



Liberty Utilities (CalPeco Electric) LLC
933 Eloise Avenue
South Lake Tahoe, CA 96150
Tel: 800-782-2506
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September 1, 2023

VIA EMAIL ONLY

EDTariffUnit@cpuc.ca.gov

**Advice Letter 223-E
(U 933-E)**

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

Subject: Liberty Utilities (CalPeco Electric) LLC (U-933 E) –Rule 15 and Rule 16 Tariff Changes

Liberty Utilities (CalPeco Electric) LLC (U 933-E) (“Liberty”) submits this **Tier 1** Advice Letter to align with its current business practices. This AL is requesting approval to update Liberty’s Rule 15 and Rule 16 tariffs to provide clarifications regarding costs, advances, construction allowances, and refunds (Rule 15); and service facilities, distribution line extensions, responsibilities, and payments (Rule 16).

Background

On December 4, 2020, the Energy Division of the CPUC directed the California gas and electric utilities to submit a Tier 1 Advice Letter to incorporate language changes from AB 1026, Section 783 of the Public Utilities Code into its Rule 15 and Rule 16 tariffs by February 3, 2021. This language is pertinent to construction and design specifications, standards, terms, and conditions of new extensions of service within Liberty’s service territory. In Advice Letter 161-E Liberty revised its Rule 15 and Rule 16 tariff pages to include the language as directed by Energy Division. On March 26, 2021, the Commission approved Liberty’s Tariff changes. Liberty is now requesting approval to update its tariffs to provide clarity consistent with current business practices.

Effective Date

Liberty requests that this **Tier 1** advice letter be effective as of September 1, 2023.

Protests

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 September 21, 2023, which is 20 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:

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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

The protest should also be sent via email and U.S. Mail to Liberty Utilities (CalPeco Electric) LLC 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
Email: CaseAdmin@libertyutilities.com

Notice

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 attached service lists. Address change requests to Liberty's GO 96-B service list should be directed by electronic mail to:
AnnMarie.Sanchez@LibertyUtilities.com.

For changes to all other service lists, please contact the Commission's Process Office at (415) 703-2021 or by electronic mail at ProcessOffice@cpuc.ca.gov.

If additional information is required, please do not hesitate to contact me at
Cindy.Fisher@libertyutilities.com.

Respectfully submitted,

LIBERTY UTILITIES (CALPECO ELECTRIC) LLC

/s/ Cynthia Fisher
Cynthia Fisher
Manager, Rates and Regulatory Affairs

cc: Liberty General Order 96-B Service List

Rule No. 15
Electric Line Extensions

Rule No. 15

ELECTRIC LINE EXTENSIONS

B. Cost

- 1. All Electric Extensions and Alterations (continued)
 - e. Underground Extensions and Alterations - (Utility shall only make underground extensions in those areas where Utility maintains or desires to maintain underground facilities for its operational convenience or in accordance with applicable laws, ordinances or similar requirements of public authorities.) Cost shall include cables, connections, terminations, riser materials, transformers and other underground materials necessary to provide the requested service. Applicant shall provide and install all trench, backfilling, backfill material, excavation, breaking of pavement, paving, repaving, transformer pads, vaults, enclosures, boxes, conduits, and all other work relating to structures and substructures at no expense to the Utility. (T)
 - f. On site substations - when a new substation is required, all site preparation, including but not limited to grading and fencing will be provided by Applicant at no expense to Utility. (T)

2. Temporary Extensions and Alterations

In addition to all costs applicable to the installation of facilities, cost shall include the removal less salvage of facilities installed hereunder.

C. Advances

- 1. An advance, equal to Utility's estimated cost, in accordance with Section B., less the free allowance provided for in Section D. will be required thirty (30) days prior to the start of construction on any extension or alteration made under the provisions of this rule. Provided, however, no advance shall be required if the difference between the Utility's estimated cost and the free allowance is less than two hundred dollars (\$200.00). Such advance shall consist of cash and a credit for Applicant installed or provided items, except that portion of an extension or alteration which will be provided by Applicant at no expense to Utility, under Section B. This credit shall be equal to Utility's estimated cost of installing or providing same, and excluding any oversized facilities - the cost of which shall be handled pursuant to Section F.2.d. of this rule.

