



110 W. Taylor Street
San Jose, CA 95110-2131

April 1, 2021

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Advice Letter No. 559

Dear Madame/Sir:

San Jose Water Company (SJWC) submits this Tier 2 Advice Letter in compliance with Resolution (Res.) M-4849, which was adopted by the California Public Utilities Commission (Commission) at its February 11, 2021 voting meeting and issued the next day. In particular, Res. M-4849 requiring water utilities to "...design the transition plan to effectively ease customers through a transition off of the Emergency Customer Protections (and, in the case of water IOUs, the future expiration of the disconnect moratorium in the Governor's Executive Order N-42-20) by proactively communicating with customers to enroll them in programs to manage their utility bills and informing them of the changes to programs in which they are already enrolled."¹ Per Ordering Paragraph 5, SJWC's transition plan includes 1) a timeline of new start and resumed activities, 2) a marketing, education and outreach (ME&O) strategy, 3) an explanation of the activities timeline and ME&O strategy accounts for compliance and safety, and 4) a progress tracking and reporting plan as discussed below.

Activities Timeline

Resolution M-4849 provides that "The IOUs' transition plans shall map out a timeline of activities associated with programs or initiatives that assist customers in bill management."²

The activities timeline includes both (1) a timeline the resumption of standard activities that the water utility had suspended due to the Emergency Customer Protections in place and (2) a timeline for new activities that the water utility will implement to provide a smooth transition for customers as described below. Please note that SJWC is considering June 30, 2021, as the date when the shutoff moratorium and customer protections will end. As such, SJWC establishes July 1, 2021, as the Disconnection

¹ CPUC Resolution M-4849, page 10

² Ibid, page 11

Policy Resumption Date and the earliest date where we can begin disconnection activities as provided below.

A. Resumption of Disconnections for Non-Payment

- **60 days prior to Disconnection Policy Resumption Date** – The water utility will begin sending out notices to customers informing them that the water utility will resume applying standard disconnection procedures under its tariffs on July 1, 2021. The standard disconnection procedures are based on the timeline and requirements established by the Legislature under Senate Bill (“SB”) 998 (2018 Water Shutoff Protection Act).
- **Disconnection Policy Resumption Date** – The water utility will resume standard disconnection procedures under the timeline established under SB 998 and will begin counting the 60-day period prohibiting disconnections mandated under Health & Safety Code § 116908(a)(1)(A) for bills that are delinquent (past the due date) as of the Disconnection Policy Resumption Date. The water utility will individually reach out to each customer that has a delinquent bill as of the Disconnection Policy Resumption Date and will offer an opportunity to participate in an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment (the choice of which will be appropriate determined by the water utility based upon the specific circumstances of the individual customer). If a customer is engaged in one of those types of payment assistance plans and is making timely payments under that plan, they will not be disconnected.
- **60 days after Disconnection Policy Resumption Date** – The water utility may begin disconnecting customers for non-payment pursuant to the rules and procedures set forth under SB 998 and the applicable tariff rules. Prior to any disconnection for non-payment, the water utility will provide advance noticing required by SB 998 as follows below. In addition, each notice provided will mention the alternative payment arrangements made available as part of the transition plan.
 - **At Least 7 Business Days Before Disconnection** – No less than seven business days before discontinuation of residential service for nonpayment, the water utility shall contact the customer named on the account by telephone or written notice pursuant to Health & Safety Code § 116908(a)(1)(A).
 - **At Least 10 Calendar Days Before Disconnection (If Applicable)** – For residential occupants of individually metered multi-unit complexes who are not the customer of record, the water utility will send written notice pursuant to Health & Safety Code § 116916(b) at least 10 calendar days prior to any possible disconnection.
 - **At Least 7 Calendar Days Before Disconnection (If Applicable)** – For detached single-family dwelling, the water utility will send written notice of

termination pursuant to Health & Safety Code § 116916(f)(1) at least 7 calendar days prior to any possible disconnection.

B. Resumption of Verification/Recertification of Eligibility for CAP

- **June 1, 2021** – The water utility will begin sending out written notices to all CAP customers informing them that the water utility may resume applying the standard CAP eligibility verification and recertification requirements under its tariffs on July 1, 2021.
- **July 1, 2021** – The water utility may resume standard eligibility verification and recertification procedures for CAP customers.

C. Late Payment, Reconnection, or Other Customer Fees

- **June 1, 2021** – The water utility will begin sending out written notices to all customers informing them that the water utility may resume applying the standard late payment, reconnection or other customer fee procedures under its tariffs on July 1, 2021.
- **July 1, 2021** – Water utility may resume applying standard late payment, reconnection, or other customer fees to customer accounts.

