

CALIFORNIA PUBLIC UTILITIES COMMISSION

**ADVICE LETTER FILING SUMMARY
ENERGY UTILITY**

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

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

Utility type:

- ELC GAS
 PLC HEAT WATER

Contact Person for questions and approval letters: Dan Marsh

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EXPLANATION OF UTILITY TYPE

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

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 82-E

Subject of AL: Liberty Utilities (CalPeco Electric) LLC (U 933-E) –Tier Designation: 1 2 3

Keywords (choose from CPUC listing):

AL filing type: Monthly Quarterly Annual One-Time Other

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution: 16-01-021

Does AL replace a withdrawn or rejected AL?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Summarize differences between the AL and the prior withdrawn or rejected AL:

Resolution Required? Yes No

Requested effective date: November 15, 2017

No. of tariff sheets:

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: N/A

Service affected and changes proposed: N/A

Pending Advice Letters that revise the same tariff sheets: N/A

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

CPUC, Energy Division Utility Info (including e-mail)

Attention: Tariff Unit
505 Van Ness Ave.,
San Francisco, CA 94102
edtarriffunit@cpuc.ca.gov

Liberty Utilities (CalPeco Electric) LLC
Attention: Advice Letter Protests
933 Eloise Avenue
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VIA EMAIL AND U.S. MAIL

October 16, 2017

**Advice Letter No. 82-E
(U 933-E)**

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

Subject: 2018 Post-Test Year Adjustment Mechanism

Liberty Utilities (CalPeco Electric) LLC (U 933 E) (“Liberty CalPeco”) hereby submits this **Tier 2** Advice Letter No. 82-E to increase its base rate revenues in accordance with the Post-Test Year Adjustment Mechanism (“PTAM”) as set forth in Section 9 of the Preliminary Statement in the Liberty CalPeco Tariff and as further authorized by Decision (“D.”) 16-01-021 (“Luning Approval Decision”).

I. Purpose

The purpose of this filing is to revise base rates as of January 1, 2018 pursuant to the PTAM tariff authorized in D.12-11-030 and to seek recovery of the remaining capital and operating expenses associated with Liberty CalPeco’s acquisition, financing, ownership, operation and maintenance of the Luning Solar Project, as authorized by the Commission in the Luning Approval Decision.

II. Coordination With Other Pending Liberty CalPeco Rate Proceedings

Liberty CalPeco currently has an Energy Cost Adjustment Clause (“ECAC”) application (A.17-07-001) (“ECAC Application”) pending before the Commission. Liberty CalPeco’s tariff provides that revisions to the ECAC rates also become effective as of January 1, 2018.

Assuming a final decision is issued in Liberty CalPeco’s ECAC application on a schedule that enables the revised rates to become effective as of January 1, 2018, Liberty CalPeco intends to timely make the necessary compliance submissions, including presenting revised tariffs to implement the rate changes and enable the new rates being requested in this PTAM Advice Letter and the ECAC application to become effective as of January 1, 2018.

In any event, even if a decision in the ECAC application is not issued in time to enable the revised rates to become effective as of January 1, 2018, Liberty CalPeco shall supplement this Advice Letter by submitting revised tariff sheets based on the rate changes to become effective as of January 1, 2018.

III. Background

The Liberty CalPeco PTAM tariff authorizes Liberty CalPeco to request increases to its base rate revenues based on the following:

Attrition Component

The attrition rate factor will be based on a forecast of the Consumer Price Index (“CPI”), minus 0.5% productivity factor (but will not be less than zero).

Major Plant Additions Component

For the Major Plant Additions component Liberty CalPeco will request recovery of all costs related to major plant additions. For purposes of the PTAM, a “Major Plant Addition” includes any capital addition to plant-in-service that exceeds \$4 million on a total company basis. The revenue requirement associated with a major plant addition would also include the California portion of operation and maintenance expenses, depreciation, and property taxes.

In addition, in the Luning Approval Decision, the Commission approved a Settlement Agreement between Liberty CalPeco and the Office of Ratepayer Advocates (“ORA”) authorizing Liberty CalPeco to purchase the Luning Solar Project and to recover in rates its costs associated with the acquisition, financing, ownership, operation and maintenance of the Luning Solar Project (“Luning Settlement Agreement”).¹

A. Attrition Component

Based on S&P Global Market Intelligence’s CPI Forecast for 2018 of 2.0%, less a productivity factor of 0.5%, the PTAM attrition adjustment for 2018 is 1.5%.

