

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



September 1, 2021

Kamilah Jones
Senior Financial Analyst - Rates & Regulatory
California-American Water Company
4701 Beloit Drive
Sacramento, CA 95838-2434

Dear Ms. Jones,

The Commission has approved California-American Water Company's Advice Letter No. 1341, filed on July 21, 2021, regarding Schedule 14.1 – Activate Stage 2 – Larkfield Service Area.

Enclosed are copies of the following revised tariff sheets, effective August 20, 2021, for the utility's files:

P.U.C. Sheet No.	Title of Sheet
10079-W	Schedule No. 14.1-LARK, Water Shortage Contingency Plan, Larkfield District, Sheet 1
10080-W	Schedule No. 14.1-LARK Water Shortage Contingency Plan, Larkfield District, Sheet 2
10081-W	Schedule No. 14.1-LARK Water Shortage Contingency Plan, Larkfield District, Sheet 3
10082-W	Schedule No. 14.1-LARK Water Shortage Contingency Plan, Larkfield District, Sheet 4
10083-W	Schedule No. 14.1-LARK Water Shortage Contingency Plan, Larkfield District, Sheet 5
10084-W	Table Of Contents, Sheet 5
10085-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,

/s/ROBIN BRYANT

Robin Bryant
Water Division

Enclosures



4701 Beloit Drive
Sacramento, CA 95838

P (916)-568-4251
F (916) 568-4260
www.amwater.com

July 21, 2021

ADVICE LETTER NO. 1341

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California-American Water Company (California American Water) (U210W) hereby submits for review this advice letter, including the following tariff sheets applicable to the Larkfield service area.

Purpose:

The purpose this Advice Letter is to activate the Stage 2 water use restrictions as described in the Water Shortage Contingency Plan in Section D of Rule 14.1 and Schedule 14.1.

Request:

This Advice Letter requests activation of Stage 2 of the Water Shortage Contingency Plan as authorized per Rule 14.1 and Schedule 14.1 for the Larkfield Service Area.

Background

California American Water's Rule 14.1 was approved via Advice Letter 831, with an effective date of October 17, 2008. Rule 14.1 has been updated several times since then, including most recently in June 2021 through advice letter 1337. California American Water's Larkfield service area is within Sonoma County and the Russian River Watershed.

The California Public Utilities Commission (Commission) adopted Resolution W-5034 on April 9, 2015, which is in addition to the Resolution W-5000 the Emergency Regulation adopted by the Water Board in 2014 and updating the Resolution W-4976 which revised the drought procedures for water conservation, rationing and service connection moratoria enumerated in Standard Practice U-40-W.

Changes in Resolution W-5034 include clarification to the Schedule 14.1 for voluntary and mandatory procedures for water conservation and a change in filing requirements to activate or increase stages of mandatory rationing. Previously a Tier 1 filing was required to activate or increase the stage of mandatory rationing, however Resolution W-4976 has revised it to be a Tier 2 filing. Section A of the revised Standard Practice U-40-W states that:

Activation of mandatory rationing or activating a greater stage of mandatory rationing Schedule 14.1 requires the filing of a Tier 2 advice letter.

In Resolution W-4976, the Commission stated that:

[I]t would be more appropriate for...advice letters [that activate mandatory rationing or increase the stage of mandatory rationing] to be effective only upon approval, rather than pending approval, and therefore they are more properly filed under Tier

2. Tier 2 filing will be required to activate rationing, and to increase the stage of rationing.

The procedures for implementing Schedule 14.1 are contained in Attachment A of Resolution No. W-4976.

Schedule 14.1 for Larkfield was implemented and approved via Advice letter 881, effective February 22, 2011, it provided staged water conservation plans per Decision (D.) 10-12-040. Soon after, Advice letter 1054 activated Larkfield at Stage 1, effective October 23, 2014. Advice Letter 1078-B moved Larkfield into Stage 2 effective June 1, 2015. Governor Jerry Brown issued Executive Order B-40-17 terminating the January 17, 2014, Drought State of Emergency for most of California. Following this executive order, California American Water filed Advice Letter 1175 effective September 1, 2017, to move the Larkfield Service Area back to Stage 1.