Marketing, Education, and Outreach

Resolution M-4849 provides that “The IOUs shall include a coordinated, effective, and efficient strategy for their marketing, education, and outreach plan to engage and enroll customers in new bill management programs, to inform customers already enrolled in programs about changes due to the Emergency Customer Protections being no longer in effect after June 30, 2021 (and, in the case of water IOUs, the future expiration of the disconnect moratorium in the Governor’s Executive Order N-42-20), and to inform customers of the extension of the customer protections, where necessary.”³

The following Marketing, Education, and Outreach (“ME&O”) Strategy supports the Transition Plan in effectively easing customers through a transition off of the Emergency Customer Protections (and the future expiration of the disconnection moratorium in the Governor’s Executive Order N-42-20) by proactively communicating with customers to enroll them in programs to manage their utility bills and informing them of the changes to programs in which they are already enrolled. The Strategy was developed with a customer-impact lens and is part of a coordinated and effective marketing, education and outreach program.

SJWC will leverage ongoing communications channels to educate and engage all customers about the June 30, 2021 expiration of Emergency Customer Protections

³ Ibid, page 12

enacted during the COVID-19 crisis. This includes information on programs available to help customers maintain service.

The goal is to proactively communicate with customers and help enroll them in programs to manage their utility bills. In addition, we will inform them about changes to programs in which they may already be enrolled. Outreach will begin June 1, 2021.

Channels for targeted outreach include:

- Automated phone calls to customers
- Direct mail postcard
- Website (sjwater.com)
- Social media
- Press release to local media
- Multi-lingual advertising (print, social media, digital)
- Office signage (when reopened to the public)

Targeted outreach to customers enrolled in bill management programs, those with arrears, those who may qualify for disconnection preventions due to medical needs pursuant to SB 998, and those on assistance programs will convey the following information, as appropriate:

- Needed customer actions, including re-certifications, to remain eligible for programs
- Payment plans and options available to help customers maintain service or manage arrearages
- Bill assistance programs
- Application of late-payment, reconnection, and other fees to a customer
- Noticing of risk of disconnection
- Information about qualifying for disconnection preventions due to medical needs pursuant to SB 998

SJWC also intends to identify and partner with community-based and other organizations that regularly interact with targeted audiences to expand our outreach program. This includes, as directed in Resolution M-4849, seeking to partner with the California Department of Community Services and Development and their local service providers to leverage their customer interactions for expanding outreach efforts on bill management programs.

Industrywide partnership activities could also be coordinated through the California Water Association:

- The California Special Districts Association (CSDA) and their local service providers to promote programs offered by local regulated water utilities.
- An additional data exchange with energy investor-owned utilities in 2021—increasing the total to three times this year—to identify potential customers who could benefit from water utility assistance programs.
- Seeking partnerships with diverse suppliers to assist regulated water utilities in implementing customer ME&O activities and tools.

SJWC’s existing authorized budgets do not include all the activities described above. It is anticipated that the direct mailings (3) and the multi-lingual digital and print adds are estimated to cost \$450K and \$50K, respectively. SJWC will book these amounts to the CEMA for potential future recovery.

Compliance and Safety

Resolution M-4849 provides that “Each IOU must explain in their Transition Plan Advice Letter how the transition plan maintains alignment with program enrollment targets, program eligibility requirements, and customer protections in effect outside Emergency Customer Protections (e.g., bans on requirements that energy customers pay a deposit to enroll in 12-month payment plan) established by Commission Decisions for relevant programs as outlined in Section 1, Activities Timeline.”⁴

As summarized in Advice Letter 558, SJWC detailed how it complied with the seven (7) categories of Emergency Customer Protections listed on page 7 of Res. M-4849. No customers are currently without water service. Only the first five (5) of the seven (7) were applicable as SJWC were exempted from the latter two (2) categories as approved in Advice Letter 549. As such, SJWC is currently and will through at least June 30, 2021:

- Track the COVID-related incremental expenses through its CEMA beginning on March 4, 2020, the date of the Governor’s declared state of emergency;
- Evaluate insurance coverage for any identified losses (no policy covering COVID losses have been identified to date);
- Work cooperatively with its customers to resolve unpaid bills through payment arrangement plans tailored directly to the customers’ needs;
- Suspend reconnection or facilities fees and deposits for customers who must reconnect to SJWC’s water system during the COVID-19 pandemic emergency; and,
- Provide reasonable payment options to its customers throughout the pandemic emergency.

⁴ Ibid, page 14

As discussed above, Executive Order N-42-20 implements a moratorium on residential and small business water service disconnections for non-payment. That moratorium and the other customer protections therein will continue to be in place even when the Commission's Emergency Customer Protections are lifted.

