

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

**Advice Letter Cover Sheet**

**Utility Name:** California American Water  
**District:** All Service Districts  
**CPUC Utility #:** U210W  
**Advice Letter #:** 57-S  
**Tier:**  1  2  3  Compliance  
**Authorization:** D. 18-12-021  
**Description:** Excess Protected (Plant) ADIT Refund

**Date Mailed to Service List:** July 2, 2019  
**Protest Deadline (20<sup>th</sup> Day):** July 21, 2019  
**Review Deadline (30<sup>th</sup> Day):** July 31, 2019  
**Requested Effective Date:** August 1, 2019  
**Rate Impact:** \$See AL  
See AL%

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

**Utility Contact:** Kamilah Jones  
**Phone:** 916-568-4232  
**Email:** [Kamilah.Jones@amwater.com](mailto:Kamilah.Jones@amwater.com)

**Utility Contact:** Jonathan Morse  
**Phone:** 916-568-4237  
**Email:** [Jonathan.morse@amwater.com](mailto:Jonathan.morse@amwater.com)

**DWA Contact:** Tariff Unit  
**Phone:** (415) 703-1133  
**Email:** [Water.Division@cpuc.ca.gov](mailto:Water.Division@cpuc.ca.gov)

**DWA USE ONLY**

<u>DATE</u>	<u>STAFF</u>	<u>COMMENTS</u>
_____	_____	_____
_____	_____	_____

[ ] APPROVED

[ ] WITHDRAWN

[ ] REJECTED

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

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

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

\_\_\_\_\_



4701 Beloit Drive  
Sacramento, CA 95838  
[www.amwater.com](http://www.amwater.com)

P (916)-568-4251  
F (916) 568-4260

July 2, 2019

ADVICE LETTER NO. 57-S

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Pursuant to General Order 96-B, California-American Water Company ("California American Water") (U210W) hereby submits for review this advice letter, including the following tariff sheets, which are attached hereto:

<u>C.P.U.C. Sheet No.</u>	<u>Title of Sheet</u>	<u>Canceling Sheet No.</u>
XXX-W	Schedule WW-DU-1 Dunnigan District Sewer Tariff Area <u>GENERAL FLAT RATE SERVICE</u>	XXX-S
XXX-W	Schedule SA Monterey Waste Water District Tariff Area <u>PASSIVE SEWER SERVICE</u>	XXX-S
XXX-W	Schedule SA Monterey Waste Water District Tariff Area <u>PASSIVE SEWER SERVICE</u>	XXX-S
XXX-W	Schedule SP Monterey Waste Water District Tariff Area <u>PASSIVE SEWER SERVICE</u>	XXX-S
XXX-W	Schedule SP Monterey Waste Water District Tariff Area <u>PASSIVE SEWER SERVICE</u>	XXX-S

**PURPOSE**

The purpose of this advice letter is to comply with Ordering Paragraph 19 of Decision D.18-12-021, which states that California American Water shall refund customers of its excess protected (plant related) Accumulated Deferred Income Tax (ADIT) based on the size of a customer's meter. The grossed up amount to be refunded is \$747,269. This refund will be amortized evenly over a one year period. Cal-Am is required to file a tier 3 advice letter annually for the protected ADIT of 2019 and 2020.

## **BACKGROUND**

At the end of 2017, California American Water re-measured its ADIT based on estimated amounts at the date of enactment of the Tax Cuts and Jobs Act (TCJA). California American Water classified the re-measured amount into two basic categories, plant related and non-plant-related. At the time, the amounts were \$40.6 million for the plant-related and \$7.1 million for the non-plant-related. During 2018, California American Water filed its income tax returns, which resulted in changes to the 2017 estimated re-measure amounts. In addition, California American Water completed its software implementation to a level where the plant-related amount contained within the Powertax system could be used to produce the annual ARAM amount. As a result of this work, California American Water has refined its break-down of excess ADIT into the following categories:

Net Excess Amortization from Powertax	32,348,057
Federal NOL	(13,243,379)
<b>Total Subject to ARAM</b>	<b>19,104,679</b>
Plant items not in Powertax	(1,696,281)
Citizens UPAA	6,698,483
San Clemente Dam	11,414,643
Original Non Plant	7,105,278
Additional Non Non Plant	5,629,212
<b>Total TCJA Federal and State Excesses</b>	<b>48,256,013</b>
Pre TCJA ADIT Excess	199,213
<b>Total Excess ADIT</b>	<b>48,455,226</b>

In D.18-12-021 Ordering Paragraph 19, the Commission ordered California American Water to file a Tier 3 advice letter on June 30, 2019 to return the certain plant-related excess ADIT for 2018. California American Water assumes for the purpose of its 2019 rate case filing that the rate will be implemented on January 1, 2020. This process would be repeated for the 2019 and 2020 plant-related excess ADIT, with the excess ADIT for 2019 going back to customers in 2021; and the 2020 excess ADIT going back to customers in 2022.

