 day discontinuance~~

~~a. _____ of service notice.~~

~~(3) The CAB's resolution of the matter will be reported to the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such resolution, he must file, within ten business days after the date of the CAB's letter, a formal complaint with the Commission under Public Utilities Code Section 1702 on a form provided by the CAB.~~

(Continued)

Page 7 of 10

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

h. Where the owner, manager, or operator of the dwelling, structure, or park is listed by the utility as the customer of record, and water service is provided to residential occupants in a detached single-family dwelling, a multi-unit residential structure, mobilehome park, or permanent residential structure in a labor camp the utility will make every good faith effort to inform the residential occupants, by written notice in conformance with Rule No. 8.A.3.b.

(1) Where said occupants are individually metered.

The utility is not required to make service available to these occupants unless each user agrees to the terms and conditions of service and meets the requirement of the law and the utility's rules and tariffs.

However, if one or more occupants are willing and able to assume responsibility for subsequent charges by these occupants to the account to the satisfaction of the utility, or if there is a practical physical means, legally available to the utility of selectively providing services to these occupants who have met the requirements of the utility's rules and tariffs, the utility will make service available to these occupants.

For these selected occupants establishment of credit may be as prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the utility, proof that is acceptable to the utility of residence and prompt payment of rent or other credit obligation during that period of time is a satisfactory equivalent.

(2) Where said occupants are master metered.

The utility is not required to make service available to these occupants unless each occupant agrees to the terms and conditions of service, and

meets the requirements of the law and the utility's rules and tariffs and the following:

The same Rule No. 11, item B.1.h. (1) above which applies to individually metered occupants also applies to master metered occupants, except a representative may act on the behalf of a master metered occupant, and the utility will not discontinue service in any of the following situations:

(a) During the pendency of an investigation by the utility of a master-meter customer dispute or complaint.

(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

(b) When the master-metered customer has been granted an extension of the period for repayment of a bill.

(c) For an indebtedness owed by the master metered customer to any other person or corporation or when the obligation represented by the delinquent account or any other indebtedness was incurred with a person or corporation other than the utility demanding payment therefor.

(d) When a delinquent account relates to another property owned, managed, or operated by the master-metered customer.

(e) When a public health or building officer certifies that discontinuance would result in a significant threat to the health or safety of the residential occupants or the public. Proof of age or disability are described in Rule No. 11.B.1.e.

i. Residential Customer's Remedies Upon Receipt of Discontinuance Notice for Nonpayment.

(1) If upon receipt of a discontinuance notice, a residential customer is unable to pay, she or he must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service. Information pertaining to alternative payment options and other options for averting discontinuation of residential service for nonpayment will be provided on the discontinuance notice as described in Rule No. 5, or can be obtained by calling 800-999-4033.

(2) If, after contacting the utility, the residential customer alleges to the Commission an inability to pay and that she or he is unable to make payment arrangements with the utility she or he should contact the

Commission's Consumer Affairs Branch (CAB) to make an informal complaint. To maintain uninterrupted service this action must be taken prior to discontinuation of service as defined in the provided notice.

- (3) The CAB's resolution of the matter should be reported to both the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such resolution, such customer may file, within ten business days after the date of the CAB's letter, a formal complaint with the Commission under Public Utilities Code Section 1702 on a form provided by the CAB.

(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

~~j. Residential Customer's Remedies Upon Receipt of Discontinuance Notice.~~

- (4) Failure of ~~the residential as well as the nonresidential~~any customer to observe these time limits prescribed herein shall entitle the utility to insist upon payment or, upon failure to pay, to proceed to discontinue the customer's residential water service in accordance with the utility's rules.

~~k.~~

~~j.~~ Designation of a Third-Party Representative (~~Elderly~~Older Adult or ~~Handicapped~~Disabled only)

- (1) Customer must inform utility if she or he desires that a third party receive discontinuance or other notices on her or his behalf.
- (2) Utility must be advised of name, address and telephone number of third party with a letter from third party accepting this responsibility.
- (3) Only customers who certify that they are ~~elderly or handicapped~~older adults age 62 or over or disabled are entitled to third-party representation.* Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of disability must be by certification from a licensed physician, public health nurse or social worker.

2. For Noncompliance with Rules

The utility may discontinue service to any customer for violation of these rules after it has given the customer at least five days' written notice of such intention. Where safety of water supply is endangered, service may be discontinued immediately without notice.

