

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

Advice Letter Cover Sheet

Utility Name: Liberty Utilities (Apple Valley Ranchos Water) Corp. **Date Mailed to Service List:** January 9, 2020
District: N/A
CPUC Utility #: U 346-W **Protest Deadline (20th Day):** January 29, 2020
Advice Letter #: 238-W **Review Deadline (30th Day):** February 8, 2020
Tier ☒ 1 ☐ 2 ☐ 3 ☒ Compliance **Requested Effective Date:** February 1, 2020
Authorization Senate Bill No. 998 **Rate Impact:** N/A
Description: To update Rule Nos. 1, 5, 8, 10 and 11.

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: Edward N. Jackson

Phone: 562.923.0711

Email: Edward.Jackson@LibertyUtilities.com

DWA Contact: Tariff Unit

Phone: (415) 703-1133

Email: Water.Division@cpuc.ca.gov

Utility Contact: AnnMarie Lett

Phone: 562.805-2052

Email: AnnMarie.Lett@libertyutilities.com

DWA USE ONLY

DATE

STAFF

COMMENTS

[] APPROVED

[] WITHDRAWN

[] REJECTED

Signature: _____

Comments: _____

Date: _____



Liberty Utilities (Apple Valley Ranchos Water) Corp.
21760 Ottawa Road
Downey, CA 92308-6533
Tel: 760-247-6484
Fax: 760-247-1654

Advice Letter No. 238-W

January 9, 2020

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Liberty Utilities (Apple Valley Ranchos Water) Corp. (U 346 W) ("Liberty Apple Valley") hereby submits for filing the following revised tariff sheets applicable to water service in its service territory:

CPUC Sheet No.	Title of Sheet	Canceling Sheet No.
999-W	Rule No. 1 Definitions, page 1	234-W
1000-W	Rule No. 1 Definitions, page 2	235-W
1001-W	Rule No. 5 Special Information Required on Forms, page 3	973-W
1002-W	Rule No. 5 Special Information Required on Forms, page 4	974-W
1003-W	Rule No. 8 Notices, page 1	760-W
1004-W	Rule No. 8 Notices, page 2	427-W
1005-W	Rule No. 8 Notices, page 3	Original
1006-W	Rule No. 8 Notices, page 4	Original
1007-W	Rule No. 10 Disputed Bills, page 1	975-W
1008-W	Rule No. 10 Disputed Bills, page 2	976-W
1009-W	Rule No. 11 Discontinuance and Restoration of Service, page 1	428-W
1010-W	Rule No. 11 Discontinuance and Restoration of Service, page 2	429-W
1011-W	Rule No. 11 Discontinuance and Restoration of Service, page 3	430-W
1012-W	Rule No. 11 Discontinuance and Restoration of Service, page 4	431-W
1013-W	Rule No. 11 Discontinuance and Restoration of Service, page 5	432-W
1014-W	Rule No. 11 Discontinuance and Restoration of Service, page 6	433-W
1015-W	Rule No. 11 Discontinuance and Restoration of Service, page 7	825-W
1016-W	Rule No. 11 Discontinuance and Restoration of Service, page 8	826-W

1017-W	Rule No. 11 Discontinuance and Restoration of Service, page 9	Original
1018-W	Rule No. 11 Discontinuance and Restoration of Service, page 10	Original
1019-W	Rule No. 11 Discontinuance and Restoration of Service, page 11	Original
1020-W	Table of Contents, page 1	998-W

Purpose/Summary

Liberty Apple Valley submits this advice letter to update 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 Bruce DeBerry, Water Division Program Manager, requiring such modifications.

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 Liberty Apple Valley’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. As a public water system that supplies water to more than 200 service connections and that is regulated by the Public Utilities Commission, Liberty Apple Valley must comply with Chapter 6 on and after February 1, 2020.

In compliance with SB998, Liberty Apple Valley files this advice letter to update its Rules 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 Liberty Apple Valley service areas. The requested changes are all pursuant to SB998.

A copy of SB998 is attached as Attachment A to this advice letter for references.

Attachment B contains the redline details of changes made to Rule Nos. 1, 5, 8, 10, and 11.

Tier Designation

Pursuant to Water Industry Rule 7.3.1 of General Order 96-B, this advice letter is submitted with a Tier 1 designation.

Effective Date

As directed by SB998, Liberty Apple Valley is requesting that this advice letter and the tariffs herein become effective on February 1, 2020.