Specifically, Ordering Paragraph 19, D.18-12-021, p.324-5, states:

*19. By June 30, 2019, California American Water Company (Cal-Am) shall file a Tier 3 advice letter to refund the 2018 Excess Protected Accumulated Deferred Income Tax (ADIT), which should have been recorded in the Tax Memorandum Account, to ratepayers as a bill credit, based on the size of the customer's meter. Cal-Am shall file Tier 3 advice letter by June 30, 2020 and a Tier 3 advice letter by June 30, 2021 to refund the 2019 Excess Protected ADIT and the 2020 Excess Protected ADIT to ratepayers as a bill credit, based on the size of the customer's meter. Each refund shall be amortized evenly over a period of one year. Each advice letter shall include any necessary revenue requirement adjustments to rate base caused by the return of the ADIT balances. In each advice letter, Cal-Am shall provide calculations and supporting documentations that demonstrate: (1) an estimation of the Excess Protected ADIT for each year, (2) how the*

*Excess Protected ADIT balances were calculated for each year, and (3) the normalization method used. Cal-Am is not required to refund the Excess Protected ADIT balances faster or sooner than allowed pursuant to the normalization rules of the Internal Revenue Service.*

Excess ADIT liabilities within Powertax, net of excess ADIT asset related to Net Operating Loss Carryforward ("NOLC"), account for \$19,104,679 of the total plant related differences. These amounts are generally amounts subject to normalization or so-called "protected" ADIT. It is the excess ADIT that is maintained in the Powertax system, and that will normalize using "Average Rate Assumption Method" (ARAM) that California American Water believes is within the scope of ordering paragraph 19 of D.18-12-021 and the related Tier 3 advice letter.

In addition, certain plant related differences such as ADIT related to Construction Work in Progress ("CWIP"), Customer Advances for Construction ("CAC"), Section 481(a) adjustments not yet amortized, as well as deferred tax related to San Clemente Dam regulatory assets and the Citizen Utility Plant Acquisition Adjustment ("UPAA"), are all maintained outside of Powertax. The excess ADIT related to these plant related amounts total \$16,416,845. California American Water does not believe these amounts are in the scope of the Tier 3 advice letter associated with Ordering Paragraph 19 of D.18-12-021 and are therefore included in California American Water's 2019 GRC filing. Please see the Direct Testimony of John R. Wilde submitted with California American Water's July 1, 2019 general rate case filing for the disposition of these excesses.

### **Computation**

In general, ARAM is a method where by deferred taxes reverse at the average rate that they were provided. So, for example, assume an asset was put in service when the tax rate was 35% and the temporary difference for that asset was provided each year up to 2017 at a rate of 35%. In years after 2017, deferred taxes are provided at the new rate of 21%. At the point in time when the temporary difference begins reversing, the average rate is computed by dividing the deferred income tax balance by the temporary difference. In the example above, the rate will fall somewhere between 35% and 21%.

Because deferred taxes will reverse at a rate other than 21%, but the current tax impact of the temporary difference will be at 21%, the difference between the current tax effect at 21% and the deferred tax effect at some other rate will result in the effective "refund" of the excess ADIT.

Workpaper 2-1 summarizes the net excesses that exist in Powertax. The numbers in Exhibit XX on lines 2 and 3 come from the included report 259 from Powertax. Report 259 from Powertax is used because it shows current year activity to the temporary difference, and current year activity to regulatory ADIT (it labels this activity as APB 11 activity). In addition, it shows the excess ADIT in columns labeled "Regulatory Liability before Gross Up" and "Regulatory Asset before Gross Up". Line 5 represents the excess deferred asset related to the net operation loss ("NOL") carried forward. Line 6 represents total excess subject to ARAM amortization and California American Water believes this net excess is within the scope of the refund outlined in Ordering Paragraph 19 of D.18-12-021.