SJWC currently has approximately 21,000 customers whose bills are more than 31 days overdue. This represents approximately 9% of our total customers. It is not possible to predict with any accuracy how many customers will be more than 60 days overdue once the moratorium and customer protections are lifted. SJWC estimates that some proportion of these customers will pay their arrears or enter into a payment arrangement program rather than face shutoffs.

Prior to any shutoff activity once allowed, SJWC will at a minimum comply with SB 998, which mandates certain requirements and procedures with respect to disconnections even when the Commission's Emergency Customer Protections are lifted. SJWC received approval of its SB 998 compliance plan via Advice Letter 543 effective February 1, 2020. As discussed above, SJWC will follow SB 998's requirements and procedures once the moratorium and customer protections have been lifted as anticipated on July 1, 2021.

In addition to SB 998, SJWC will continue to follow any applicable State and local health orders that are issued. This includes future orders not only related shutoffs and customer protections but also health-related orders that may be issued. To date, SJWC has followed all applicable local health orders related to worksite safety for our field personnel including enforcing travel restrictions and implementing quarantine requirements after nonessential travel. These precautions include and are not limited to creating a COVID-19 Prevention Plan (CPP) as required by Cal/OSHA, conducting risk assessments and job hazard analyses, issuing Interim Guidance documents to provide specific protocols to maintain physical distancing, cleaning & disinfection, wearing face covering, filing a social distancing protocol with the Santa Clara County Public Health Department, timely reporting of positive cases to the Public Health Department, implementing construction site COVID-19 protocols, providing training and tools for daily self-certification for the field staff, and requiring the use of appropriate personal protective equipment.

Progress Tracking and Reporting

Resolution M-4849 provides that "IOUs must include a plan for reporting progress on activities in the timeline, and present metrics they will track and report to monitor success in achieving the goal of effectively easing customers through a transition off of

Emergency Customer Protections (and, in the case of water IOUs, the future expiration of the disconnect moratorium in the Governor’s Executive Order N-42-20) by proactively enrolling customers in programs to manage their utility bills and informing relevant customers of the changes to programs in which they are already enrolled. Reporting frequency shall be monthly and the first report shall include baseline data associated with progress metrics.”⁵

The Class A water utilities have been and will continue providing monthly data reports regarding customers arrearages as part of the water low-income rate assistance rulemaking proceeding R.17-06-024. The data provided in R.17-06-024 is very comprehensive and include arrearages data (average/median amounts, days overdue, number of customers) as well as customers requesting payment assistance, making partial payments, and enrolled in our low-income program. SJWC will continue to file such reports in that proceeding and submit copies to Water Division until directed otherwise in that proceeding.

Additionally, SJWC will track and report the following metrics outlined below as part of the monthly data reports submitted in rulemaking proceeding R.17-06-024 to track enrollments of impacted customers in new payment programs:

- Number and percentage of customers enrolled in alternative payment arrangements (defined as enrollment in an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment).
- Number and percentage of customers that are disconnected.

Effective Date

This advice letter is designated as Tier I compliance filing with an anticipated effective date of July 1, 2021, the anticipated Disconnection Policy Resumption Date.

Protests and Responses

Anyone may respond to or protest this advice letter. A response does not oppose the filing but presents information that may prove 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 may include the following:

- 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;

⁵ Ibid, page 15

- 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;
- 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 relitigating a prior order of the Commission).

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 of the protest by mail to us, addressed to:

Regulatory Affairs
San Jose Water Company
110 West Taylor Street
San Jose, CA 95110
Fax 408.279.7934
regulatoryaffairs@sjwater.com

The advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period. Public notice is not required.

The present rates of the SJWC became effective on January 1, 2021, by Advice Letter No. 556. SJWC has Advice Letters 557 and 558 pending before the Commission.

In compliance with Paragraph 4.3 of GO 96-B, a copy of this advice letter has been delivered to all interested and affected parties as detailed in Attachment A. In addition, this filing is being served to and filed on the service lists for R.17-06-024 and R.18-03-

011. Please note that due to the COVID-19 pandemic, advice letters can only be delivered, served, and filed electronically.

This filing will not cause the withdrawal of service, nor conflict with other schedules or rules.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'John Tang', with a large, sweeping flourish at the end.

JOHN TANG
Vice President of Regulatory Affairs

Attachment

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 559

ATTACHMENT A

DRAFT

Certificate of Service

I hereby certify that a copy of San Jose Water Company's Advice Letter 559 has been service on the parties listed on the following Service List by email. San Jose Water Company is also serving this Advice Letter by email to the service lists for R.17-06-024 and R.18-03-011.

Executed on April 1, 2021 at San Jose, California.

/S/ John Tang