Notice and Service

In accordance with General Order 96-B, General Rules 4.3 and 7.2 and Water Industry Rule 4.1, a copy of this advice letter will be mailed or electronically transmitted on January 9, 2020 to competing and adjacent utilities and other utilities or interested parties having requested such notification.

Response or Protest

Anyone may respond to or protest this advice letter. 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 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 are:

- (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; or
- (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 re-litigating a prior order of the Commission).

A protest shall provide citations or proofs where available to allow Staff to properly consider the protest.

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 by mail (or e-mail) to us, addressed to:

Edward Jackson
Director, Rates and Regulatory Affairs
Liberty Utilities (West Region)
9750 Washburn Road
P. O. Box 7002
Downey, CA 90241
Fax: (562) 861-5902
E-Mail: AdviceLetterService@LibertyUtilities.com

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform the Division of Water and Audits 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.

If you have not received a reply to your protest within 10 business days, contact Edward Jackson at (562) 923-0711.

Very truly yours,

LIBERTY UTILITIES (APPLE VALLEY RANCHOS WATER) CORP.

/s/ Edward N. Jackson

EDWARD N. JACKSON
Director, Rates and Regulatory Affairs
Liberty Utilities (West Region)
9750 Washburn Road
P. O. Box 7002
Downey, CA 90241
562.923.0711
Edward.Jackson@libertyutilities.com

Enclosures

cc: Jim Boothe, CPUC – Water Division
Hani Moussa, CPUC – Public Advocates Office
Richard Smith, CPUC – Public Advocates Office

**LIBERTY UTILITIES (APPLE VALLEY RANCHOS WATER) CORP.
ADVICE LETTER 238-W
SERVICE LIST**

Jim Hansen
Navajo Mutual Water Company
P. O. Box 392
Apple Valley, CA 92307
jhansenjr@email.com

Town of Apple Valley
Attention: Frank Robinson
14955 Dale Evans Parkway
Apple Valley, CA 92307
dcron@applevalley.org

Manuel Benitez
County of San Bernardino
Special Districts Department
Water and Sanitation Division
12402 Industrial Blvd.
Bldg. D, Ste. 6
Victorville, CA 92392

California Public Utilities Commission
Attention Ting-Pong Yuen
ORA Water
505 Van Ness Avenue
San Francisco, CA 94102
tpy@cpuc.ca.gov

Kathleen Rollings-McDonald
Executive Officer
Local Agency Formation Commission
215 N. D Street, Suite 204
San Bernardino, CA 92415-0490
lafco@lafco.sbcounty.gov

Patrick Scanlon
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LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

	<u>Revised</u>	Cal. P.U.C. Sheet No.	<u>999-W</u>
Canceling	<u>Original</u>	Cal. P.U.C. Sheet No.	<u>234-W</u>

Rule No. 1

DEFINITIONS

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. (T)
(T)

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, non-physician 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)
(N)

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

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. (T)

(continued)

(To be inserted by utility)

Issued By

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

Advice No.	<u>238-W</u>	<u>GREGORY S. SORENSEN</u>	Date Filed	_____
		Name		
			Effective	_____
Dec. No.	_____	<u>PRESIDENT</u>	Resolution No.	_____
		Title		

LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

Revised	Cal. P.U.C. Sheet No.	1000-W
Canceling	Original	Cal. P.U.C. Sheet No.
		235-W

**Rule No. 1
(Continued)**

DEFINITIONS

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. (L)
(L)

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

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

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

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.

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. (L,T)
|
(L,T)

Service Address: Address of the property to which water services 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 of the pipe, fittings and valves necessary to make the connection.

Tariff Schedules or Tariff Schedule Book: The entire body of effective rates, rental, 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. (L)

(To be inserted by utility)

Issued By

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

Advice No. 238-W GREGORY S. SORENSEN
Name

Date Filed _____

Dec. No. _____ PRESIDENT
Title

Effective _____

Resolution No. _____

**Rule No. 5
(Continued)**

SPECIAL INFORMATION REQUIRED ON FORMS

- D. Discontinuance of Service for Nonpayment - Notice (T)
- Every written notice of discontinuance of service for non-payment of bills shall include all of the following information: (T)
- (1) The name and address of the customer whose account is delinquent.
 - (2) The amount of the 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. (T)
(T)
 - (5) The procedures to petition for bill review and appeal to the Commission. (N)
 - (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. (T)
|
(T)
 - (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 water utility who can provide additional information and assist customers in continuing service or in making arrangements for payment. (T)
 - (9) The contact information of the Commission (Consumer Affairs Branch) to which inquiries by the customer may be directed. (T)

