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May 1, 2020

**VIA EMAIL ONLY**

**Advice Letter 139-E-A  
(U 933-E)**

California Public Utilities Commission  
Energy Division, Tariff Unit  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102-3298

**Subject: Liberty Utilities (CalPeco Electric) LLC (U 933-E) – Supplement to Advice Letter 139-E Regarding Implementation of Emergency Disaster Relief Program for COVID-19**

**Purpose**

Liberty Utilities (CalPeco Electric) LLC (“Liberty CalPeco”) submits this supplement to Advice Letter 139-E, which was filed on March 24, 2020 in accordance with Ordering Paragraph (“OP”) 1 of California Public Utilities Commission (“Commission”) Decision (“D.”) 19-07-015, and the Commission Executive Director’s March 17, 2020 letter addressing Emergency Customer Protections to Support Customers Affected by the COVID-19 State of Emergency.

On April 16, 2020, the Commission issued Resolution M-4842, which ratified directives included in the Commission Executive Director’s March 17, 2020 letter. Pursuant to Resolution M-4842, Liberty CalPeco makes the following changes to AL-139-E in this supplement:

1. Changes the advice letter from a Tier 1 to a Tier 2 filing;
2. Includes additional customer protections for residential and small business customers;
3. Provides justification for why certain customer protections are not applicable for this particular emergency;
4. Clarifies that the customer protections will remain in place until April 16, 2021; and
5. Provides tariff language establishing a COVID-19 Pandemic Protections Memorandum Account (“CPPMA”) to track costs associated with customer protections ordered by Resolution M-4842.

**Background**

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency<sup>1</sup> in California as part of the state’s response to address the global outbreak of COVID-19. On March 16, 2020, Governor

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<sup>1</sup> Available at <https://www.gov.ca.gov/2020/03/04/governor-newsom-declares-state-of-emergency-to-help-state-prepare-for-broader-spread-of-covid-19/>.

Newsom issued Executive Order N-28-20,<sup>2</sup> requesting that the Commission monitor the measures by public and private utility providers to implement customer service protections in response to COVID-19. On March 17, 2020, Commission Executive Director Alice Stebbins directed utilities to submit advice letters implementing the applicable Emergency Disaster Relief Program (“EDRP”) customer protections set forth in D.19-07-015 and to apply such protections retroactively to March 4, 2020, when the State of Emergency was declared.

Liberty CalPeco recognizes that the services it provides are critical. While the impacts of COVID-19 are evolving quickly, some customers may experience financial difficulty. As an initial response, on March 15, 2020, Liberty CalPeco temporarily suspended service disconnections across its service territory. Two days later, the Commission Executive Director instructed utilities to extend the “applicable customer protections directed in D.19-07-015” to customers in response to the COVID-19 pandemic. Pursuant to this letter, Liberty CalPeco is implementing the applicable customer protections contained in D.19-07-015 for customers impacted by the emergency. As noted in the Commission Executive Director’s letter, this emergency has not resulted in disruptions or degradations to utility service, and it is expected that utility services will remain reliable and assist in California’s COVID-19 response by allowing more people to safely self-quarantine or work from home. Some of the protections included in D.19-07-015 are not applicable to the current situation.

### **Eligibility Requirements and Time Limits for Customer Protections**

Pursuant to Resolution M-4842, the consumer protections described under the following sections of this letter will be offered to all Liberty CalPeco residential and small business customers in its service territory affected by the COVID-19 emergency retroactively to March 4, 2020 and will remain in place until April 16, 2021.

### **Customer Protections**

Resolution M-4842 lists 12 customer protections to be implemented, but acknowledges that some of the provisions adopted in D.19-07-015 may not apply in the case of the COVID-19 pandemic. Some of the adopted customer protections were intended to respond to disasters such as wildfires or earthquakes that may lead to a disruption or degradation of utility service or damage to homes or businesses that would make the home or business uninhabitable. Resolution M-4842 allows for the utilities to provide justifications for why they believe that certain customer protections do not apply in this situation.

Liberty CalPeco is extending the customer protections listed below, with the exception of customer protections 2, 3, 4, 10, and 12, which Liberty CalPeco believes are not applicable during the COVID-19 pandemic. Liberty CalPeco provides a justification for why these customer protections are not applicable below.

1. Waive deposit requirements for affected customers seeking to reestablish service for one year and expedite move in and move out service requests;

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<sup>2</sup> Available at <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.16.20-Executive-Order.pdf>.