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Rule No. 15

ELECTRIC LINE EXTENSIONS

C. Advances (continued)

- 2. Utility may require an acceptable bond, letter of credit or guaranty related to the required cash advance whenever installation of the requested extension requires firm scheduling by the Utility more than thirty (30) days prior to construction. Bonds, letters of credit or guarantees provided for this purpose will be replaced with cash thirty (30) days prior to construction, except that the cost of special materials not normally stocked by Utility in the quantities needed, will be advanced in cash prior to the ordering of such materials.
- 3. In those instances where more than one Applicant is to be served jointly from the same extension or alteration, the total advance required from such group of Applicants shall be apportioned after the conclusion of the Line Extension Agreement, between the members of the group. At the time of the execution of said Line Extension Agreement, a single advance will be required of the sole applicant. The total advance shall equal the Utility's total cost for providing service to the group, less the combined free allowance provided for in Section D. (T)
- 4. Cash advances related to projects with total estimated construction costs exceeding \$5,000 will be adjusted to reflect the Utility's actual cost of construction. Adjustments shall be limited to those portions of the advance pertaining to facilities installed by the Utility. Applicant installed credits will not be subject to adjustment. (T)
- 5. All advances and advance adjustments made pursuant to Sections C.1. through C.4. above and all nonrefundable contributions required under this rule will be increased to reflect the Utility's net tax liability on such advances and/or contributions. The advance, as described above, will be multiplied by the appropriate tax liability factor, which includes cost component to cover Liberty estimated liability for Federal Income Tax and California State Tax as provided for in Preliminary Statement, Section 10.

The tax liability portion of any advance or contribution must be paid by the Customer in cash.

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ELECTRIC LINE EXTENSIONS

D. Construction Allowances

(T)

1. The allowable investment for line extensions shall be two and five tenths (2.5) times annual revenues for electric customers with projected new loads less than 1 MW. The allowable investment for electric customers, with loads of 1 MW or more, will be calculated individually so that the non-fuel revenues derived from such application will be sufficient to support the carrying costs on the allowable investment and a contribution to margin from that customer during the projected life of the project.
2. The Utility will install that portion of the line extension in excess of the allowance, subject to the payment of an advance pursuant to Section C.
3. As a condition for granting free allowance, the Utility may require a contract providing for:
 - a. The repayment of any free allowance granted, but not justified.
 - b. Minimum revenue guarantee and/or.
 - c. Termination/reduction of service charges.

Provided, however, the utility shall require a minimum revenue guarantee and termination/reduction of service charges for all projects the estimated construction costs of which exceed \$350,000 and for all projects of abnormal risk. Such contract may also provide that if the Applicant fails to take service in the amount stated as the basis for estimating the allowable investment, the Utility may calculate and bill the customer an amount to recover the allowance granted but not justified based on actual annual billings.

4. For projects where the special contract provisions under D.3. are unacceptable to the Utility or the Applicant, the Utility may require the entire cost of the project as an advance.
5. Non-Residential Allowances. The allowance for Distribution Line Extensions, Service Extensions, or a combination thereof, for Permanent Non-Residential Service is determined by Liberty utilities using the formula in Section D.1.
6. Residential. The allowance for Distribution Line Extensions, Service Extensions, or a combination thereof, for Permanent Residential Service is \$2,471 per meter or residential dwelling unit.
7. Multi-Family. Defined as "Multiple separate housing units for residential inhabitants contained within one building." The allowance for Distribution Line Extensions, Service Extensions, or a combination thereof, for Permanent Multi-Family Residential Service is \$824 per meter or residential dwelling unit.