Telephone: 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday)
TTY 1-800-735-2929/22 English, 1-800-855-3000 Spanish or (T)
1-800-854-7784 (T)

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

(continued)

(To be inserted by utility)
Advice No. 238-W

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GREGORY S. SORENSEN
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Dec. No. _____

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Title

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LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>1002-W</u>
Canceling	<u>ORIGINAL</u>	Cal. P.U.C. Sheet No.	<u>974-W</u>

Rule No. 5
(Continued)

SPECIAL INFORMATION REQUIRED ON FORMS

D. Discontinuance of Service for Nonpayment – Notice (continued)

Residential Customers. Where water service is provided to residential occupants in a detached single-family dwelling, multi-unit residential structure, mobile home 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: (T)

(10) The date on which service will be discontinued. (T)

(11) What the occupants are required to do in order to prevent the discontinuance or to re-establish service. (T)

(12) The estimated monthly cost of service (where service is master-metered). (T)

(13) 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). (T)

(To be inserted by utility)

Issued By

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

Advice No. 238-W

GREGORY S. SORENSEN

Date Filed

Name

Dec. No.

PRESIDENT

Effective

Title

Resolution No.

LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>1003-W</u>
Canceling	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>760-W</u>

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. (T)

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 (T)

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

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. D.

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 (N)

(continued)

(To be inserted by utility)

Issued By

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

Advice No. 238-W GREGORY S. SORENSEN
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LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>1004-W</u>
Canceling	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>427-W</u>

**Rule No. 8
(Continued)**

NOTICES

A. Notice to Customers (continued)

(N)

3. Notice of Discontinuance of Residential Water Service for Nonpayment

a. (Continued)

3. 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.

- 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.

(N)

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.

(T)

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

(T)

(continued)

(To be inserted by utility)

Issued By

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

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Name

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Dec. No. _____ PRESIDENT
Title

Effective _____

Resolution No. _____

**Rule No. 8
(Continued)**

NOTICES

- A. Notice to Customers (continued) (N)
3. Notice of Discontinuance of Residential Water Service for Nonpayment
- 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.D. (N)
- d. Procedures for the discontinuance and restoration of service are specified in Rule No. 11. (T)
4. Notice of Discontinuance of All Other Services (Nonresidential) for Nonpayment (N)
- 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.
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. (N)
6. Third-Party Notification (L)
- Notice of availability of third-party notification shall be given annually to all residential customers. (T)
- B. Notice from Customers
1. A customer may take notification in person, by telephone or by letter to the utility at its commercial office, or to an authorized representative of the utility. (T)
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. (L)

(continued)

(To be inserted by utility)

Issued By

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

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		Name		
Dec. No.		PRESIDENT	Effective	
		Title	Resolution No.	

LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

ORIGINAL	Cal. P.U.C. Sheet No.	1006-W
Canceling	Cal. P.U.C. Sheet No.	NEW

**Rule No. 8
(Continued)**

NOTICES

- B. Notice from Customers (continued) (L)
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. (T)
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. (L)

(To be inserted by utility)

Issued By

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

Advice No. 238-W GREGORY S. SORENSEN
Name

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Dec. No. _____ PRESIDENT
Title

Effective _____

Resolution No. _____

Rule No. 10
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. (T)

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. (T)

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, CA 94012, the amount claimed by the utility to be due. (L)
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. (L)

(continued)

LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>1008-W</u>
Canceling	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>976-W</u>

Rule No. 10 (continued)

DISPUTED BILLS

C. Commission Appeal (Continued)

4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission 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. 10 B.1. will warrant discontinuance of service. (T)
6. If before 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. (T)

(To be inserted by utility)

Issued By

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

Advice No. 238-W GREGORY S. SORENSEN
Name

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Effective _____

Resolution No. _____

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 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. (T)

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. (N) (T) (T)

(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. (N) (N)

(continued)

(To be inserted by utility)

Issued By

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

Advice No.	<u>238-W</u>	<u>GREGORY S. SORENSEN</u>	Date Filed	_____
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Rule No. 11
(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

- B. 1. 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. (L,T)
(L,T)
- 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. (N)
(N)
- (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: (T)
(T)
- i. The customer who has initiated a billing complaint or requested an investigation within 5 days of receiving a disputed bill, or (N)
- 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 of payment. (N)
- (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. (T)
- 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. (T)
(T)

(continued)

(To be inserted by utility)

Issued By

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

Advice No. 238-W

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**Rule No. 11
(Continued)**

DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. 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.