3. For Waste of Water

a. Where negligent or wasteful use of water exists on customer's premises, the utility may discontinue the service if such practices are not remedied within five days after it has given the customer written notice to such effect.

b. In order to protect itself against serious and unnecessary waste or misuse of water, the utility may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the utility has given the customer written notice to remedy such practices.

(Continued)

~~* Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of handicap must be by certification from a licensed physician, public health nurse or social worker.~~

Page 8 of 10

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE

B. ~~Continuance~~Discontinuance of Services by Utility (~~continued~~Continued)

~~3. For Waste of Water (continued)~~

~~b. In order to protect itself against serious and unnecessary waste or misuse of water, the utility may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the utility has given the customer written notice to remedy such practices.~~

4. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the Utility or its Customers

If an unsafe or hazardous condition is found to exist on the customer's premise, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the utility or its customers, the service may be ~~shutoff~~shut off without notice. The utility will notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

5. For Fraudulent Use of Service

When the utility has discovered that a customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that customer may be discontinued without notice. The utility will not restore service to such customer until that customer has complied with all ~~filed~~ rules and reasonable requirements of the utility and the utility has been reimbursed for the full amount of the service rendered and the actual cost to the utility incurred by reason of the fraudulent use.

C. Restoration of Service

1. Reconnection Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the utility may charge \$40.00 for reconnection of service during regular working hours or \$120.00 for reconnection of service at other than regular working hours when the customer has requested that the reconnection be made at other than regular working hours, except as otherwise provided by the utility's tariffs.

~~(Continued)~~

~~Page 9 of 10~~

~~Rule No. 11~~

DISCONTINUANCE AND RESTORATION OF SERVICE

~~(Continued)~~

~~C. Restoration of Service (Continued)~~

2. To be Made During Regular Working Hours

The utility will endeavor to make reconnections during regular working hours on the day of the request, if the conditions permit; otherwise reconnections will be made on the regular working day following the day the request is made.

3. To Be Made at Other Than Regular Working Hours

When a customer has requested that the reconnection be made at other than regular working hours, the utility will reasonably endeavor to so make the reconnection if practicable under the circumstances.

4. Wrongful Discontinuance

A service wrongfully discontinued by the utility, must be restored without charge for the restoration to the customer within 24 hours.

(Continued)

C. Restoration of Service (Continued)

5. Limits on Certain Reconnection Charges

For a residential customer who demonstrates household income below 200 percent of the federal poverty line (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty line), charges shall be limited as follows:

(i) For reconnections during regular working hours, the lesser of the actual cost or \$50.00; and

(ii) For reconnections during other than regular working hours, the lesser of the actual cost or \$150. The cap on these reconnection fees (\$50 and \$150, respectively) shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

D. Refusal to Serve

1. Conditions for Refusal

The utility may refuse to serve an applicant for service under the following conditions:

- a. If the applicant fails to comply with any of the rules as filed with the Public Utilities Commission.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.
- c. If, in the judgment of the utility, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.

(Continued)

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 543

ATTACHMENT D

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

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

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

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

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

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

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

WRATES
Rita Benton
18555 Ravenwood Drive
Saratoga, CA 95070

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

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

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

James Hunter
6475 Dwyer Street
San Jose, CA 95120

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

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

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

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

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

Rule No. 1
DEFINITIONS

Applicant: The person, association, corporation or governmental agency applying for water service.

Authorizing Agency: Any agency who supplies to, controls or allocates the water supply to the Company.

Business Service: Provision of water for use in connection with commercial premises devoted primarily to operations for profit including offices, stores, markets, apartments, hotels, motels, automobile trailer parks or courts, service stations and the like.

Commercial Service: Provision of water to residential premises or business premises.

Customer: Any person, association, corporation or governmental agency supplied or entitled to be supplied with water service. However, account information can only be discussed with the Customer of Record or their authorized representative. (C)
(C)

Customer of Record: The person, association, corporation or governmental agency who is obligated to pay the water bill. (N)
(N)

Date of Presentation: The date upon which a bill or notice is mailed or delivered by the utility to the Customer of Record. (T)

Disabled Customer: Any residential customer whose certified health or physical condition may qualify her or him for special consideration. Proof of disability must be by certification from any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic currently enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal beneficiaries as defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code. (N)
I
I
I
I
(N)

Electronic Transfer: Paperless exchange of data and /or funds, usually involving computer and telecommunications technology. (N)
(N)

Flat Rate Service: Service for which the charges are based upon the types and number of units served. (D)

Industrial Service: Provision of water to industrial premises where the water is used primarily in manufacturing or processing activities.