(N)

(N)

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ELECTRIC LINE EXTENSIONS

E. Refunding

1. All advances made by Applicant(s) under the provisions of this rule, which are not classified as a contribution in aid of construction by Utility, shall be subject to refund, to the party or parties entitled thereto as set forth in this section. Except as noted in Section E.3 of this rule, all refunds shall be made without interest. All refunds described below in Sections E.2. through E.9. will be increased by the same tax liability factor, from Section C.5. above, that was used in determining the original advance against which the refund is being applied.
2. Refunding will be based on revenues in excess of the level used as the basis for a free allowance, derived from the following customers, who initiate service within ten (10) years of the date of the extension agreement:
 - a. Those served directly from the subject extension or alteration, as long as subject extension or alteration is the first in a series from the original point of supply for which a portion of an advance remains refundable.
 - b. Those served from subsequent extensions-of or additions-to the original extension. Refunds based on revenues in this section shall be made to the Applicant having the first extension in series from the original point of supply, for which a portion of an advance remains refundable.
3. Refunds based on estimated usage levels shall be paid by the Utility within ninety (90) days of a complete twelve (12) month period of usage data. (T)
4. Customers who advance the entire cost of a project under Section D.4. will receive refunds based on revenues from their service in the first ten years following the date their service is connected, unless the Utility and Customer agree that a shorter refund period should be utilized. At the end of each year of service, the free allowance that would have been granted under Section D.1. had they not been subject to Section D.4. will be computed based upon their annual revenues for the past year. The refund for each year will be one tenth (.10) of such amount, so computed for that year, unless a shorter refund period has been utilized, in which event the calculation of the refund shall be adjusted to reflect the period over which the refund is being computed.

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Rule No. 16
Service Extensions

Rule No. 16

SERVICE EXTENSIONS

B. GENERAL (Continued)

- 2. **SERVICE FACILITIES:** Utility's Service Facilities shall consist of (a) overhead Service Lateral conductors, (b) metering equipment, and (c) other Utility-owned service related equipment. (T)
- 3. **OWNERSHIP OF FACILITIES.** Service Facilities installed under the provisions of this rule shall be owned, operated, and maintained by Utility if they are (a) located in the street, road or Franchise Area of Utility, (b) installed by Utility under section D.2 below on Applicant's Premises for the purpose of the delivery of electric energy to Applicant, or (c) installed by Applicant under the provisions of this rule, and conveyed to Utility. (T)
- 4. **PRIVATE LINES.** Utility shall not be required to connect Service Facilities to or serve any Applicant from electric facilities that are not owned, operated, and maintained by Utility.
- 5. **SPECIAL OR ADDED FACILITIES.** Any special or added facilities Utility installs at the request of Applicant, will be installed at Applicant's expense in accordance with Rule 2, Description of Service.
- 6. **TEMPORARY SERVICE FACILITIES.** Service Facilities installed for temporary service or for operations of speculative character or questionable permanency shall be made in accordance with the fundamental installation and ownership provisions of this rule, except that all charges and refunds shall be made under the provisions of Rule 13, Temporary Service.
- 7. **STREET LIGHTS.** Street light services and appurtenant facilities shall be installed in accordance with the service provisions of the applicable street light schedule.
- 8. **CONTRACTS.** Each Applicant requesting service may be required to execute a written contract(s) prior to Utility performing its work to establish service. Such contract(s) shall be in the form on file with the California Public Utilities Commission (Commission).