Lines 8 through 11 show the credit amount net of the rate base impact. The Credit amount on Line 8 comes from the schedule labeled intermediate workpaper and the rate base impact amount on Line 10 comes from the schedule labelled Proration – rate base.

The intermediate workpaper uses the data from Powertax report 259 to compute the difference between current tax effect at the current rate versus deferred tax effect computed within the system using ARAM. In addition, the intermediate workpaper layers in proportional amortization of the NOL excess ADIT asset.

### **REQUEST**

This advice letter requests authorization to refund the plant-related 2018 Excess ADIT over a period of one year as a bill credit to all customers based on meter size.

### **Tier Designation:**

This advice letter is submitted pursuant to General Order No. 96-B and D.18-12-021 and is designated as a Tier 3 filing.

### **EFFECTIVE DATE**

Cal-Am requests an effective date of August 1, 2019.

### **SERVICE LIST**

Pursuant to Section 4.3 of General Order No. 96-B, a copy of this advice letter is being sent to those entities listed in the attached service list. Copies of the detailed work papers and the documents supporting this Advice Letter have also been furnished to the Commission Staff.

### **RESPONSE OR PROTEST<sup>1</sup>**

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 grounds<sup>2</sup> 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.

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<sup>1</sup> G.O. 96-B, General Rule 7.4.1

<sup>2</sup> G.O. 96-B, General Rule 7.4.2

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:

<b>Email Address:</b> <a href="mailto:Water.Division@cpuc.ca.gov">Water.Division@cpuc.ca.gov</a>	<b>Mailing Address:</b> CA Public Utilities Commission Division of Water and Audits 505 Van Ness Avenue San Francisco, CA 94102
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On the same day the response or protest is submitted to DWA, the respondent or protestant shall send a copy of the protest to Cal-Am at:

<b>Email Address:</b> <a href="mailto:jonathan.morse@amwater.com">jonathan.morse@amwater.com</a>	<b>Mailing Address:</b> 4701 Beloit Drive Sacramento, CA 95838
<a href="mailto:sarah.leeper@amwater.com">sarah.leeper@amwater.com</a>	555 Montgomery Street, Suite 816 San Francisco, CA 94111
<a href="mailto:preet.nagra@amwater.com">preet.nagra@amwater.com</a>	4701 Beloit Drive Sacramento, CA 95838

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.

### **REPLIES**<sup>3</sup>

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) 568-4255.

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<sup>3</sup> G.O. 96-B, General Rule 7.4.3

CALIFORNIA-AMERICAN WATER COMPANY

*/s/ Jeffrey T. Linam*

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Jeffrey T. Linam  
Vice President of Rates & Regulatory

Schedule WW-DU-1  
Dunnigan District Sewer Tariff Area  
GENERAL FLAT RATE SERVICE

Sheet 1

APPLICABILITY

Applicable to all sewer service.

TERRITORY

Dunnigan, along both sides of Interstate 5, between County Roads 2 on the north and County Road 9 on the south, Yolo County.

RATES

Per Service Connection

Per Month

For each Mobile Home residential unit	\$34.06
For each Recreational Vehicle unit	\$34.06
For Commercial Business Unit	\$34.06

SPECIAL CONDITIONS

General Items

- All bills are subject to the reimbursement fee set forth in Schedule No. UF.
- A late charge will be imposed per Schedule CA-FEES.
- Bills will be rendered in advance of the period for which service will be provided.
- In accordance with Section 2714 of the Public Utilities Code and Commission Resolution No. 3976, if a tenant in a rental unit leaves owing the utility, service to subsequent tenants in that unit will, at the Utility's option, be furnished on the account of the landlord or property owner.
- Per D.18-12-021 a meter based bill credit for the Excess Unprotected Accumulated Deferred Income Tax a credit of \$.99 per month will be refunded to customers over the 24-month period beginning August 1, 2019
- Per D.18-12-021 a meter based bill credit for the Excess Non Plant Accumulated Deferred Income Tax a credit of \$0.14 per month will be refunded to customers over the 12-month period beginning August 1, 2019

(N)  
|  
(N)

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(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)	
Advice	57-S	J. T. LINAM	Date Filed	_____
Decision		DIRECTOR - Rates & Regulatory	Effective	_____
			Resolution	_____



Schedule SA  
Monterey Waste Water District Tariff Area  
ACTIVE SEWER SERVICE

Sheet 2

SPECIAL CONDITIONS

FEES & SURCHARGES

4. Per D.18-12-021 a Sewer Tariff Rate based bill credit for the Excess Non Plant Accumulated Deferred Income Tax will be refunded to customers over the 24-month period beginning August 1, 2019.