Irrigation Service: Provision of water for commercial agricultural, floricultural or horticultural use and billed under distinct irrigation rates.

Main Extension: The extension of water distribution mains beyond existing facilities in accordance with the provisions of the rule applicable to main extensions filed as part of these tariff schedules.

Metered Service: Service for which the charges are computed on the basis of measured quantities of water.

Occupant: Any adult person demonstrably residing on premises actively served by the utility. However, account information can only be discussed with the Customer of Record or their authorized representative. (N)
(N)

Older Adult Customer: Any residential customer who is age 62 or over. (N)

(Continued)

(To be inserted by utility)

Issued by

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

Advice No. 543

JOHN TANG

Date Filed _____

Vice President,

Effective _____

Dec. No. _____

Regulatory Affairs

Resolution No. _____

TITLE

Rule No. 1

DEFINITIONS
(Continued)

Person: Any individual, person, firm, partnership, association, corporation, company, organization or governmental entity.

Premises: The integral property or area, including improvements thereon, to which water service is, or is to be, provided.

Process Water: Water used to manufacture, alter, convert, clean, grow, heat or cool a product, including water used in laundries and car wash facilities that recycle the water used.

Public Utilities Commission: In these rules the word "Commission" or words "Public Utilities Commission" shall be construed to mean the Public Utilities Commission of the State of California.

Raw Water: Water in its natural state prior to any treatment. Usually the water entering the first treatment process of a water treatment plant.

Recycled Water: Treated effluent water received by San Jose Water Company from the San Jose/Santa Clara Water Pollution Control Plant | for non-potable use.
Residential Service: Water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

Residential Service: Water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing. (C)
I
(C)

Service Address: Address of the property to which water service is provided. (N)

Service Connection: The point of connection of the customer's piping or ditch with the meter, service pipe or ditch owned by the utility.

Service Pipe: The connection between the utility's mains and the service connection, including all the pipe, fittings and valves necessary to make the connection.

Tariff Schedules or Tariff Schedule Book: The entire body of effective rates, rentals, charges, rules, and sample forms collectively, as set forth herein.

Tariff Sheet: An individual sheet of the tariff schedule book.

Utility: The public utility named herein.

(To be inserted by utility)

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TITLE

(D)
(N)

Rule No. 5

SPECIAL INFORMATION REQUIRED ON FORMS

A. Contracts

Each contract for service will contain substantially the following provisions:

1. Unless exempted by the Public Utilities Commission:

“This contract shall at all times be subject to such changes or modification by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.”

2. Unless otherwise not required by the Public Utilities Commission:

“It is the understanding of the parties to this contract that it shall not become effective until the authorization of the Public Utilities Commission of the State of California has been first obtained.”

B. Bill for Service

On each bill for service will be printed substantially the following language:

“This bill is due and payable upon date of presentation. It will become past due if not paid within 19 days from the date of mailing.”

“If you believe there is an error on your bill or have a question about your service, please call Customer support at 800-999-4033. We welcome the opportunity to assist you.

If after contacting us, you are still not satisfied with the company’s response, you may submit a complaint to the California Public Utilities Commission (CPUC) by visiting <http://www.cpuc.ca.gov/complaints/>. Billing and service complaints are handled by the CPUC’s Consumer Affairs Branch (CAB), which can be reached by the following means if you prefer not to submit your complaint online:

Telephone: 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday)

Mail: California Public Utilities Commission, Consumer Affairs Branch,
505 Van Ness Avenue, Room 2003, San Francisco, CA 94102

If you have limitations hearing or speaking, dial 711 to reach the California Relay Service, which is for those needing direct assistance relaying telephone conversations, as well their friends, family, and business contacts.

(N)

(Continued)

(To be inserted by utility)

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Regulatory Affairs

Resolution No. _____

TITLE

(D)
 (N)

Rule No. 5

SPECIAL INFORMATION REQUIRED ON FORMS
(Continued)

B. Bill for Service (Continued)

If you prefer having your calls immediately answered in your mode of communication, dial one of the toll-free language-specific numbers below to be routed to the California Relay Service provider.