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SERVICE EXTENSIONS

B. GENERAL (Continued)

- 9. **DISTRIBUTION LINE EXTENSIONS.** Whenever Utility's distribution system is not complete to the point designated by Utility where the Service Lateral is to be connected to Utility's distribution system, or said Utility distribution system must be upgraded to provide new service lateral, applicants project would then fall under the Rule 15 designation and would follow in accordance with Rule 15, Distribution Line Extensions. (T)
- 10. **RIGHTS-OF-WAY.** Rights-of-way or easements maybe required by Utility to install Service Facilities on Applicant's property to serve only Applicant. (T)
 - a. **SERVICE FACILITIES.** If the Service Facilities must cross property owned by a third party to serve Applicant, Utility may, at its option, install such Service Facilities after appropriate rights-of-way or easements, satisfactory to Utility, are obtained without cost to Utility; or
 - b. **LINE EXTENSIONS.** If Utility's facilities installed on Applicant's property, or third-party property, will be or are designed to serve adjacent property, then Utility may, at its option, install its facilities under Rule 15, after appropriate rights-of-way or easements, satisfactory to Utility, are obtained without cost to Utility.
 - c. **CLEARANCES.** Any necessary rights-of-way or easements for Utility's facilities shall have provisions to maintain legal clearances from adjacent structures.
- 11. **ACCESS TO APPLICANT'S PREMISES.** Utility shall at all times have the right to enter and leave Applicant's Premises for any purpose connected with the furnishing of electric service (meter reading, inspection, testing, routine repairs, replacement, maintenance, emergency work, etc.) and the exercise of any and all rights secured to it by law, or under Utility's tariff schedules. These rights include, but are not limited to,
 - a. The use of a utility-approved locking device, if Applicant desires to prevent unauthorized access to Utility's facilities;
 - b. Safe and ready access for Utility personnel free from unrestrained animals;

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SERVICE EXTENSIONS

E. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Continued)

1. APPLICANT RESPONSIBILITY. (Continued)

f. FACILITY TAMPERING. (Continued)

employees. However, in an emergency, Utility may allow a public authority or other appropriate party to break the seal. Any unauthorized tampering with utility-owned seals or connection of Applicant-owned facilities to unmetered conductors at any time is prohibited and is subject to the provisions of Rule 11 for unauthorized use.

g. TRANSFORMER INSTALLATIONS ON APPLICANT'S PREMISES. (D)

Transformer installations on Applicant's Premises shall be as specified by Utility and in accordance with the following applicable provisions:

(1) SPACE FOR TRANSFORMERS. Applicant shall provide space on Applicant's Premises at a location approved by Utility for a standard transformer installation including any necessary switches, capacitors, and electric protective equipment where required if (a) in an overhead area, Utility determines that the load to be served is such that a separate transformer installation, or (b) if Utility determines that the installation of a padmounted or subsurface transformer of any size is required on Applicant's Premises to serve only Applicant.

(2) PADMOUNTED EQUIPMENT. In Utility's standard installation, Applicant shall furnish, install, own, and maintain, at its expense, Substructures and any required Protective Structures as specified by Utility for the proper installation of the transformer, switches, capacitors, etc. as determined by Utility.

(3) SINGLE UTILITY-OWNED CUSTOMER SUBSTATION. When Utility elects for its operating convenience to supply Applicant from a transmission line and install a Utility-owned substation on Applicant's Premises, Applicant shall furnish, install, own and maintain at its expense the necessary site improvements as specified by Utility for the proper installation of the transformer. Such improvements shall include but are not limited to a

(D)

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SERVICE EXTENSIONS

E. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Continued)

1. APPLICANT RESPONSIBILITY. (Continued)

g. TRANSFORMER INSTALLATIONS ON APPLICANT'S PREMISES. (D)
(Continued)

(3) SINGLE UTILITY-OWNED CUSTOMER SUBSTATION.
(Continued)

concrete pad or foundation, grounding system, fences and gates, access road, grading, and paving as required, etc. Detailed information on Utility's requirements for a single customer substation will be furnished by Utility.

(4) TRANSFORMER ROOM OR VAULT. Where Applicant request and Utility approves the installation of the transformer(s) in a vault or room on Applicant's Premises, rather than Utility's standard padmounted installation,

(a) The room or vault on Applicant's Premises shall be furnished, installed, owned, and maintained by Applicant and shall meet Utility's specifications for such things as access, ventilation, drainage, grounding system, etc.

(b) If space cannot be provided on Applicant's Premises for the installation of a transformer on either a pad or in a room or vault, a vault will be installed at Applicant's expense in the street near the property line. It shall be Applicant's responsibility to install (or pay for) such vault if not restricted by governmental authority having jurisdiction and Applicant shall convey ownership of the vault to Utility upon its acceptance. The additional facilities shall be treated as special or added facilities under the provisions of Rule 2.