(N)

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.

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

(N)

(continued)

(To be inserted by utility)

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

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Rule No. 11
(Continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. e. Residential Health and Safety Exception (continued)

(N)

- ii. unable to pay for residential service within the 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:
- 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.

(N)

(continued)

(To be inserted by utility)

Issued By

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

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Rule No. 11
(Continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. e. (4) 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. (N)

f. Other Disconnection Terms (N)
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. (T)

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. (N)

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

g. Timing of Disconnection (N)
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. (N)

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, mobile home park, or permanent residential structure in a labor camp, the utility will make every good faith effort to inform the residential occupants, by written noticed in conformance with the Rule No 8.A.3.b. (T)

(continued)

(To be inserted by utility)

Issued By

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

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Rule No. 11
(Continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. h. Continued

(1) Where said occupants are individually metered. (T)

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. (T)

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. (T)

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. (T)

(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: (T)

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: (T)

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

(continued)

(To be inserted by utility)

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

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LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>1015-W</u>
Canceling	<u>REVISED</u>	Cal. P.U.C. Sheet No.	<u>825-W</u>

**Rule No. 11
(Continued)**

DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. h. (2) 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. (T)
 - (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 discontinuance of residential service for nonpayment will be provided on the discontinuance notice as described in Rule No. 5, or can be obtained by calling (760) 247-6484.
 - (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. (T)

(continued)

(To be inserted by utility)

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

Advice No.	<u>238-W</u>	<u>GREGORY S. SORENSEN</u>	Date Filed	_____
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(Continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. i. Continued

(L)

- (3) The CAB's resolution of the matter should 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, 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. (T)
(T)
(T)
(T)

- (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. (T)
(T)

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

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

- (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. (T)
(T)

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.

(L)

(continued)

(To be inserted by utility)

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LIBERTY UTILITIES
(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P. O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

ORIGINAL Cal. P.U.C. Sheet No. 1017-W
Canceling _____ Cal. P.U.C. Sheet No. NEW

**Rule No. 11
(Continued)**

DISCONTINUANCE AND RESTORATION OF SERVICE

B. Discontinuance of Services by Utility (Continued)

(L)

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.

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.

(L)

(continued)

(To be inserted by utility)

Issued By

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

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(APPLE VALLEY RANCHOS WATER) CORP.
21760 OTTAWA ROAD
P.O. BOX 7005
APPLE VALLEY, CALIFORNIA 92307-7005

ORIGINAL Cal. P.U.C. Sheet No. 1018-W
Canceling _____ Cal. P.U.C. Sheet No. NEW

**Rule No. 11
(Continued)**

DISCONTINUANCE AND RESTORATION OF SERVICE

C. Restoration of Service

(L)

1. Reconnection Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the utility may charge \$30.00 for reconnection of service during regular working hours or \$150.00 for reconnection of service at other 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.

(T)
(T)

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.

(L)

5. Limits on Certain Reconnection Charges

(N)

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:

(N)

(continued)

(To be inserted by utility)

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

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**Rule No. 11
(Continued)**

DISCONTINUANCE AND RESTORATION OF SERVICE

C.5 (Continued)

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

(N)

(N)

D. Refusal to Serve

(L)

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 of to the Public Utilities Commission.

(L)

(To be inserted by utility)

Issued By

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

Advice No. 238-W

GREGORY S. SORENSEN

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(continued)

(To be inserted by utility)

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Advice No. 238-W

GREGORY S. SORENSEN

Date Filed

Name

Effective

Decision No.

PRESIDENT

Title

Resolution No.

Attachment A

Senate Bill 998



SB-998 Discontinuation of residential water service: urban and community water systems. (2017-2018)



SHARE THIS:

Date Published: 09/28/2018 09:00 PM

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.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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.

Attachment B

Rule No. 1

DEFINITIONS

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, store, 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 ~~for compensation by the utility.~~ However, account information can only be discussed with the Customer of Record or their authorized representative.

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, non-physician 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.~~

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

~~Handicapped Customer: Any residential customer 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, flor~~a~~-i-cultural or horticultural use and billed under distinct irrigation rates.

