

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
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January 31, 2022

Vera Kostikova
Financial Analyst - Rates & Regulatory
California-American Water Company
4701 Beloit Drive
Sacramento, CA 95838-2434

Dear Ms. Kostikova,

The Water Division of the California Public Utilities Commission has approved California-American Water Company's Advice Letter No. 1351, filed on December 16, 2021, regarding the creation of TCP Litigation Proceeds Memorandum Account (TCPLMA) for all Service Areas.

Enclosed are copies of the following revised tariff sheets, effective December 16, 2021, for the utility's files:

P.U.C.	
Sheet No.	Title of Sheet
10161-W	Preliminary Statement, Summary Table, Sheet 3
10162-W	Preliminary Statement BP. TCP Litigation Proceeds Memorandum Account ("TCPLMA"), Sheet 1
10163-W	Table Of Contents, Sheet 1

Please contact Bradley Leong at BL4@cpuc.ca.gov or 415-703-2307, if you have any questions.

Thank you.

Enclosures



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December 16, 2021

ADVICE LETTER NO. 1351

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Pursuant to General Order 96-B, California-American Water Company (U210W) hereby submits for review this advice letter, including tariff sheets applicable to all areas served by California American Water Company.

Purpose:

California American Water submits this Tier 2 Advice Letter requesting authority to establish the TCP Litigation Proceeds Memorandum Account (TCPLMA) to track proceeds received from Water Contamination Litigations.

Background:

California American Water filed a complaint against a responsible party that manufactured, marketed, distributed, sold, applied, released, discharged, and/or disposed of the chemical 1,2,3-Trichloropropane ("TCP") and/or TCP-containing products, which are the source and cause of any TCP contamination in California American Water's Malaga Way Well in its Suburban-Rosemont System and in Well 13 in its Fruitridge Vista system. California American Water reached a settlement with the defendant and received settlement proceeds to recover future treatment costs. California American Water has not yet used these funds to replace or remediate any plant.

Discussion:

California American Water requests authorization to establish a Preliminary Statement ZBP. (TCP Litigation Proceeds Memorandum Account) to record and track TCP settlement proceeds in accordance with the Commission's D.10-10-018 and D.10-12-058.

In OP 4 of D.10-10-018, the Commission concluded:

"When contamination proceeds arising from damage awards, settlements, government order or insurance are initially received from the funding source, they shall be placed in a memorandum account until the need for making expenditures arises, whereupon an approval to transfer the proceeds to the appropriate dedicated 265 sub-account shall be sought by a Tier 3 advice letter filing."

In addition, Appendix C of D.10-12-058 concludes:

(1) "From the time that a utility receives Water Contamination proceeds until the time that plant funded by such proceeds is no longer necessary or useful for public utility service, such proceeds shall be accounted for in the manner summarized in this rule..."

(4) "When Water Contamination proceeds are received by a utility, they shall be recorded both in a cash account and, if authorized by the Commission, in a memorandum account. Once the proceeds have been invested in remediation and replacement Plant

that has been placed in service, it must place these funds in a designated account, as specified in this order, and transactions associated with each account shall be restricted to the types of proceeds only...”

The TCP Litigation Proceeds Memorandum Account will reference Appendix C (Rules for the Accounting of Water Contamination Proceeds) of the Commission’s D.10-12-058 to ensure proceeds are accounted for in the manner summarized.

Tier Designation:

California American Water submits this as a Tier 2 designation pursuant to General Order No. 96-B.

Effective Date:

California American requests an effective date of December 16, 2021, based on the State Water Resources Control Board Emergency regulations and the filing date of this advice letter.

RESPONSE OR PROTEST¹

Anyone may submit a response or protest for this AL. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

A **response** supports the filing and may contain information that proves useful to the Commission in evaluating the AL. A **protest** objects to the AL in whole or in part and must set forth the specific grounds on which it is based. These grounds² are:

1. The utility did not properly serve or give notice of the AL;
2. The relief requested in the AL 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 AL contain material error or omissions;
4. The relief requested in the AL is pending before the Commission in a formal proceeding;
or
5. The relief requested in the AL requires consideration in a formal hearing, or is otherwise inappropriate for the AL process; or
6. The relief requested in the AL is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require relitigating a prior order of the Commission.

A protest may not rely on policy objections to an AL where the relief requested in the AL follows rules or directions established by statute or Commission order applicable to the utility. A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

Water Division must receive a response or protest via email (**or** postal mail) within 20 days of the date the AL is filed. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

The addresses for submitting a response or protest are:

¹ G.O. 96-B, General Rule 7.4.1

² G.O. 96-B, General Rule 7.4.2

Email Address:
Water.Division@cpuc.ca.gov

Mailing Address:
Tariff Unit, Water Division, 3rd Floor
California Public Utilities Commission,
505 Van Ness Avenue
San Francisco, CA 94102

On the same day the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy of the protest to Cal-Am at:

Email Address:

vera.kostikova@amwater.com

sarah.leeper@amwater.com

ca.rates@amwater.com

Mailing Address:

4701 Beloit Drive
Sacramento, CA 95838

555 Montgomery Street, Suite 816
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Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform DWA, within the 20 day protest period, so that a late filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on.

REPLIES³

The utility shall reply to each protest and may reply to any response. Any reply must be received by DWA within five business days after the end of the protest period, and shall be served on the same day on each person who filed the protest or response to the AL.

The actions requested in this advice letter are not now the subject of any formal filings with the California Public Utilities Commission, including a formal complaint, nor action in any court of law.

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

If you have not received a reply to your protest within 10 business days, please contact me at (916) 568-4246.

CALIFORNIA-AMERICAN WATER COMPANY

/s/ Vera Kostikova

Vera Kostikova
Financial Analyst - Rates & Regulatory

³ G.O. 96-B, General Rule 7.4.3

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
10161-W	PRELIMINARY STATEMENT Summary Table Sheet 3	10158-W
10162-W	PRELIMINARY STATEMENT Sheet 1	
10163-W	TABLE OF CONTENTS Sheet 1	10160-W

PRELIMINARY STATEMENT
Summary Table

Sheet 3

Reference	Account	Tariff
BM	East Pasadena Purchased Water Balancing Account (EPPWBA)	10100-W
BN	East Pasadena Pumping Assessment Cost Balancing Account (EPPACBA)	10101-W
BO	Drinking Water Fees Memorandum Account (DWFMA)	10159-W
BP	TCP Litigation Proceeds Memorandum Account (TCPLMA)	10162-W

(N)

(Continued)

(TO BE INSERTED BY UTILITY)
Advice 1351
Decision D.10-10-018

ISSUED BY
J. T. LINAM
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)
Date Filed 12/16/2021
Effective 12/16/2021
Resolution _____

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