(c) If Utility's installed cost for the transformer in the room or vault is more costly than the standard padmounted transformer installation, the additional costs shall be paid by Applicant as special or added facilities. **(D)**

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E. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Continued)

1. APPLICANT RESPONSIBILITY. (Continued)

g. TRANSFORMER INSTALLATIONS ON APPLICANT'S PREMISES.(Continued)

(D)

(5) TRANSFORMER LIFTING REQUIREMENTS. Where Utility has installed or agrees to install, transformers at locations where Utility cannot use its standard transformer lifting equipment and special lifting facilities are required to install or remove the transformers on Applicant's Premises, Applicant shall, at his/her expense, (a) furnish, install, own, and maintain permanent lifting facilities and be responsible for lifting the transformer to and from its permanent position, or (b) provide (or pay for) portable lifting facilities acceptable to Utility for installing or removing the transformers. Rights-of-way and space provisions shall be provided by Applicant such that access and required clearances from adjacent structures can be maintained. Utility may require a separate contract for transformer lifting requirements.

(6) OVERHEAD TRANSFORMERS. In remote areas or in areas not zoned for residential or commercial use or for underground services, padmounted transformers are preferred for installation on Applicant's Premises however, where Utility determines that it is not practical to install a transformer on a pad, in a room or vault, Utility may furnish a pole-type structure at its expense for an installation not exceeding 500 kVA.

(D)

g. BUILDING CODE REQUIREMENTS. Any service equipment and other related equipment owned by Applicant, as well as any vault, room, enclosure, or lifting facilities for the installation of transformers shall conform with applicable laws, codes, and ordinances of all governmental authorities having jurisdiction.

(T)

h. REASONABLE CARE. Applicant shall exercise reasonable care to prevent Utility's Service Lateral, meters, and other facilities owned by Utility on the Applicant's Premises from being damaged or destroyed, and shall refrain from interfering with Utility's operation of the facilities and shall notify Utility of any obvious defect. Applicant may be required to provide and install suitable mechanical protection (barrier posts, etc.) as required by Utility.

(T)

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E. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Continued)

2. UTILITY RESPONSIBILITY

a. **SERVICE, METER, AND TRANSFORMER.** Utility will furnish, install, own, and maintain the following Service Facilities as applicable after Applicant meets all requirements to receive service:

(1) **UNDERGROUND SERVICE.** A set of Service Lateral conductors to supply permanent service from the Distribution Line source to the Service Delivery Point approved by Utility.

(2) **RISER MATERIALS.** Any necessary pole riser material for connecting underground services to an overhead Distribution Line.

(3) **OVERHEAD SERVICE.** An overhead Service Lateral conductor to supply permanent service from a Distribution Line source to a suitable support at the Service Delivery Point approved by Utility. Such support shall be of a type and located such that service wires may be stalled in accordance with good engineering practice and in compliance with all applicable laws, ordinances, rules, and regulations including those governing clearances and points of attachment. (T)
(T)

(4) **METERING.** The necessary instrument transformers where required, test facilities, meters, associated metering equipment and the metering enclosures when Utility elects to locate metering equipment at a point that is not accessible to Applicant.

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E. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Continued)

2. UTILITY RESPONSIBILITY (Continued)

(5) TRANSFORMER. The transformer where required, including any necessary switches, capacitors, electrical protective equipment, etc. When either a pad-mounted or overhead transformer is installed on Applicant's Premises, the Service Lateral shall include the primary conductors from the connection point at the distribution supply line to the transformer and the secondary conductors, if any, from the transformer to the Service Delivery Point. **(D)**

b. SPECIAL CONDUIT INSTALLATIONS. Utility shall own and maintain Service Lateral Conduits only if: (1) they are located in the same trench with distribution facilities, and (2) when it is necessary to locate Conduits on property other than that owned by Applicant, as determined by Utility, or as may be required by local authorities.

c. CABLE-IN-CONDUIT. In those cases where Utility elects to install its Service Lateral conductors using pre-assembled cable-in-conduit (CIC), the conduit portion will be considered a part of the conductor installation provided by Utility.

d. GOVERNMENT INSPECTION. Utility will establish electric service to Applicant following notice from the governmental authority having jurisdiction that the Applicant-owned facilities have been installed and inspected in accordance with any applicable laws, codes, ordinances, rules, or regulations, and are safe to energize.