(Continued)

Rule No. 1
(Continued)
DEFINITIONS

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.~~

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.

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 to single or multiple family dwellings. Water service to a residential connection that includes single family residences, multi-family 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 meter, service pipe or ditch owned by the utility.

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

Tariff Schedules or Tariff Schedule Book: The entire body of effective rates, rental, 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 (continued)

SPECIAL INFORMATION REQUIRED ON FORMS

D. 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 the 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.~~
- ~~(4)(5)~~ The procedures to petition for bill review and appeal to the Commission.
- ~~(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.
- ~~(87)~~ The name, address, and telephone number of a representative of the water utility who can provide additional information and assist ~~users~~ customers in continuing service or in making arrangements for payment.
- ~~(89)~~ The contact information of the Commission (Consumer Affairs Branch) to which Inquiries by the customer may be directed.

Telephone: 1-800-649-7570 (8:30 AM to 4:30 PM, Monday through Friday)
TTY 1-800-735-2929/22 English, 1-800-855-3000 Spanish or
1-800-854-7784

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. 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~~

(continued)

Rule No. 5
(continued)
SPECIAL INFORMATION REQUIRED ON FORMS

D. Discontinuance of Service for Nonpayment – Notice (continued)

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	English	1-800-735-2922
	Spanish	1-800-855-3000
From or to Speech-to-Speech	English & Spanish	1-800-854-7784

Residential Customers. Where water service is provided to residential users-occupants in a detached single-family dwelling, multi-unit residential structure, mobile home 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:

- (~~910~~) The date on which service will be discontinued.
- (~~1011~~) What the users-occupants are required to do in order to prevent the discontinuance or to re-establish service.
- (~~124~~) The estimated monthly cost of service (where service is master-metered).
- (~~132~~) 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-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 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 make a reasonable attempt to contact 1) the residential customer of record by mailing a separate notice at least 5 business days prior to any discontinuance, 2) an adult person on the residential customer's premises by telephone or in person at least 24 hours prior to any discontinuance. The utility shall contact the residential customer of record at least 10 days prior to discontinuance by telephone or written notice.~~
 - b. ~~For elderly or handicapped residential customers, the utility shall provide at least 48 hours' notice by telephone or in person. For these customers, if a 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.~~
 - c. ~~Where water service is provided to residential users in a multi-unit residential structure, mobile home 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 inform the users by means of a notice, when the account is in arrears, that service will be discontinued. The notice will inform the users that 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 on the delinquent account.~~
1. Written notice shall be mailed to the address of the customer of residence to which the residential service is provide. 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. D.

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.
- 4.3. 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

(continued)

Rule No. 8
(Continued)
NOTICES

A. Notice to Customers (Continued)

3. Notice of Discontinuance of Residential Water Service for Nonpayment

a. (Continued)

3. 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.

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 amount is in arrears, that the 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. e.—Where ~~said users are~~ 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~~

3. ~~Notice to occupants will be as prescribed in Rule 5, and~~ shall be independent of, and in addition to, other notice(s) as may be prescribed in the utility's tariffs.

(continued)

Rule No. 8
(Continued)
NOTICES

A. Notice to Customers (continued)

3. Notice of Discontinuance of Residential Water Service for Nonpayment

- 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.D.
- d. ~~Discontinuance Procedures for the 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.

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.

64. Third-Party Notification

Notice of availability of third-party notification shall be given annually to all residential customers, ~~commencing at time of first full billing after the effective date of this tariff schedule.~~

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 ~~are elderly or handicapped~~ wish to qualify for consideration under Rule No. 11.B.1.e. must have presented evidence to the utility establishing their status ~~if they wish to qualify for consideration under Rule No. 8.A.3.b. (above) or under Rule No. 11.B.1.e.~~

(continued)

Rule No. 8
(Continued)
NOTICES

3. ~~Elderly or handicapped~~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.

Rule No. 10

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 bills is not paid within 19 days after its presentation or at the time of 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 billed claimed by the utility to be due.