Sewer Tariff Area	Refunds by Rate Equivalents
Oak Hills, Spreckels, Village Greens, White Oaks - Passive (Residential)	\$0.60
Spreckels - Public Authority	\$0.90
Spreckels - Commercial	\$1.50
Carmel Valley Ranch, Indian Springs, Las Palmas, Pasadera - Active (Residential) Pasadera - Commercial	\$3.00
Spreckels - Industrial	\$4.79
Pasadera - Golf	\$8.99
Las Palmas - Public Authority	\$14.98
Las Palmas - Commercial	\$29.97
SPCA - Contracted Property	\$47.95
Carmel Valley Ranch - Hotel	\$68.93

5. Per D.18-12-021 a meter based bill credit for the 2018 Excess Plant Accumulated Deferred Income Tax will be refunded to customers over the 12-month period beginning August 1, 2019.

Sewer Tariff Area	Refunds by Rate Equivalents
Oak Hills, Spreckels, Village Greens, White Oaks - Passive (Residential)	\$0.06
Spreckels - Public Authority	\$0.09
Spreckels - Commercial	\$0.15
Carmel Valley Ranch, Indian Springs, Las Palmas, Pasadera - Active (Residential) Pasadera - Commercial	\$0.30
Spreckels - Industrial	\$0.48
Pasadera - Golf	\$0.90
Las Palmas - Public Authority	\$1.50
Las Palmas - Commercial	\$2.99
SPCA - Contracted Property	\$4.78
Carmel Valley Ranch - Hotel	\$6.88

(N)

(N)

(Continued)

(TO BE INSERTED BY UTILITY)	ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
Advice      57-S	J. T. LINAM	Date Filed      _____
Decision	DIRECTOR - Rates & Regulatory	Effective      _____
		Resolution      _____

655 W. Broadway, Suite 1410  
San Diego, CA 92101

Schedule SA  
Monterey Waste Water District Tariff Area  
ACTIVE SEWER SERVICE

Sheet 4

SPECIAL CONDITIONS

FEES & SURCHARGES

5. Per D.18-12-021 a meter based bill credit for the 2018 Excess Plant Accumulated Deferred Income Tax will be refunded to customers over the 12-month period beginning August 1, 2019. (N)

Sewer Tariff Area	Refunds by Meter Equivalentents
Oak Hills, Spreckels, Village Greens, White Oaks - Passive (Residential)	\$0.06
Spreckels - Public Authority	\$0.09
Spreckels - Commercial	\$0.15
Carmel Valley Ranch, Indian Springs, Las Palmas, Pasadera - Active (Residential) Pasadera - Commercial	\$0.30
Spreckels - Industrial	\$0.48
Pasadera - Golf	\$0.90
Las Palmas - Public Authority	\$1.50
Las Palmas - Commercial	\$2.99
SPCA - Contracted Property	\$4.78
Carmel Valley Ranch - Hotel	\$6.88

(N)

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(TO BE INSERTED BY UTILITY)  
Advice 57-S  
Decision

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

(TO BE INSERTED BY C.P.U.C.)  
Date Filed \_\_\_\_\_  
Effective \_\_\_\_\_  
Resolution \_\_\_\_\_

Schedule SP  
Monterey Waste Water District Tariff Area  
PASSIVE SEWER SERVICE

Sheet 5

APPLICABILITY

Applicable to all Passive Sewer Services.

TERRITORY

The systems at White Oaks, Spreckels, Village Green and Oak Hills

RATES

<u>Oak Hills:</u>	<u>Per Service Per Month</u>
Service Charge for Residential and Small Commercial.....	\$53.84

<u>Spreckels:</u>	
Service Charge for Residential and Small Commercial.....	\$53.84
Service Charge for School .....	\$80.74
Service Charge for Large Commercial (4 or more Employees).....	\$107.67
Service Charge for Industrial .....	\$323.01

<u>White Oaks:</u>	<u>Per Service Per Month</u>
Service Charge for Residential .....	\$53.84

<u>Village Green:</u>	
Service Charge for Residential .....	\$53.84

SPECIAL CONDITIONS

FEES & SURCHARGES

1. All bills are subject to the Public Utilities Commission Reimbursement Fee set forth on Schedule No. UF.
2. Per Advice Letter 55-S, the over-collected balance in the Monterey Waste Water Consolidated Expense Balancing Account will be recovered through a monthly connection surcredit of 1.82 over 12 months effective May 20, 2019.
3. Per Advice Letter 47-S-A, a surcharge of \$1.81 for the Low-Income Ratepayer Assistance Program ("LIRAP") Balancing Account will be collected from all non-low income water and wastewater customers.