3. INSTALLATION OPTIONS.

(a) UTILITY-PERFORMED WORK. Where requested by Applicant and mutually agreed upon, Utility may perform that portion of the new service extension work normally the responsibility of Applicant according to Section D.1 above provided Applicant pays Utility its estimated installed cost.

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E. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Continued)

(b) **APPLICANT-PERFORMED WORK.** Applicant may elect to use competitive bidding to install that portion of the new Service Facilities normally installed and owned by Utility in accordance with the same provisions outlined in Rule 15.

F. ALLOWANCES AND PAYMENTS BY APPLICANT

1. ALLOWANCES

- a. **Non-Residential.** The construction allowance for Non-Residential applications is calculated on the projected annual revenue and the revenue multiples in Section I, Lines 18 & 19. The projected annual revenue will include only the revenue from monthly billings for basic service, excluding balancing account adjustments, late charges, and tax adjustments. Should actual revenues fall substantially short of the projected revenue used for the free allowance granted, the customer may be required to pay to Liberty in cash any portion of the free allowance granted but not justified by actual revenues. Such payment will be increased by the tax liability factor noted in Section I, Line 17. The payment shall be made within 30 days of written notification of the revenue deficiency and request for payment by Liberty.
- b. **Residential.** The allowance for Distribution Line Extensions, Service Extensions, or a combination thereof, for Permanent Residential Service is \$2,471 per meter or residential dwelling unit.
- c. **Multi-Family.** Defined as "Multiple separate housing units for residential inhabitants contained within one building." The allowance for Distribution Line Extensions, Service Extensions, or a combination thereof, for Permanent Multi-Family Residential Service is \$824 per meter or residential dwelling unit.

(T)

(N)

(N)

2. SEASONAL, INTERMITTENT, AND INSIGNIFICANT LOADS. When Applicant requests service for loads that are expected to have low or minimal energy usage, such as loads that are seasonal, intermittent, insignificant, or used only for emergency purposes, the allowances stated above shall not apply. Further, Applicant shall pay Utility its total estimated costs for their service, including the transformer, if any.

3. PAYMENTS. Applicant is responsible to pay Utility the following non-refundable costs as applicable under this rule and in advance of Utility commencing its work:

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- (a) **POLE RISER.** Utility's estimated installed costs of any riser materials on its poles. (L)
- (b) **EXCESS SERVICE.** Utility's total estimated installed cost (including appurtenant facilities, such as connectors and the conduit portion of CIC cable) for the excess project costs beyond the allowance. (T)
- (c) **TAX.** Any payments or contribution of facilities by Applicant are taxable Contributions in Aid of Construction (CIAC) and shall include an Income Tax Component of Contribution (ITCC) for state and federal tax at the rate provided in Utility's Preliminary Statement.
- (d) **OTHER.** Utility's total estimated installed cost for any work it performs that is Applicant's responsibility or performs for the convenience of Applicant. (L)

G. EXISTING SERVICE FACILITIES

1. SERVICE REINFORCEMENT

- (a) **UTILITY-OWNED.** When Utility determines that its existing Service Facilities require replacement, the existing Service Facilities shall be replaced as new Service Facilities under Section D above.
- (b) **APPLICANT-OWNED.** When Utility determines that existing Applicant-owned service facilities (installed under a prior rule) require replacement, such replacement or reinforcement shall be accomplished under the provisions for a new service installation, except that if Utility determines that any portion of Applicant's existing service conductors can be utilized by Utility, Applicant will convey any such usable part to Utility and an appropriate credit by Utility may be allowed to Applicant.

Applicant will replace that portion of the service lateral which Applicant will continue to own subject to the provisions of Section D above.