On April 21, 2021, Governor Gavin Newsom issued an Executive Order proclaiming a state of emergency for Mendocino and Sonoma Counties, due to drought conditions within the Russian River Watershed. The Executive Order finds that the Russian River Watershed is “extremely dry and fac[es] substantial water supply and ecosystem challenges.” The Executive Order mandates several actions, including the following:

- 1. To further the success of California’s water conservation efforts and increase our drought preparedness, state agencies shall partner with local water districts and utilities to make all Californians aware of drought and encourage actions to reduce water usage by promoting the Department of Water Resources’ Save Our Water campaign.*

California American Water has been closely monitoring drought conditions and water supply challenges in Sonoma County, which impacts the Larkfield water system. The upper Russian River is currently under a Temporary Urgency Change Order from the State Water Resources Control Board (SWRCB) for river flows and releases from Lake Mendocino. Sonoma County Water Agency (Sonoma Water) plans to file a Temporary Urgency Change petition to modify releases from Lake Sonoma and flows on the lower Russian River in the coming weeks. It is expected that public water systems throughout the county will begin taking actions to implement mandatory conservation measures for their customers as a result of local water supply conditions. The Governor’s Executive Order may also result in the imposition of additional curtailments on surface water users throughout the Russian River basin.

Several localities have made drought proclamations or mandated water use reductions. The County of Sonoma proclaimed a drought emergency requesting the Governor seek a Presidential Disaster Declaration and the Cities of Healdsburg and Cloverdale both mandated 20% reductions in water use to stem unsustainable water demands.

On May 17th the SWRCB’s Division of Drinking Water issued an information order seeking responses on the current status of our Water Shortage Contingency Plan and data on groundwater well static water levels and construction data. Elements of this information order will become part of weekly required reporting to the SWRCB until further notice. Similar information orders were sent to other public water systems in northern Sonoma County and highlight the SWRCB’s focus on the upper Russian River watershed and users in the area.

In light of the above, California American Water requests authorization to activate Stage 2 mandatory restrictions for the Larkfield service area.

In terms of customer outreach, the Public Advisor's Office previously reviewed and approved a nearly identical customer notice for California American Water's Geyserville service area. California American Water is using the same notice template, with appropriate updates and detailed information about Rule and Schedule 14.1, for its Larkfield customers. California American Water anticipates mailing this notice to customers on July 21, 2021. A virtual public hearing is set for August 5, 2021, to discuss the filing and get customer input. Information on the virtual public hearing is provided in the customer notice. Additionally, California American Water has been communicating with customers about the drought and the programs we have available through direct mail, bill inserts, earned media and social media.

Tier Designation:

These tariffs are submitted pursuant to General Order No. 96-B and this advice letter is designated as a Tier 2 filing. California American Water is simply requesting an update of its tariffs so that it is in compliance with Executive Order B-40-17.

Effective Date:

California American requests an effective date of August 20, 2021.

NOTICE

Pursuant to Section 4.3 of General Order No. 96-B, a copy of this advice letter is being provided to those entities listed in the attached "SERVICE LIST PURSUANT TO SECTION 4.3 OF G.O. NO. 96-B." Per guidance from the California Public Utilities Commission's Water Division, during the COVID-19 pandemic advice letters will only be delivered electronically to the service list. Hardcopy advice letters will be mailed as soon as administrative staff are able to return to California American Water offices.

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

¹ G.O. 96-B, General Rule 7.4.1

² G.O. 96-B, General Rule 7.4.2

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 re-litigating a prior order of the Commission.
7. 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.

DWA 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:

Email Address:

Water.Division@cpuc.ca.gov

Mailing Address:

CA Public Utilities Commission
Division of Water and Audits
505 Van Ness Avenue
San Francisco, CA 94102

On the same day the response or protest is submitted to DWA, the respondent or protestant shall send a copy of the protest to California American Water at:

Email Address:

ca.rates@amwater.com

Mailing Address:

4701 Beloit Drive
Sacramento, CA 95838

Kamilah.Jones@amwater.com

4701 Beloit Drive
Sacramento, CA 95838

sarah.leeper@amwater.com

555 Montgomery Street, Ste. 916
San Francisco, CA 94111

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.