~~If you are not satisfied with Liberty Utilities (Apple Valley Ranchos Water) Corp.'s response, 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~~

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	English	1-800-735-2922
	Spanish	1-800-855-3000
From or to Speech-to-Speech	English & Spanish	1-800-854-7784

~~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 ease. You must continue to pay your current charges while your complaint is under review to keep your service turned on."~~

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, CA 94012, 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
(Continued)
DISPUTED BILLS

C. Commission Appeal (continued)

4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Commission 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. 10 B.1. will warrant discontinuance of service.
6. If before 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 days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance of 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 purpose 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, ~~by means of a notice mailed, postage prepaid, to the customer to whom the service is provided if different than to whom the service is billed, not earlier than 19 days from the date of mailing the utility's bill for services.~~ The 10-day discontinuance of service notice shall not commence until five days after mailing of the notice 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 included in the total 79-day period referenced above.

(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.

(continued)

Rule No. 11
(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

- B. 1. b. When a bill for water service has become past due and a ~~10-day discontinuance of residential service notice or a 7-day discontinuance of nonresidential 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~~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) ~~Any customer, residential as well as non-residential, who has initiated a billing complaint or requested an investigation within 5 days of receiving a disputed bill or who has, before discontinuance of service made a request for extension of the payment period of a bill asserted to be beyond the means of the customer to pay in full within the normal period for payment, Such customer shall not have residential the water service discontinued for nonpayment during the pendency of an investigation by the utility of such customer's 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 of payment.
- (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 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 or alternative payment arrangements by the utility.

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(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. 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 ~~an adverse~~ determination 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~~ 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 ~~the such~~ customer ~~has previously~~ established to the satisfaction of the utility that all three of the following conditions are met:

- i. The residential customer ~~is elderly (age 62 or over) or handicapped,* or upon certification of a licensed physician or surgeon that to discontinue water will be life threatening to the customer; and 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 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~~ 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.

ii.(2) ~~The customer is temporarily unable to pay for such service in accordance with the provisions of the utility's tariffs~~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

(continued)

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(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. e. Residential Health and Safety Exception (continued)

- ii. unable to pay for residential service within the 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. ~~(3) The residential 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~~ 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:~~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.~~
 - 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:
 - 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,
 - i.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.

(continued)

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(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. e. (4) 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 service 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 service 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.

e.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 users in a detached single-family dwelling, a multi-unit residential structure, mobile home 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 as prescribed in subdivision (a) above, and in Rules Nos. 5 and 8-residential occupants, by written noticed in conformance with Rule No. 8.A.3.b.

(continued)

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(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. h. Continued

(1) Where said users-occupants are individually metered.

The utility is not required to make service available to these users-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 users-occupants 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-occupants who have met the requirements of the utility's rules and tariffs., the utility will make service available to these usersoccupants.

For these selected users-occupants establishment of credit will-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 users-occupants are meter-master metered.

The utility is not required to make service available to these users-occupants unless each user-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 11 item B.1.h. (1) above which applies to individually metered users-occupants also applies to master metered usersoccupants, except a representative may act on the behalf of a master metered useroccupant, 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-metered customer dispute or complaint.

~~(1)~~

b. When the mater metered customer has been granted an extension of the period for repayment of a bill.

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

~~e.d.~~ When a delinquent account relates to another property owned, managed, or operated by the meter-metered customer.

~~d.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.

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

- (1) If upon receipt of a 10-day 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 (760) 247-6484.

~~B. 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, other notice(s) as may be prescribed in the utility's tariffs.~~

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

- ~~(2)(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.~~

- ~~(3)(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 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 of service notice. To maintain uninterrupted service this action must be taken prior to discontinuation of service as defined in the provided notice.

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Rule No. 11
(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

B. 1. i. Continued

~~(4)(3)~~ The CAB's resolution of the matter ~~will~~ should 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~~ such customer may file ~~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.

(4) Failure of ~~the residential as well as 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.

j. Designation of a Third-Party Representative (~~Elderly or Handicapped~~ 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 ~~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.

(continued)

Rule No. 11
(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

B. Discontinuance of Services by Utility (Continued)

3. For Waste Water

- a. Where negligent or wasteful use of water exists on a 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.

~~* 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.~~

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 premises, 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 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.

(continued)

Rule No. 11
(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

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 \$30.00 for reconnection of service during regular working or \$150.00 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 conditions permit, otherwise reconnection 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.

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:

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Rule No. 11
(Continued)
DISCONTINUANCE AND RESTORATION OF SERVICE

C.5 (Continued)

- i. For reconnections during regular working hours, the lesser of the actual cost or \$50,000; and
- ii. For connection during other than regular working hours, the lesser of the actual cost or \$150. The cap of these reconnection fees (\$50 and \$150, respectively) shall be subject to an annual adjustment for charges 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 service 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.