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SERVICE EXTENSIONS

G. EXISTING SERVICE FACILITIES (Continued)

2. SERVICE RELOCATION OR REARRANGEMENT

(L)

a. **UTILITY CONVENIENCE.** When, in the judgement of Utility, the relocation or rearrangement of a service, including Utility-owned transformers, is necessary for the maintenance of adequate service or for the operating convenience of Utility, Utility normally will perform such work at its own expense, except as provided Sections F.2.b. and F.5. below.

b. **APPLICANT CONVENIENCE.** Any relocation or rearrangement of Utility's existing Service Facilities at the request of Applicant (aesthetics, building additions, remodeling, etc.) and agreed upon by Utility shall be performed in accordance with Section D above except that Applicant shall pay Utility its total estimated costs.

In all instances, Utility shall remove or abandon its existing facilities rendered idle by the relocation or rearrangement.

(L)

3. IMPAIRED ACCESS AND CLEARANCES. Whenever Utility determines that:

(a) **ACCESS.** Its existing Service Lateral facilities have become inaccessible for inspecting, operating, maintenance, meter reading, or testing, or

(b) **CLEARANCES.** A hazardous condition exists or any of the required clearances between the existing Service Facilities and any object becomes impaired under any applicable laws, ordinances, rules, or regulations of Utility or public authorities, then

(c) **CORRECTIVE ACTION.** Applicant or owner shall, at Applicant's or owner's expense, either correct the access or clearance infractions or pay Utility its total estimated cost to relocate its facilities to a new location which is acceptable to Utility. Applicant or owner shall also be responsible for the expense to relocate any equipment which Applicant owns and maintains. Failure to comply with corrective measures within a reasonable time may result in discontinuance of service.

(Continued)

Advice Letter No. 223-E

Issued by
Edward N. Jackson
Name

Date Filed September 1, 2023

Decision No. _____

President
Title

Effective September 1, 2023

Resolution No. _____

Rule No. 16

SERVICE EXTENSIONS

4. OVERHEAD TO UNDERGROUND SERVICE CONVERSIONS (L)

(a) **RULE 20.** Where an existing overhead Distribution Line is replaced by an underground distribution system in accordance with Rule 20, Replacement of Overhead with Underground Electric Facilities, new underground services will be installed under Rule 16, Service Extensions.

(b) **APPLICANT'S CONVENIENCE.** Where overhead services are replaced by underground services for Applicant's convenience, Applicant shall perform on the private property of Applicant all Excavation, furnish and install all Substructures, and pay Utility its total estimated installed cost to complete the new service and remove the overhead facilities.

5. DAMAGED FACILITIES. When Utility's facilities are damaged by Applicant, customer, third party, or any of their agents, the repair will be made by Utility at the expense of the party responsible for the damage. Applicants are responsible for repairing their own facilities. (L)

G. EXISTING SERVICE FACILITIES (Continued)

6. SUBDIVISION OF PREMISES. When Utility's Service Facilities are located on private property and such private property is subsequently subdivided into separate Premises with ownership divested to other than Applicant or customer, the subdivider is required to provide Utility with adequate rights-of-way satisfactory to Utility for its existing facilities and to notify property owners of the subdivided Premises of the existence of the rights-of-way.

When adequate rights-of-way are not granted as a result of the property subdivision, Utility shall have the right, upon written notice to Applicant, to discontinue service without obligation or liability. The existing owner, Applicant, or customer shall pay to Utility the total estimated cost of any required relocation or removal of Utility's facilities. A new electric service will be re-established in accordance with the provisions of Section D above for new service and the provisions of any other applicable Utility rules.

H. EXCEPTIONAL CASES

When the application of this rule appears impractical or unjust to either party, or ratepayers, Utility or Applicant may refer the matter to the Commission for a special ruling or for approval of special conditions which may be mutually agreed upon.

(Continued)

Advice Letter No. 223-E Issued by Edward N. Jackson Date Filed September 1, 2023
Decision No. _____ Name President Effective September 1, 2023
Title _____ Resolution No. _____

Rule No. 16

SERVICE EXTENSIONS

I. DEFINITIONS FOR RULE 16

(L)

Applicant: A person or agency requesting Utility to supply electric service.