(L)

(L)

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(TO BE INSERTED BY UTILITY)

Advice 57-S  
Decision

ISSUED BY

J. T. LINAM  
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)

Date Filed	_____
Effective	_____
Resolution	_____

Schedule SP  
Monterey Waste Water District Tariff Area  
PASSIVE SEWER SERVICE

Sheet 6

SPECIAL CONDITIONS

FEES & SURCHARGES

4. Per D.18-12-021 a Sewer Tariff Rate based bill credit for the Excess Non Plant Accumulated Deferred Income Tax will be refunded to customers over the 24-month period beginning August 1, 2019.

Sewer Tariff Area	Refunds by Rate Equivalents
Oak Hills, Spreckels, Village Greens, White Oaks - Passive (Residential)	\$0.60
Spreckels - Public Authority	\$0.90
Spreckels - Commercial	\$1.50
Carmel Valley Ranch, Indian Springs, Las Palmas, Pasadera - Active (Residential) Pasadera - Commercial	\$3.00
Spreckels - Industrial	\$4.79
Pasadera - Golf	\$8.99
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Las Palmas - Commercial	\$29.97
SPCA - Contracted Property	\$47.95
Carmel Valley Ranch - Hotel	\$68.93

5. Per D.18-12-021 a meter based bill credit for the 2018 Excess Plant Accumulated Deferred Income Tax will be refunded to customers over the 12-month period beginning August 1, 2019.

Sewer Tariff Area	Refunds by Rate Equivalents
Oak Hills, Spreckels, Village Greens, White Oaks - Passive (Residential)	\$0.06
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Pasadera - Golf	\$0.90
Las Palmas - Public Authority	\$1.50
Las Palmas - Commercial	\$2.99
SPCA - Contracted Property	\$4.78
Carmel Valley Ranch - Hotel	\$6.88

(N)

(N)

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(TO BE INSERTED BY UTILITY)

Advice 57-S  
Decision

ISSUED BY

J. T. LINAM  
DIRECTOR - Rates & Regulatory

(TO BE INSERTED BY C.P.U.C.)

Date Filed \_\_\_\_\_  
Effective \_\_\_\_\_  
Resolution \_\_\_\_\_

**MONTEREY WASTEWATER COUNTY DISTRICT SERVICE LIST**  
**CALIFORNIA-AMERICAN WATER COMPANY**  
**ADVICE LETTER 57-S**

**BY MAIL:**

Alco Water Service 249 Williams Road Salinas, CA 93901	Los Angeles Docket Office California Public Utilities Commission 320 West 4th Street, Suite 500 Los Angeles, CA 90013	California Dept of Health Services Division of Drinking Water & Environmental Management PO Box 997416 Sacramento, CA 95899-7413
Yazdan Emrani, P.E. Deputy Pub Works Director – Operations Monterey County DPW 168 W. Alisal Street, 2nd floor Salinas, CA 93901-2680	Monterey Regional Water Pollution Control Agency (MRWPCA) 5 Harris Court Road. Bldg D. Monterey, CA 93940	Monterey Peninsula Water Mgmt Dist. Chief Financial Officer P.O. Box 85 Monterey, CA 93942
Ann Camel City Clerk City of Salinas 200 Lincoln Avenue Salinas, CA 93901	City of Pacific Grove c/o Community Development Department Attention: Sarah Hardgrave 300 Forest Ave., 2nd floor	City of Pacific Grove City Attorney/City Hall 300 Forest Ave 2nd floor Pacific Grove, CA 93950
Karen Crouch City Clerk, Carmel-By-The-Sea PO Box CC Carmel-by-the-Sea, CA 93921	City of Sand City City Hall California & Sylvan Avenues Sand City, CA 93955 Attn: City Clerk	Deborah Mall, City Attorney City of Monterey 512 Pierce Street Monterey, CA 93940
Don Freeman City of Seaside City Attorney 440 Harcourt Avenue Seaside, CA 93955	Donald G. Freeman City Attorney City of Carmel-By-The-Sea PO Box 805 Carmel-by-the-Sea, CA 93921	Irvin L. Grant Deputy County Counsel County of Monterey 168 W. Alisal Street, 3rd floor Salinas, CA 93901-2680
Sarah E. Leeper California American Water 555 Montgomery St, Suite 816 San Francisco, CA 94111	Edward W. O’Neill Davis Wright Tremaine LLP 505 Montgomery Street San Francisco, CA 94111-6533	Darryl D. Kenyon Monterey Commercial Property Owners Association P.O. Box 1953 Monterey, CA 93942
	Marc J. Del Piero 4062 El Bosque Drive Pebble Beach, CA 93953-3011	