*Applicable and implemented, retroactive to March 4, 2020.*

2. Stop estimated usage for billing attributed to the time period when the home/unit was unoccupied as result of the emergency;

*Not applicable. The COVID-19 pandemic is not expected impact access to homes or businesses.*

3. Discontinue billing in the event that a customer's residence or small business premises becomes unserviceable;

*Not applicable. As stated in D.19-07-015, this customer protection specifically relates to customers whose utility service has been disrupted or degraded. The COVID-19 pandemic is not expected to impact utility service to homes or businesses.*

4. Prorate any monthly access charge or minimum charges if billing is discontinued during a billing cycle;

*Not applicable. As stated in D.19-07-015, this customer protection specifically relates to a home or business rendered unserviceable by the disaster. The COVID-19 pandemic is not expected to impact utility service to homes or businesses.*

5. Implement payment plan options for customers;

*Applicable and implemented, retroactive to March 4, 2020.*

6. Suspend disconnection for nonpayment and associated fees, waive deposit and late fee requirements for customers;

*Applicable and implemented, retroactive to March 4, 2020.*

7. Support low-income residential customers, in disaster impacted zip codes which may include all zip codes in a county depending on circumstances, by (a) freezing all standard and high-usage reviews for the California Alternate Rates for Energy (CARE) program eligibility until at least the end of the year and potentially longer, as warranted; (b) contacting all community outreach contractors, the community based organizations who assist in enrolling hard-to-reach low-income customers into CARE, to help better inform customers of these eligibility changes; (c) partnering with the program administrator of the customer funded emergency assistance program for low-income customers and increase the assistance limit amount for the next 12 months for impacted customers; and (d) indicate how the energy savings assistance program can be deployed to assist impacted customers;

*Applicable and implemented, retroactive to March 4, 2020.*

8. Suspend all CARE and FERA program removals to avoid unintentional loss of the

discounted rate during the period for which the customer is protected under these customer protections;

*Applicable and implemented, retroactive to March 4, 2020.*

9. Discontinue generating all recertification and verification requests that require customers to provide their current income information;

*Applicable and implemented, retroactive to March 4, 2020.*

10. Offer repair processing and timing assistance and timely access to utility customers pursuant to Section 8386(c)(18);

*Not applicable. Cal. Pub. Util. Code § 8386(c)(18) addresses support activities during and after a wildfire. The COVID-19 pandemic is not expected to cause any damage that would require repairs.*

11. Include these customer protections as part of their larger community outreach and public awareness plans under Section 8386(c)(16)(b); and

*Applicable and implemented, retroactive to March 4, 2020.*

12. Meet and confer with the Community Choice Aggregators as early as possible to discuss their roles and responsibilities for each emergency customer protection.

*Not applicable. Liberty CalPeco's service territory does not contain any Community Choice Aggregators. In the unlikely event a Community Choice Aggregator is added to Liberty CalPeco's service territory before April 16, 2021, Liberty CalPeco will implement this customer protection via an advice letter.*

### **Customer Communication Plan**

Liberty CalPeco is implementing the following procedures to notify customers and local government representatives on the customer protections outlined in its EDRP:

1. Targeted Outreach to Impacted Customers – Liberty CalPeco has begun notifying impacted customers by mail in the five languages as outlined in its policy and on its website (Under Emergencies & Outages > Emergency Disaster Relief).
2. Local Government Representatives – Liberty CalPeco has started notifying local government and/or elected officials by email that the EDRP is in effect.
3. Outbound Dialing – Within 72 hours of the conclusion of this event, Liberty CalPeco will place calls throughout its territory regarding emergency relief customer protections.
4. Customer Contact Center – Liberty CalPeco has provided its 24-hour emergency representatives with information related to the EDRP.

Participating in or developing community outreach centers is inconsistent with Executive Order N-33-20 to stay home, and therefore Liberty CalPeco does not plan to implement these centers at this time.