Type of Call	Language	Toll-free 800 Number
TTY/VCO/HCO to Voice	English	1-800-735-2929
	Spanish	1-800-855-3000
Voice to TTY/VCO/HCO Voice	English	1-800-735-2922
	Spanish	1-800-855-3000
From or to Speech-to-Speech	English	1-800-854-7784
	Spanish	

To avoid having service turned off while you wait for the outcome of a complaint to the CPUC **specifically regarding the accuracy of your bill**, please contact CAB for assistance. If your case meets the eligibility criteria, CAB will provide you with instructions on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is under review to keep your service turned on.

The Commission will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of a utility's service, general level of rates, pending rate applications and sources of fuel or power."

C. Discontinuance of Service for Nonpayment - Notice

Every written notice of discontinuance of service for non-payment of bills shall include all of the following information:

1. The name and address of the customer whose account is delinquent.
2. The amount of delinquency.
3. The date by which payment or arrangements for payment is required in order to avoid discontinuance.
4. A description of the process to apply for an extension of time to pay delinquent charges
5. The procedures to petition for bill review and appeal to the Commission.

(Continued)

(N)

(To be inserted by utility)

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Regulatory Affairs

Resolution No. _____

TITLE

(D)
(N)

Rule No. 5

SPECIAL INFORMATION REQUIRED ON FORMS
(Continued)

C. Discontinuance of Service for Nonpayment - Notice (Continued)

- 6. The procedure by which the customer may request a deferred (paying at a later date), reduced (spreading payments out over an agreed upon period of time not to exceed 12 months), or some other alternative payment schedule, including an amortization of the unpaid charges.
- 7. The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.
- 8. The name, address, and telephone number of a representative of the utility who can provide additional information and assist customers in continuing service or in making arrangements for payment.
- 9. The telephone numbers of the Commission (Consumer Affairs Branch) (800) 649-7570 or TTY (800) 735-2929/22 English or (800) 855-3000 Spanish or (800) 854-7784 to which inquiries by the customer may be directed.

Residential Customers. Where water service is provided to residential occupants in a detached single-family dwelling, multi-unit residential structure, mobilehome park, or permanent residential structures in a labor camp, where the owner, manager or operator is listed by the utility as the customer of record but is not the occupant, the notice of discontinuance shall further include:

- a. The date on which service will be discontinued.
- b. What the occupants are required to do in order to prevent the discontinuance or to reestablish service.
- c. The estimated monthly cost of service (where service is master-metered).
- d. The address and telephone number of a legal services project, as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association, which will assist the occupants (where service is master-metered).

(N)

(To be inserted by utility)

Issued by

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Regulatory Affairs

Resolution No. _____

TITLE

(D)
(N)

Rule No. 8

NOTICES

A. Notice to Customers

1. In Writing

Notice to a customer will normally be in writing. Depending on the type of notice, written notice will either be delivered or mailed to the customer's last known address, except as otherwise specified by the utility's tariffs.

2. Exception

In emergencies or when circumstances warrant, the utility, where feasible, will endeavor to promptly notify the customer affected and may make such notification orally, either in person or by telephone.

3. Notice of Discontinuance of Residential Water Service for Nonpayment

a. The utility shall contact the residential customer of record at least 10 days prior to discontinuance by telephone or written notice.

(1) Written notice shall be mailed to the address of the customer of residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the service address with "Occupant" as the addressee. The notice shall include the information prescribed in Rule No. 5. C.

(2) Telephone notice shall be to the customer named on the account. In providing such notice by telephone, the utility shall offer to: (i) provide customer with a written copy of the utility's policy on discontinuation of service due to nonpayment; and (ii) discuss options available to customer to avert discontinuance including alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and procedures to petition for bill review and appeal.

(3) If the utility is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned as undeliverable, the utility will make a good faith effort to visit the residence and leave (or make other arrangements for placement in a conspicuous place) a notice as prescribed herein, along with a written copy of the utility's policy on discontinuation of service for nonpayment.

(N)

(Continued)

(To be inserted by utility)

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Regulatory Affairs

Resolution No. _____

TITLE

(D)

Rule No. 8

(N)

NOTICES
(Continued)

A. Notice to Customers (Continued)

3. Notice of Discontinuance of Residential Water Service for Nonpayment (Continued)

b. The utility shall contact the residential occupants of a detached single-family dwelling, multi-unit residential structure, mobilehome park, or permanent residential structures in a labor camp, where the owner, manager, or operator is listed by the utility as the customer of record, as follows:

(1) Where individually metered water service is provided, the utility will make every good faith effort to inform the occupants by means of a notice at least 10 days prior to any discontinuance, when the account is in arrears, that service will be discontinued. In addition to including the information prescribed in Rule No. 5, the notice will inform the occupants that, if the utility's verification and other requirements are met, they have the right to become a customer, to whom the service will then be billed, without being required to pay any amount which may be due to the delinquent account.