³ G.O. 96-B, General Rule 7.4.3

CALIFORNIA-AMERICAN WATER COMPANY

/s/ Kamilah Jones

Kamilah Jones
Senior Financial Analyst – Rates & Regulatory

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
10079-W	Schedule No. 14.1-LARK WATER SHORTAGE CONTINGENCY PLAN LARKFIELD DISTRICT Sheet 1	8635-W
10080-W	Schedule No. 14.1-LARK WATER SHORTAGE CONTINGENCY PLAN LARKFIELD DISTRICT Sheet 2	8636-W
10081-W	Schedule No. 14.1-LARK WATER SHORTAGE CONTINGENCY PLAN LARKFIELD DISTRICT Sheet 3	8637-W
10082-W	Schedule No. 14.1-LARK WATER SHORTAGE CONTINGENCY PLAN LARKFIELD DISTRICT Sheet 4	8638-W
10083-W	Schedule No. 14.1-LARK WATER SHORTAGE CONTINGENCY PLAN LARKFIELD DISTRICT Sheet 5	8639-W
10084-W	TABLE OF CONTENTS Sheet 5	10044-W
10085-W	TABLE OF CONTENTS Sheet 1	10078-W

Schedule No. 14.1-LARK
WATER SHORTAGE CONTINGENCY PLAN
LARKFIELD DISTRICT

Sheet 1

A. APPLICABILITY

1. This schedule applies to all water customers served under all tariff schedules authorized by the Commission for Larkfield District. It is only effective in times of implementation of the Water Shortage Contingency Plan enforcement stages, as required by Rule No. 14.1, and only for the period noted in the Special Conditions section below.
2. This Schedule shall remain dormant until activated by Commission authorization via a Tier 2 advice letter.
3. Once the Schedule is activated, utility can implement Stages of the Schedule by filing a Tier 1 advice letter.
4. When this schedule is activated, it shall remain in effect until the utility files a Tier 1 advice letter to deactivate a specific stage of the Water Shortage Contingency Plan and such is authorized by the Commission.

B. TERRITORY

1. This Schedule applies to all customers in the Larkfield district. All other customers served by California-American Water Company are excluded from this particular tariff but are included in separate and distinct Water Shortage Contingency Plans.

C. STAGES

1. Stage 1 of the Water Shortage Contingency Plan enacts water conservation requirements established in Rule 14.1 Section D. The non-essential or unauthorized water uses in Section D are in effect at all times.
2. Stage 2 First Enforcement Stage of the Water Shortage Contingency Plan - A Stage 2 Water Shortage Contingency Plan condition exists when it is determined that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a further consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Stage 2 of the Water Shortage Contingency Plan will be enacted upon a determination that water usage should be further reduced from current levels, that a temporary water emergency exists necessitating implementation or that the requirements of Stage 1 are ineffective in complying with the necessary reduction.
3. Stage 3 Second Enforcement Stage of the Water Shortage Contingency Plan - A Stage 3 Water Shortage Contingency Plan Condition exists when it is determined that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a further consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Stage 3 will be enacted upon a determination that water usage should be reduced further from current levels, that a temporary water emergency exists necessitating implementation or that the requirements in Stages 1 and 2 are ineffective in complying with the necessary reduction.

(Continued)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	1341	J. T. LINAM	Date Filed	<u>07/21/2021</u>
Decision		DIRECTOR - Rates & Regulatory	Effective	<u>08/20/2021</u>
			Resolution	_____

Schedule No. 14.1-LARK
WATER SHORTAGE CONTINGENCY PLAN
LARKFIELD DISTRICT

Sheet 2

C. STAGES (Continued)

- 4. Stage 4 Third Enforcement Stage of the Water Shortage Contingency Plan - A Stage 4 Water Shortage Contingency Plan condition is also referred to as an "Emergency" condition. A Stage 4 condition exists when it is determined that a critical water shortage emergency exists, or that the measures in Stages 1 through 3 are ineffective in complying with a necessary reduction.
- 5. Stage 5 Mandatory Rationing. A rationing plan will be implemented when it is determined that the efforts in Stage 4 are insufficient to meet the regulatory or physical limitations of the available water supply.

D. WATER USE VIOLATION FINE

- 1. When an Enforcement Stage of the Water Shortage Contingency Plan has been activated by Commission authorization, the water use restrictions of Stage 1 in the Water Shortage Contingency Plan in Section D of Rule 14.1 become subject to fines and penalties imposed by the utility. The utility will first work closely with local law enforcement and public agencies charged with enforcing the mandatory water use restrictions. However, should the utility find that the local agency is not effectively enforcing the mandatory use restrictions, the utility, after written warnings, such as door hangers and letters, may begin to issue fines. If a customer is seen violating the water use restrictions, as outlined in Rule No. 14.1 and the Special Conditions below, the customer will be subject to the following fine structure:
 - a. First offense: Written warning, including explanation of penalty for subsequent offense.
 - b. Second offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and \$100 fine.
 - c. Third offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$250 fine.
 - d. Fourth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$500 fine.
 - e. Fifth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and service termination pursuant to Rule 11 and a \$500 fine.
 - f. Sixth offense within 1 year. (of the same restriction): Installation of a flow restricting device on customer's water meter for duration of enforcement stage of the Water Contingency Plan.
- 2. Offenses for separate water use restrictions will each start at the warning stage.
- 3. The water use violation fine is in addition to the regular rate schedule charges and any applicable drought surcharge rates.