### **Protecting the Health and Safety of our Employees and Customers**

In addition to the customer protection measures and customer outreach plan described above, Liberty CalPeco has implemented the following protective measures to safeguard the health and safety of its employees and customers:

- Liberty CalPeco has a pandemic preparedness plan in place and established a task force that is working with guidance from the Centers for Disease Control and Prevention (“CDC”). This task force has spent several weeks preparing for how the virus might impact the organization and communities served and how to respond appropriately.
- Liberty CalPeco continues to monitor the situation and actively shares updates and information with employees (weekly or more often as needed), so they can keep themselves, their families, and their community safe.
- Liberty CalPeco has deployed social distancing policies and identified key staff and separated them. Liberty CalPeco has instituted a remote workplace separation program for those business functions for which this is practicable.
- Liberty CalPeco has implemented deep cleaning of offices by a third-party disinfection service.
- Liberty CalPeco has provided customer service representatives and field personnel with masks, gloves, and additional protective supplies and requires social distancing of at least six feet for interactions with customers.
- Liberty CalPeco has limited employee travel, suspended in-person meetings, and postponed larger gatherings and events.
- Liberty CalPeco requires employees to follow the CDC recommendations on personal safety, such as frequent hand washing and distancing from others.
- Liberty CalPeco requires employees who feel sick or have concerns regarding potential exposure to stay at home.

### **Establishment of COVID-19 Pandemic Protections Memorandum Account**

Pursuant to Commission Resolution M-4842, Liberty CalPeco proposes to establish a COVID-19 Pandemic Protections Memorandum Account (“CPPMA”) to track all costs resulting from implementing the customer protections ordered in Resolution M-4842. The proposed CPPMA preliminary statement is included as an attachment.

### **Effective Date**

Pursuant to the March 17, 2020 letter from Commission Executive Director Stebbins and Commission Resolution M-4842, Liberty CalPeco requests that this Tier 2 Advice Letter be effective March 4, 2020.

**Protests**

Pursuant to Resolution M-4842, Liberty CalPeco requests expedited treatment and a shortened protest period for this advice letter. Anyone wishing to protest this Advice Letter may do so by letter sent via U.S. mail, facsimile, or email, any of which must be received no later than May 6, 2020, which is five days after the date of this Advice Letter. There are no restrictions on who may submit a protest, but the protest shall set forth the grounds upon which it is based and shall be submitted expeditiously.

Protests should be mailed to:

California Public Utilities Commission  
Energy Division, Tariff Unit  
505 Van Ness Avenue, 4th Floor  
San Francisco, CA 94102-3298  
Facsimile: (415) 703-2200  
Email: [edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)

The protest should be sent via email and U.S. Mail to Liberty CalPeco at the address shown below on the same date it is mailed or delivered to the Commission:

Liberty Utilities (CalPeco Electric) LLC  
Attn: Advice Letter Protests  
933 Eloise Avenue  
South Lake Tahoe, CA 96150  
Fax: 530-544-4811  
Email: [Dan.Marsh@libertyutilities.com](mailto:Dan.Marsh@libertyutilities.com)

**Notice and Service**

In accordance with General Order 96-B, Section 4.3, a copy of this Advice Letter is being sent electronically to parties shown on the G.O. 96-B service list. A copy is also being sent to parties on the R.18-03-011 service list. During the COVID-19 pandemic, Liberty CalPeco can only provide electronic copies of this advice letter to the service list.

Energy Division Tariff Unit  
California Public Utilities Commission  
May 1, 2020  
Page 7

If additional information is required, please do not hesitate to contact me.

Respectfully submitted,

LIBERTY UTILITIES (CALPECO ELECTRIC) LLC

*/s/ Daniel W. Marsh*

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Daniel W. Marsh  
Liberty Utilities (CalPeco Electric) LLC  
Manager, Rates and Regulatory Affairs  
Email: Dan.Marsh@libertyutilities.com

cc: Liberty CalPeco Advice Letter Service List  
Service List of R.18-03-011

Liberty Utilities (CalPeco Electric) LLC  
Advice Letter Filing Service List  
General Order 96-B, Section 4.3

**VIA EMAIL**

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PRELIMINARY STATEMENT  
(Continued)

13. **MEMORANDUM ACCOUNTS** (Continued)

N. **COVID-19 Pandemic Protections Memorandum Account**

(N)

In accordance with Ordering Paragraph 4 of California Public Utilities Commission ("Commission") Resolution M-4842, issued on April 16, 2020, the COVID-19 Pandemic Protections Memorandum Account ("CPPMA") will record incremental costs incurred in response to the COVID-19 pandemic.

1. PURPOSE

The purpose of the CPPMA is to track incremental costs incurred in response to the COVID-19 pandemic, including the costs to implement the customer protections adopted in D.19-07-015 and activated in Resolution M-4842.

2. APPLICABILITY

The CPPMA applies to all customer classes and rate schedules, except for those specifically excluded by the Commission.