(2) Where master metered service is provided, the written notice will be at least 15 days prior to discontinuance of service. The notice will be posted on the door of each residential unit. If it is not reasonable or practical to post the notice on the door of each residential unit, the utility will post two copies of the notice in each accessible common area and at each point of access to the structure or structures.

(3) Notice to occupants shall be independent of, and in addition to, other notice(s) as may be prescribed in the utility's tariffs.

c. All notices of discontinuance for nonpayment relating to residential services will be in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the utility's service area. The notice will include the information prescribed in Rule No. 5.C.

d. Procedures for the discontinuance and restoration of service are specified in Rule No. 11.

4. Notice of Discontinuance of All Other Services (Nonresidential) for Nonpayment

The utility shall make a reasonable attempt to contact: (i) the customer of record by mailing a separate notice at least 10 days prior to discontinuance, or (ii) an adult person on the customer's premises by telephone or in person at least 24 hours prior to any discontinuance.

(N)

(Continued)

(To be inserted by utility)

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Regulatory Affairs

Resolution No. _____

TITLE

Rule No. 8

NOTICES
(Continued)

(N)

A. Notice to Customers (Continued)

5. Discontinuance of Service for Reasons Other Than Nonpayment

The utility may discontinue service for reasons not related to payment. Rule No. 11 provides additional examples of circumstances resulting in discontinuation of service and related notice, if any, associated with the specific situation.

6. Third-Party Notification

Notice of availability of third-party notification shall be given annually to all residential customers.

B. Notice from Customers

1. A customer may make notification in person, by telephone or by letter to the utility at its commercial office, or to an authorized representative of the utility.

2. Customers who wish to qualify for consideration under Rule No. 11.B.1.e. must have presented evidence to the utility establishing their status.

3. Older Adult or disabled customers who desire third-party notification must so inform the utility with certification of status and with a letter from the third party accepting the responsibility.

4. Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of handicap must be by certification from a licensed physician, public health nurse or social worker.

(N)

(To be inserted by utility)

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Regulatory Affairs

Resolution No. _____

TITLE

(D)

Rule No. 10

(N)

DISPUTED BILLS

A. Correctness of Bill

Any customer (or adult occupant of a residential service address) who has initiated a complaint to the utility or requested an investigation by the utility within five days of receiving a contested bill shall be given an opportunity for review of such complaint or investigation by a review manager of the utility. The review shall include consideration of whether the customer should be permitted to amortize the unpaid balance of her or his account over a reasonable period of time.

B. Notice of Deposit to Avoid Discontinuance

If an explanation satisfactory to the customer is not made by the utility and the bill is not paid within 19 days after its presentation or at the time the explanation is made, whichever is longer, the utility will notify the customer in writing substantially as follows:

1. To avoid discontinuance of service, in lieu of paying the bill in question, the residential customer within 15 days and the nonresidential customer within 7 days of the date of this notice, may deposit with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003 San Francisco, California 94102 the amount of the bill claimed by the utility to be due.

C. Commission Appeal

When a customer and the utility fail to agree on a bill for service:

1. To avoid discontinuance of service, in lieu of paying the disputed bill the Customer may deposit, with the California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco, California 94102, the amount claimed by the utility to be due.
2. Checks or other forms of remittance for such deposit should be made payable to the California Public Utilities Commission and should be accompanied with the bill in question and a statement setting forth the basis for the dispute of the amount of the bill.
3. Upon receipt of the deposit, the bill and the customer's statement of the dispute, the Commission will notify the utility, will review the basis of the billed amount, and will advise both parties of its findings and disburse the deposit in accordance therewith.

(N)

(Continued)

(To be inserted by utility)

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

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Regulatory Affairs

Resolution No. _____

TITLE

Rule No. 10

DISPUTED BILLS
(Continued)

(D)

(N)

C. Commission Appeal (Continued)

- 4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission (Consumer Affairs Branch), pending the outcome of the Commission's review.
- 5. Failure of the customer to make such deposit prior to the expiration of the discontinuance of service notice as given in Rule No. 10B.1. will warrant discontinuance of service.
- 6. If before the completion of the Commission's review, additional bills become due which the customer wishes to dispute, she or he shall also deposit with the Commission the additional amounts claimed by the utility to be due for such additional bills before they become past due and failure to do so will warrant discontinuance of her or his service in accordance with Rule No. 11.