Conduit: Ducts, pipes, or tubes of certain metals, plastics or other materials acceptable to Utility for the installation and protection of electric wires and cables.

Distribution Lines: Utility's overhead and underground line which is operated at distribution voltages as set forth in Utility's Rule 2 and which is designed to supply two or more services.

Excavation: All necessary trenching, backfilling, and other digging as required to install service facilities including furnishing of any imported backfill material, concrete encasement to protect conduit, and disposal of trench soil, as required by Utility, surface repair and replacement, landscape repair and replacement.

(L)

Franchise Area: Public streets, roads, highways, and other public ways and places where Utility has a legal right to occupy under franchise agreements with governmental bodies having jurisdiction.

Insignificant Loads: Small operating loads, such as but not limited to gate openers, valve controls, clocks, timing devices, transmitter services, alarm devices, etc.

Intermittent Loads: Loads requiring significant capacity but have low energy usage such as but limited to welders, x-ray machines, fire protection equipment, etc.

Premises: All of the real property and apparatus employed in a single enterprise on an integral parcel of land undivided, excepting in the case of industrial, agricultural, oil field, resort enterprises, and public or quasi-public institutions, by a dedicated street, highway or public thoroughfare or a railway. Automobile parking lots constituting a part of and adjacent to a single enterprise may be separated by an alley from the remainder of the Premises served.

Protective Structures: Fences, retaining walls, sound barriers, posts, barricades and other structures as required by Utility.

Service Delivery Point: Where Utility's Service Lateral is connected to either Applicant's conductors or other service termination facility designated and approved by Utility.

(Continued)

Advice Letter No. <u>223-E</u>	Issued by <u>Edward N. Jackson</u>	Date Filed <u>September 1, 2023</u>
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	Title _____	Resolution No. _____

Rule No. 16
SERVICE EXTENSIONS
(Continued)

I. **DEFINITIONS FOR RULE 16** (Continued)

Service Lateral: The overhead and underground primary or secondary facilities extending from the point of connection at the Distribution Line to the Service Delivery Point. When an underground Service Lateral is supplied from a Utility-designated overhead pole, the beginning point of connection to Utility's Distribution Line shall be where the Service Lateral is connected to Utility's overhead Distribution Line conductors.

Substructures: The surface and subsurface structures which are necessary to contain or support Utility's electric facilities. This includes but is not limited to splice boxes, pull boxes, equipment vaults and enclosures, foundations or pads for surface-mounted equipment.

(L)
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(L)

Advice Letter No. 223-E

Issued by
Edward N. Jackson
Name

Date Filed September 1, 2023

Decision No. _____

President
Title

Effective September 1, 2023

Resolution No. _____

VIA EMAIL

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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: Cindy Fisher

Phone #: 530-721-5191

E-mail: Cindy.Fisher@libertyutilities.com

E-mail Disposition Notice to: AnnMarie.Sanchez@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) #: 223-E

Tier Designation: 1

Subject of AL: Rule No. 15 and Rule No. 16 Changes

Keywords (choose from CPUC listing): Line Extensions, Rules

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

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

Summarize differences between the AL and the prior withdrawn or rejected AL:

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: 9/1/23

No. of tariff sheets: 17

Estimated system annual revenue effect (%): n/a

Estimated system average rate effect (%): n/a

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: Rule No. 15, Rule No. 16

Service affected and changes proposed¹: N/A

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

¹Discuss 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

Name: Cindy Fisher
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: 530-721-5191
Facsimile (xxx) xxx-xxxx:
Email: Cindy.Fisher@libertyutilities.com

Name: AnnMarie Sanchez
Title: Coordinator
Utility Name: Liberty Utilities (California)
Address: 9750 Washburn Road
City: Downey State: California
Telephone (xxx) xxx-xxxx: 562-805-2052
Facsimile (xxx) xxx-xxxx:
Email: AnnMarie.Sanchez@libertyutilities.com

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	