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice 1341	J. T. LINAM	Date Filed <u>07/21/2021</u>
Decision	DIRECTOR - Rates & Regulatory	Effective <u>08/20/2021</u>
		Resolution _____

Schedule No. 14.1-LARK
WATER SHORTAGE CONTINGENCY PLAN
LARKFIELD DISTRICT

Sheet 3

E. APPLICABLE DROUGHT SURCHARGE RATES

1. When in Stage 3 of the Water Shortage Contingency Plan - a surcharge rate will be added to all residential water usage in excess of 7 CCF. The surcharge rate will be equal to the Tier 3 residential rate in effect at the time Stage 3 is enacted. The surcharge rate for low-income customers will be 50% of the Stage 3 surcharge rate. For all other customers there will be no surcharge imposed at Stage 3.
2. When in Stage 4 of the Water Shortage Contingency Plan – The Stage 3 residential drought surcharge rates will be tripled for all usage in excess of 7 CCF in Stage 4. The surcharge rate for low-income customers will be 50% of the residential Stage 4 surcharge rate. All other customers will pay a drought surcharge rate of 25% of the regular rate on all usage in Stage 4.
3. Rule 14.1 includes provisions to allow customers to seek a variance to the drought surcharge rates. Those residential customers who prevail in their request for a variance will receive a 50% increase in the amount of usage not subject to the surcharge rate. The usage not subject to the surcharge rate would be increased from 7 CCF to 10 CCF.

F. ENFORCEMENT

1. Letter/Fine: From second violation of the same restriction within a one-year period and onwards, a violation letter will be posted on property and sent to billing address, if different.
2. Aging of violation: Violations will accrue for the period of one year and be considered corrected and expunged one year after the violation occurs. The purpose of this rule is to prevent discrete violations from accruing in the event of a multi-year enforcement of the Water Contingency Plan.

(Continued)

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Schedule No. 14.1-LARK
WATER SHORTAGE CONTINGENCY PLAN
LARKFIELD DISTRICT

Sheet 4

3. Applies to all Enforcement Stages of Water Shortage Contingency Plan.

	Violation 1	Violation 2 (of the same restriction)	Violation 3 (of the same restriction)	Violation 4 (of the same restriction)	Violation 5/6 ⁽²⁾ (of the same restriction)
Proof of violation	Employee or Customer reports, with no additional verification required	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW	Verification with a written report by employee or contractor of CAW
Letter/fine	Warning letter mailed to premise and billing address	Violation letter posted and mailed with \$100 penalty on next bill	Violation letter posted and mailed with \$250 penalty on next bill	Violation letter posted and mailed with \$500 penalty on next bill	Violation letter posted and mailed, shut off per Rule 11 and \$500 penalty on next bill
Fixing leaks Stage 1 Stage 2 Stage 3 Stage 4	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate	Customer has: 5 days 72 hours 24 hours Immediate
Time to correct violation	5 days	5 days	5 days	5 days	5 days
Time customer has to request variance of the alleged violation	14 days to contact CAW in writing	14 days to contact CAW in writing	10 days to file an appeal with CAW in writing	10 days to file an appeal with CAW in writing	10 days to file an appeal with CAW in writing
If the customer does not agree with CAW's resolution ⁽¹⁾ Reference Section K of Rule 14.1	Further reported violations of the same restricted use will not be counted in the determination of further action until one week after the variance request is resolved	Customers have 14 days to file an appeal with the CPUC's Division of Water and Audits. If the customer disagrees with DWA's director, they may file a formal complaint with the CPUC	Customers have 10 days to file an appeal with the CPUC's Division of Water and Audits. If the customer disagrees with DWA's director, they may file a formal complaint with the CPUC	Customers have 10 days to file an appeal with the CPUC's Division of Water and Audits. If the customer disagrees with DWA's director, they may file a formal complaint with the CPUC	Customers have 10 days to file an appeal with the CPUC's Division of Water and Audits. If the customer disagrees with DWA's director, they may file a formal complaint with the CPUC

⁽¹⁾ If a customer has appealed the receipt of the penalty, the penalty will continue to be posted on the customer's account, but will not result in further service action, until at least 14 days after the resolution of appeals. Once resolved, if in the customers favor, the penalty will be immediately removed from the account. If not resolved in the customers favor, then the penalty will be due and payable as part of the next billing cycle and subject to all such further actions as with any other billed charge.