(N)

(To be inserted by utility)

Issued by

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

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Vice President,
Regulatory Affairs

Effective _____

Resolution No. _____

TITLE

(D)

Rule No.11

(N)

DISCONTINUANCE AND RESTORATION OF SERVICE

A. Customer's Request for Discontinuance of Service

1. A customer may have service discontinued by giving not less than two days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.
2. When such notice is not given, the customer may be required to pay for service until two days after the utility has knowledge that the customer has vacated the premises or otherwise has discontinued water service.

B. Discontinuance of Service by Utility

1. For Nonpayment of Bills

a. Past-Due Bills.

When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing.

(1) Residential Service

For the purposes of this rule, residential service means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing. When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 19 days from the date of mailing. The utility shall allow every residential customer a total of 79 days from the date of mailing its bill for services, postage prepaid, to make payment of the bill prior to discontinuance of service. The utility shall not discontinue residential service for nonpayment of a delinquent account unless the utility first gives notice of the delinquency and impending discontinuance, in conformance with Rule No. 8.A.3, which establishes notice periods ranging from 7 to 15 days, depending on the occupancy type. The utility will provide notices timely to ensure that the applicable notice period is included in the total 79-day period referenced above and does not provide additional time to pay.

(2) All Other Service (nonresidential)

The utility shall not discontinue nonresidential service for nonpayment of a delinquent account unless the utility first gives notice of the delinquency and impending discontinuance in conformance with Rule No. 8.A.4.

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(D)

Rule No.11

(N)

DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

b. When a bill for water service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if bill is not paid in full (or alternative payment arrangements acceptable to the utility have not been made) within the time required by such notice. The customer's service, however, will not be discontinued for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.

c. Petition for Utility Review.

(1) Any customer (or adult occupant of a residential service address) may petition the utility for review of a bill for water service in accordance with Rule Nos. 5 and 10.

(2) Such customer shall not have the water service discontinued for nonpayment during the pendency of an investigation by the utility of a complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the utility, if:

(i) The customer who has initiated a billing complaint or requested an investigation within 5 days of receiving a disputed bill, or

(ii) Before discontinuance of service, the customer made payment arrangements for a bill asserted to be beyond the means of the customer to pay in full within the normal period for payment.

(3) The review shall include consideration of whether a customer shall be permitted to make installment payments on any unpaid balance of the delinquent account over a reasonable period of time, not to exceed 12 months. Such service shall not be discontinued for nonpayment for any customer complying with an installment payment agreement entered into with the utility, provided the customer also keeps current her or his account for water service as charges accrue in each subsequent billing period. If a customer fails to comply with an installment payment agreement the utility will give a discontinuance of service notice no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further investigation or alternative payment arrangements by the utility.

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Rule No.11

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

d. Appeal to the Commission.

Any customer (or adult occupant of a residential service address) whose complaint or request for an investigation pursuant to subdivision (c) has resulted in a determination by the utility adverse to such customer or adult occupant, may appeal the determination to the Commission in accordance with Rule Nos. 5 and 10 (including depositing the disputed amount with the Commission). Any such appeal of the disputed bill to the Commission shall be in accordance with the Commission's Rules of Practice and Procedure. Written documentation of an appeal filed and diligently pursued with the Commission will prevent discontinuation of residential water service during the official appeal process.

e. Residential Health and Safety Exception.

(1) Service to a residential water customer will not be discontinued for nonpayment when such customer establishes to the satisfaction of the utility that **all** three of the following conditions are met:

- (i) The residential customer submits certification from a primary care provider*, as defined by the Water Shutoff Protection Act, that discontinuation of residential water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided;

*Proof must be by certification from any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or primary care clinic, rural health clinic, community clinic or hospital outpatient clinic. A "nonphysician medical practitioner" means a physician assistant or certified nurse-midwife performing services under physician supervision, or a nurse practitioner performing services in collaboration with a physician. (See Section 14088(b)(1)(A) and (c) of the California Welfare and Institutions Code.)