B. Major Plant Additions Component/Luning Solar Project Cost Recovery

In the Luning Approval Decision, the Commission found that the “ratemaking treatments for all expenses related to the acquisition and operation of the Luning facility described in the [Luning] Settlement Agreement should result in just and reasonable rates.”² It additionally ordered that:

^{1/} The original public version of the Luning Settlement Agreement is Attachment A to the Luning Approval Decision. The Luning Approval Decision conditioned approval of the Luning Settlement Agreement on the parties making certain revisions to the agreement. *See* Luning Approval Decision, mimeo at 43 (Ordering Paragraph No. 1). Attached as Exhibit A to Liberty CalPeco’s 2017 PTAM (AL-65-A) were relevant excerpts of Amended Settlement Agreement between ORA and Liberty CalPeco dated September 23, 2016 (“Amended Luning Settlement Agreement”).

^{2/} Luning Approval Decision, mimeo at 42 (Conclusions of Law No. 2).

As set forth in the terms of the [Luning] Settlement Agreement, Liberty [CalPeco] may seek rate recovery of authorized capital expenses and other costs related to the acquisition and initial operation of the Luning facility, including through the use of its 2017 and 2018 Post-Test Year Adjustment Mechanism filing.³

The Amended Luning Settlement Agreement authorizes Liberty CalPeco to seek in this PTAM rate recovery commencing January 1, 2018 the following costs associated with the Luning Solar Project:

1. The “costs to acquire and own the Luning [Solar] Project... (b) up to 5% of the Maximum Reasonable Costs Amount into rate base as of January 1, 2018”⁴ (the “Capital Investment”); and
2. The “Luning Project Operating Expenses” that CalPeco shall incur in 2017 and 2018 associated with the operation of the Luning Solar Project “up to the applicable annual cost recovery cap set forth in Section 4.3” of the Amended Luning Settlement Agreement.⁵

IV. Rate Requests

A. Attrition Adjustment

Application of the 1.5% attrition adjustment for 2018 to rates currently in effect will result in a proposed increase in base revenues of \$801,648.

B. Recovery of the Costs to Acquire, Finance, Own, Operate and Maintain the Luning Solar Project

i. Ratemaking Implications of Commercial Operation Date

During the proceedings that culminated in the issuance of the Luning Approval Decision, Liberty CalPeco projected that the Luning Solar Project would commence commercial operation as of January 1, 2017. On that basis, the Commission authorized Liberty CalPeco to begin recovering its costs associated with the Luning Solar Project as of January 1, 2017. The actual commercial operation date of the Luning Solar Project, however, was February 1, 2017.

In its Advice Letter 65-E, Liberty CalPeco did not seek to recover any costs associated with the Luning Solar Project for any period preceding the project’s commercial operation date. Accordingly, Liberty CalPeco developed the Luning Solar Project-associated revenue requirement for 2017 for both its capital and operating costs by multiplying the projected annual revenue

^{3/} Luning Approval Decision, mimeo at 44 (Ordering Paragraph No.2).

^{4/} Amended Luning Settlement Agreement, § 3.2.

^{5/} Amended Luning Settlement Agreement, § 3.3(a).

requirement for 2017 by 11/12. In light of the partial deferral in 2017 of the rate recovery of the capital costs of the Luning Solar Project, Liberty CalPeco is requesting authority to add to its 2018 rate base 1/12 of the Luning capital costs that were allowed into its 2017 rate base.⁶ In addition, by the end of 2017, Liberty CalPeco will be making one of two 2.5% payments to the Luning developer totaling \$1,799,194, which will be added to rate base beginning on January 1, 2018. Thus, Liberty CalPeco’s rate base will include 97.5% of its authorized Luning capital costs as of January 1, 2018.⁷

ii. Capital Costs Recovery

As set forth in Table 1, Liberty CalPeco is requesting that its 2018 rate base be increased by \$7,496,640:

Table 1
Luning Capital Costs to be Included in 2018 Rate Base

Total Capital Costs Associated with Luning	\$ 71,967,743
Percentage of Maximum Reasonable Cost Amount to be Added into 2018 Rate Base	<u>2.50%</u>
	<u>1,799,194</u>
Luning Capital Costs Allowed into 2017 Rate Base	68,369,356
Portion Excluded from 2017 Rate Base	<u>1/12</u>
	<u>5,697,446</u>
	<u>\$ 7,496,640</u>

iii. Luning Solar Project Operating Cost Recovery

In the Luning Approval Decision, the Commission authorized Liberty CalPeco to seek recovery of the two-year average of the forecasted costs it will incur in 2017 and 2018 to operate and maintain the Luning Solar Project. The Amended Luning Settlement Agreement defines “Luning Project Operating Expenses” as including the Operations and Maintenance (“O&M”) Costs, Administrative and General (“A&G”) Costs, and Property Tax expenses necessary to own, operate and maintain the Luning Solar Project.⁸ The Luning Approval Decision in accordance with Section 4.3 of the Luning Settlement Agreement further established the maximum amount of Operating Expenses that Liberty CalPeco could seek to recover in 2018 (“Operating Expense Annual Maximum Recoverable Amount”).

^{6/} AL-65-E, p. 7, fn 18,

^{7/} Amended Luning Settlement Agreement, § 3.2.

^{8/} Amended Luning Settlement Agreement, § 2.2, fn. 2.

As set forth in Table 2 below, the two-year average of the Forecasted Luning Project Operating Expenses is \$1,662,672.

Table 2
Two-Year Average of the Forecasted Luning Project Operating Expenses

	<u>2017</u>	<u>2018</u>	<u>Average</u>
O&M Expenses	\$ 597,900	\$ 612,847	
Insurance	159,092	162,234	
Land Lease	60,677	112,370	
Additional A&G Expenses	201,078	204,398	
Property Taxes	<u>612,034</u>	<u>602,713</u>	
	<u>\$ 1,630,781</u>	<u>\$ 1,694,562</u>	<u>\$ 1,662,672</u>

The two-year Average of the Forecasted Luning Project Operating Expenses of \$1,662,672 exceeds the Operating Expense Annual Maximum Recoverable Amount for 2018. Thus, Liberty CalPeco is reducing its request to the Annual Maximum Recoverable Amount of \$1,650,000 as set forth in Section 4.3 of the Amended Luning Settlement Agreement.

C. Rates

Application of the PTAM Attrition Factor for 2018 and the recovery of the additional Liberty CalPeco costs to acquire, own, operate and maintain the Luning Solar Project results in a proposed rate increase in base rate revenues of \$2,174,648, or 4.07%, as shown in Table 3.

Table 3

Customer Class	Increase	
	\$	%
Residential (D-1)	\$ 1,089,146	4.07%
Small Commercial (A-1)	431,119	4.07%
Medium Commercial (A-2)	194,999	4.07%
Large Commercial (A-3)	447,454	4.07%
Interruptible Irrigation (PA)	3,383	4.07%
Street Lights (SL)	2,876	4.07%
Outdoor Lighting (OL)	5,671	4.07%
	<u>\$ 2,174,648</u>	<u>4.07%</u>

Effective Date

Liberty CalPeco requests that this **Tier 2** Advice Letter be effective as of November 15, 2017. Approval as of this date will enable Liberty CalPeco to submit the necessary Tier 1 Advice Letter containing the revised tariff sheets to be effective as of January 1, 2018 with the approved rate changes associated with this PTAM Advice Letter and the ECAC application.

Protests

Anyone wishing to protest this Advice Letter may do so by letter sent via U.S. mail, by facsimile or by email, any of which must be received no later than November 10, 2017, 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:

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 be sent via email and U.S. Mail (and by facsimile, if possible) to Liberty CalPeco at the address shown below on the same date it is mailed or delivered to the Commission:

Energy Division Tariff Unit
California Public Utilities Commission
October 16, 2017
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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

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. Liberty CalPeco is also serving this Advice Letter on parties in Application 15-05-008 (the Liberty CalPeco 2016 General Rate Case proceeding), in Application 15-04-016 (the proceeding in which the Luning Approval Decision was issued), and in Application 17-07-001 (the ECAC Application).

In accordance with G.O. 96-B, Rule 4.2, Liberty CalPeco is providing customers notice through bill inserts and also by printing notices in newspapers of general circulation.

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

Respectfully submitted,

LIBERTY UTILITIES (CALPECO ELECTRIC) LLC

/s/ Gregory S. Sorensen
Gregory S. Sorensen
President
Liberty Utilities (CalPeco Electric) LLC

cc: Liberty CalPeco General Order 96-B Service List
Services Lists of A.15-05-008, A.17-07-001, A.15-04-016

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

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