⁽²⁾ For violation 6 instead of shut-off per Rule 11 and \$500 penalty, a flow restrictor will be installed for duration of enforcement.

(Continued)

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Schedule No. 14.1-LARK
WATER SHORTAGE CONTINGENCY PLAN
LARKFIELD DISTRICT

Sheet 5

G. FLOW RESTRICTOR REMOVAL CHARGE

The charge for removal of a flow-restricting device and/or reconnecting water service shall be:

Connection Size	Removal Charges
5/8" to 1"	\$150.00
1-1/2" to 2"	\$200.00
3" and larger	Actual Cost

H. SPECIAL CONDITIONS

1. The Tier 1 advice letter requesting activation of any Enforcement Stage of Schedule 14.1 shall include documentation of the overall water shortage justifying activation of that particular stage.
2. This tariff schedule shall remain in effect until the utility files a Tier 1 advice letter to deactivate specific stage of Water Shortage Contingency Plan and such is authorized by the Commission.
3. Water use violation fines must be separately identified on each bill.
4. Water penalty surcharges must be separately identified on each bill.
5. All bills are subject to the reimbursement fee set forth on Schedule No. UF.
6. All monies collected by the utility through water use violation fines and water penalty surcharges shall not be accounted for as income. All expenses incurred by the utility to implement Rule 14.1 and Schedule 14.1, and the requirements of the California State Water Resources Control Board ("SWRCB") that have not been considered in a General Rate Case or other proceeding, shall be recoverable by the utility if determined to be reasonable by the Commission. These monies shall be accumulated by the utility in a separate memorandum account for disposition as directed or authorized from time to time by the Commission

(Continued)

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<u>(TO BE INSERTED BY UTILITY)</u>	<u>ISSUED BY</u>	<u>(TO BE INSERTED BY C.P.U.C.)</u>
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Monterey County	7053-W, 6580-W, 6581-W, 6582-W, 6583-W, 6584-W, 6585-W, 6586-W, 6587-W, 6588-W, 6589-W, 6590-W, 944-W, 945-W, 947-W, 948-W, 949-W, 950-W, 951-W, 952-W, 953-W, 954-W, 955-W, 957-W, 958-W, 959-W, 960-W, 961-W, 962-W, 963-W, 964-W, 966-W, 967-W, 968-W, 969-W, 971-W, 972-W, 973-W, 974-W, 975-W, 976-W, 977-W, 978-W, 979-W, 980-W, 981-W, 982-W, 983-W, 984-W, 7054-W	

(Continued)

<u>(TO BE INSERTED BY UTILITY)</u>		<u>ISSUED BY</u>	<u>(TO BE INSERTED BY C.P.U.C.)</u>	
Advice	1341	J. T. LINAM	Date Filed	<u>07/21/2021</u>
Decision		DIRECTOR - Rates & Regulatory	Effective	<u>08/20/2021</u>
			Resolution	_____

LARKFIELD DISTRICT SERVICE LIST
CALIFORNIA-AMERICAN WATER COMPANY
ADVICE LETTER 1341

BY MAIL:

Mario Gonzalez
111 Marwest Commons circle
Santa Rosa, CA 95403

California Water Service Co
Redwood Valley District
14034 Armstrong Woods Rd
Guerneville 95446

Maria D. Duddy
2184 Teakwood Ct.
Hollister, CA 95023

Penngrove/Kenwood Water Co
4984 Sonoma Hwy
Santa Rosa 95409

BY E-MAIL:

Richard Rauschmeier
California Public Utilities Commission
DRA - Water Branch, Rm 4209
505 Van Ness Ave
San Francisco, CA 94102
rra@cpuc.ca.gov

Division of Ratepayer Advocates
California Public Utilities Commission
dra_water_al@cpuc.ca.gov

Susan Sommers
City Of Petaluma
P.O. Box 61
Petaluma, Calif. 94953
suesimmons@ci.petaluma.ca.us

Dana McRae
County Counsel
County of Santa Cruz
701 Ocean Street, Room 505
Santa Cruz, CA 95060
dana.mcrae@co.santa-cruz.ca.us

Tim & Sue Madura
411 Firelight Drive
Santa Rosa, CA 95403
suemadura@sbcglobal.net