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Rule No.11

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

e. Residential Health and Safety Exception. (Continued)

- (ii) The residential customer demonstrates that she or he is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level; and,
 - (iii) The residential customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment.
- (2) If all three of the above conditions are met, the utility shall offer the customer one or more of the following options:
- a. Amortization of the unpaid balance.
 - b. Participation in an alternative payment schedule.
 - c. A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.
 - d. Temporary deferral of payment.
- (3) The utility may choose which of the payment options the customer undertakes and may set the parameters of that payment option. The repayment option offered should result in repayment of any remaining outstanding balance within 12 months.
- (4) Notwithstanding the above, residential service may be discontinued to any customer meeting the conditions above who:

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Rule No.11

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

e. Residential Health and Safety Exception. (Continued)

(i) Does not agree to or comply with an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment after incurring delinquent charges for 60 days or more,

OR

(ii) After agreeing to an amortization agreement, an alternative payment schedule, or a plan for deferred or reduced payment for delinquent charges, the customer does not pay her or his current residential service charges for 60 days or more.

Notice of discontinuation for either of these reasons will be posted in a prominent and conspicuous location no less than 5 business days before discontinuing such service, but such notice shall not entitle the customer to further investigation or alternative payment arrangements by the utility.

f. Other Disconnection Terms

A customer's residential service may be discontinued for nonpayment of a bill for residential service previously rendered her or him at any location served by the utility.

A nonresidential service may be discontinued for nonpayment of a bill for residential as well as nonresidential service previously rendered her or him at any location served by the utility.

The discontinuance of service notice as set forth in subdivision (b) will be given in both cases stated above before discontinuance of service takes place.

Residential services will not, however, be discontinued for nonpayment of bills for separate nonresidential service.

g. Timing of Disconnection

Service will not be discontinued by reason of delinquency in payment for service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the utility are not open to the public. The utility will avoid disconnection of service on Fridays and a day prior to a holiday. The utility will inform customers of the option to reconnect during regular business hours to avoid the more costly fees associated with after-hours service.

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

h. Where the owner, manager, or operator of the dwelling, structure, or park is listed by the utility as the customer of record, and water service is provided to residential occupants in a detached single-family dwelling, a multi-unit residential structure, mobilehome park, or permanent residential structure in a labor camp the utility will make every good faith effort to inform the residential occupants, by written notice in conformance with Rule No. 8.A.3.b.

(1) Where said occupants are individually metered.

The utility is not required to make service available to these occupants unless each user agrees to the terms and conditions of service and meets the requirement of the law and the utility's rules and tariffs.

However, if one or more occupants are willing and able to assume responsibility for subsequent charges by these occupants to the account to the satisfaction of the utility, or if there is a practical physical means, legally available to the utility of selectively providing services to these occupants who have met the requirements of the utility's rules and tariffs, the utility will make service available to these occupants.

For these selected occupants establishment of credit may be as prescribed in Rule No. 6, except that where prior service for a period of time is a condition for establishing credit with the utility, proof that is acceptable to the utility of residence and prompt payment of rent or other credit obligation during that period of time is a satisfactory equivalent.

(2) Where said occupants are master metered.

The utility is not required to make service available to these occupants unless each occupant agrees to the terms and conditions of service, and meets the requirements of the law and the utility's rules and tariffs and the following:

The same Rule No. 11, item B.1.h. (1) above which applies to individually metered occupants also applies to master metered occupants, except a representative may act on the behalf of a master metered occupant, and the utility will not discontinue service in any of the following situations:

(a) During the pendency of an investigation by the utility of a master-meter customer dispute or complaint.

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(N)

DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

- (b) When the master-metered customer has been granted an extension of the period for repayment of a bill.
- (c) For an indebtedness owed by the master metered customer to any other person or corporation or when the obligation represented by the delinquent account or any other indebtedness was incurred with a person or corporation other than the utility demanding payment therefor.
- (d) When a delinquent account relates to another property owned, managed, or operated by the master-metered customer.
- (e) When a public health or building officer certifies that discontinuance would result in a significant threat to the health or safety of the residential occupants or the public. Proof of age or disability are described in Rule No. 11.B.1.e.

i. Residential Customer's Remedies Upon Receipt of Discontinuance Notice for Nonpayment.