**MONTEREY WASTEWATER COUNTY DISTRICT SERVICE LIST**  
**CALIFORNIA-AMERICAN WATER COMPANY**  
**ADVICE LETTER 57-S**

**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

City of Del Rey Oaks  
City Hall  
650 Canyon Del Rey Road  
Del Rey Oaks, CA 93940  
Attn: City Clerk  
citymanager@delreyoaks.org  
kminami@delreyoaks.org

City of Seaside  
City Hall  
440 Harcourt Avenue  
Seaside, CA 93955  
Attn: City Clerk  
dhodgson@ci.seaside.ca.us  
to'halloran@ci.seaside.ca.us

David C. Laredo  
Attorney at Law  
DeLay & Laredo  
606 Forest Ave  
Pacific Grove, CA 93950  
dave@laredolaw.net

Frances M. Farina  
Attorney at Law  
389 Princeton Avenue  
Santa Barbara, CA 93111  
ffarina@cox.net

Ms. Lisa Bilir  
California Public Utilities Commission  
Division of Ratepayer Advocates  
505 Van Ness Avenue  
San Francisco, CA 94102

Bernardo R. Garcia  
PO Box 37  
San Clemente, CA 92674-0037  
uwua@redhabanero.com

George Riley  
Citizens for Public Water  
1198 Castro Road  
Monterey, CA 91940  
georgetriley@gmail.com

Mike Niccum  
General Manager  
Pebble Beach Community Svcs. District  
3101 Forest Lake Road  
Pebble Beach, CA 93953  
mniccum@pbcsd.org

Carmel Area Wastewater District  
3945 Rio Road  
Carmel, CA 93923  
buikema@cawd.org

Lloyd Lowery Jr.  
Noland, Hammerly, Etienne & Hoss P.C.  
333 Salinas St  
PO Box 2510  
Salinas, CA 93902-2510  
llowrey@nheh.com

Division of Ratepayer Advocates  
California Public Utilities Commission  
dra\_water\_al@cpuc.ca.gov

Laura L. Krannawitter  
California Public Utilities Commission  
Executive Division, Rm 5303  
505 Van Ness Avenue  
San Francisco, CA 94102  
llk@cpuc.ca.gov

Jim Heisinger  
P.O. Box 5427  
Carmel, CA 93921  
hbm@carmellaw.com

City of Monterey  
City Hall  
Monterey, CA 93940  
Attn: City Clerk  
connolly@ci.monterey.ca.us

Gail T. Borkowski, Clerk of the Board  
County of Monterey  
P.O. Box 1728  
Salinas, CA 93902  
boydap@co.monterey.ca.us

City of Salinas  
Vanessa W. Vallarta – City Attorney  
200 Lincoln Avenue  
Salinas, CA 93901  
vanessav@ci.salinas.ca.us  
chrisc@ci.salinas.ca.us

**MONTEREY WASTEWATER COUNTY DISTRICT SERVICE LIST**  
**CALIFORNIA-AMERICAN WATER COMPANY**  
**ADVICE LETTER 57-S**

Brent Reitz  
Capital Services  
P.O. Box 1767  
Pebble Beach CA 93953  
reitzb@pebblebeach.com

David Heuck  
Accounting  
2700 17 Mile Drive  
Pebble Beach, CA 93953  
heuckd@pebblebeach.com

John K. Hawks  
Executive Director  
California Water Association  
601 Van Ness Avenue, Suite 2047  
San Francisco, CA 94102-3200  
jhawks\_cwa@comcast.net

Monterey Peninsula Water Mgmt Dist.  
Chief Financial Officer  
P.O. Box 85  
Monterey, CA 93942  
suresh@mpwmd.net