3. ACCOUNTING PROCEDURES

Liberty CalPeco shall maintain the CPPMA by making entries at the end of each month as follows:

- a. A debit entry shall be made to the CPPMA at the end of each month to record the incremental COVID-19 related costs.
- b. Interest shall accrue to the CPPMA on a monthly basis by applying a rate equal to one-twelfth of the three-month Commercial Paper Rate, as reported in the Federal Reserve Statistical Release, to the average of the beginning-of-month and the end-of-month balances.

4. EFFECTIVE DATE

The CPPMA shall be effective on March 4, 2020.

5. DISPOSITION

Disposition of amounts recorded in the CPPMA shall be determined in a subsequent general rate case or another proceeding authorized by the Commission.

(N)



# ADVICE LETTER SUMMARY

## ENERGY UTILITY



MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Liberty Utilities (CalPeco Electric) LLC (U-933 E)

Utility type:

- ELC       GAS       WATER  
 PLC       HEAT

Contact Person: Daniel W. Marsh

Phone #: 562-805-2083

E-mail: Dan.Marsh@libertyutilities.com

E-mail Disposition Notice to: Dan.Marsh@libertyutilities.com

EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas      WATER = Water  
 PLC = Pipeline      HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 139-E-A

Tier Designation: 2

Subject of AL: Implementation of Emergency Disaster Relief Program for COVID-19.

Keywords (choose from CPUC listing): Compliance

AL Type:  Monthly  Quarterly  Annual  One-Time  Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: D.19-07-015 and Resolution M-4842

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: N/A

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Confidential treatment requested?  Yes  No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required?  Yes  No

Requested effective date: 3/4/20

No. of tariff sheets: 1

Estimated system annual revenue effect (%):

Estimated system average rate effect (%):

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: Adding COVID-19 Pandemic Protection Memorandum Account to tariffs

Service affected and changes proposed<sup>1</sup>: N/A

Pending advice letters that revise the same tariff sheets: N/A

<sup>1</sup>Discuss in AL if more space is needed.

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:**

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102  
Email: [EDTariffUnit@cpuc.ca.gov](mailto:EDTariffUnit@cpuc.ca.gov)

Name: Dan Marsh  
Title: Manager, Rates and Regulatory Affairs  
Utility Name: Liberty Utilities (CalPeco Electric) LLC  
Address: 9750 Washburn Road  
City: Downey State: California  
Telephone (xxx) xxx-xxxx: 562-805-2083  
Facsimile (xxx) xxx-xxxx:  
Email: Dan.Marsh@libertyutilities.com

Name:  
Title:  
Utility Name:  
Address:  
City: State: California  
Telephone (xxx) xxx-xxxx:  
Facsimile (xxx) xxx-xxxx:  
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## ENERGY Advice Letter Keywords

Affiliate	Direct Access	Preliminary Statement
Agreements	Disconnect Service	Procurement
Agriculture	ECAC / Energy Cost Adjustment	Qualifying Facility
Avoided Cost	EOR / Enhanced Oil Recovery	Rebates
Balancing Account	Energy Charge	Refunds
Baseline	Energy Efficiency	Reliability
Bilingual	Establish Service	Re-MAT/Bio-MAT
Billings	Expand Service Area	Revenue Allocation
Bioenergy	Forms	Rule 21
Brokerage Fees	Franchise Fee / User Tax	Rules
CARE	G.O. 131-D	Section 851
CPUC Reimbursement Fee	GRC / General Rate Case	Self Generation
Capacity	Hazardous Waste	Service Area Map
Cogeneration	Increase Rates	Service Outage
Compliance	Interruptible Service	Solar
Conditions of Service	Interutility Transportation	Standby Service
Connection	LIEE / Low-Income Energy Efficiency	Storage
Conservation	LIRA / Low-Income Ratepayer Assistance	Street Lights
Consolidate Tariffs	Late Payment Charge	Surcharges
Contracts	Line Extensions	Tariffs
Core	Memorandum Account	Taxes
Credit	Metered Energy Efficiency	Text Changes
Curtable Service	Metering	Transformer
Customer Charge	Mobile Home Parks	Transition Cost
Customer Owned Generation	Name Change	Transmission Lines
Decrease Rates	Non-Core	Transportation Electrification
Demand Charge	Non-firm Service Contracts	Transportation Rates
Demand Side Fund	Nuclear	Undergrounding
Demand Side Management	Oil Pipelines	Voltage Discount
Demand Side Response	PBR / Performance Based Ratemaking	Wind Power
Deposits	Portfolio	Withdrawal of Service
Depreciation	Power Lines	