- (1) If upon receipt of a discontinuance notice, a residential customer is unable to pay, she or he must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service. Information pertaining to alternative payment options and other options for averting discontinuation of residential service for nonpayment will be provided on the discontinuance notice as described in Rule No. 5, or can be obtained by calling 800-999-4033.
- (2) If, after contacting the utility, the residential customer alleges to the Commission an inability to pay and that she or he is unable to make payment arrangements with the utility she or he should contact the Commission's Consumer Affairs Branch (CAB) to make an informal complaint. To maintain uninterrupted service this action must be taken prior to discontinuation of service as defined in the provided notice.
- (3) The CAB's resolution of the matter should be reported to both the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such resolution, such customer may file, within ten business days after the date of the CAB's letter, a formal complaint with the Commission under Public Utilities Code Section 1702 on a form provided by the CAB.

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

1. For Nonpayment of Bills (Continued)

(4) Failure of any customer to observe these time limits prescribed herein shall entitle the utility to insist upon payment or, upon failure to pay, to proceed to discontinue the customer's residential water service in accordance with the utility's rules.

j. Designation of a Third-Party Representative (Older Adult or Disabled only)

(1) Customer must inform utility if she or he desires that a third party receive discontinuance or other notices on her or his behalf.

(2) Utility must be advised of name, address and telephone number of third party with a letter from third party accepting this responsibility.

(3) Only customers who certify that they are older adults age 62 or over or disabled are entitled to third-party representation. Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document. Proof of disability must be by certification from a licensed physician, public health nurse or social worker.

2. For Noncompliance with Rules

The utility may discontinue service to any customer for violation of these rules after it has given the customer at least five days' written notice of such intention. Where safety of water supply is endangered, service may be discontinued immediately without notice.

3. For Waste of Water

a. Where negligent or wasteful use of water exists on customer's premises, the utility may discontinue the service if such practices are not remedied within five days after it has given the customer written notice to such effect.

b. In order to protect itself against serious and unnecessary waste or misuse of water, the utility may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the utility has given the customer written notice to remedy such practices.

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

B. Discontinuance of Services by Utility (Continued)

4. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the Utility or its Customers

If an unsafe or hazardous condition is found to exist on the customer's premise, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the utility or its customers, the service may be shut off without notice. The utility will notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

5. For Fraudulent Use of Service

When the utility has discovered that a customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that customer may be discontinued without notice. The utility will not restore service to such customer until that customer has complied with all rules and reasonable requirements of the utility and the utility has been reimbursed for the full amount of the service rendered and the actual cost to the utility incurred by reason of the fraudulent use.

C. Restoration of Service

1. Reconnection Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the utility may charge \$20.00 for reconnection of service during regular working hours or \$30.00 for reconnection of service at other than regular working hours when the customer has requested that the reconnection be made at other than regular working hours, except as otherwise provided by the utility's tariffs.

2. To be Made During Regular Working Hours

The utility will endeavor to make reconnections during regular working hours on the day of the request, if the conditions permit; otherwise reconnections will be made on the regular working day following the day the request is made.

3. To Be Made at Other Than Regular Working Hours

When a customer has requested that the reconnection be made at other than regular working hours, the utility will reasonably endeavor to so make the reconnection if practicable under the circumstances.

4. Wrongful Discontinuance

A service wrongfully discontinued by the utility, must be restored without charge for the restoration to the customer within 24 hours.

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DISCONTINUANCE AND RESTORATION OF SERVICE
(Continued)

C. Restoration of Service (Continued)

5. Limits on Certain Reconnection Charges

For a residential customer who demonstrates household income below 200 percent of the federal poverty line (or is otherwise deemed by the Water Shutoff Protection Act as having a household income of below 200 percent of the federal poverty line), charges shall be limited as follows:

- (i) For reconnections during regular working hours, the lesser of the actual cost or \$50.00; and
- (ii) For reconnections during other than regular working hours, the lesser of the actual cost or \$150. The cap on these reconnection fees (\$50 and \$150, respectively) shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

D. Refusal to Serve

1. Conditions for Refusal

The utility may refuse to serve an applicant for service under the following conditions:

- a. If the applicant fails to comply with any of the rules as filed with the Public Utilities Commission.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.
- c. If, in the judgment of the utility, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.
- d. Where service has been discontinued for fraudulent use, the utility will not serve an applicant until it has determined that all conditions of fraudulent use or practice has been corrected.

2. Notification to Customers

When an applicant is refused service under the provisions of this rule, the utility will notify the applicant promptly of the reason for the refusal to service and of the right of applicant to appeal the utility's decision to the Public Utilities Commission.

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