



Supplement to 09/19/2022 MPWMD Board Packet

Attached are copies of letters sent and/or received between **August 10, 2022 and September 13, 2022**. These letters are listed in the **September 19, 2022** Board packet under Letters Received.

Author	Addressee	Date	Topic
Greta Arevalo	General Manager	August 12, 2022	Press Release- Notice of Extended Filing Period for Elective Office (November 2022 General Election)
Rudy Fischer	General Manager	August 14, 2022	Denial of MPWMD Request by the State Water Resources Control Board
Melodie Chrislock	Board of Directors and General Manager	August 15, 2022	Herald Letter to the Editor: Do We Need Cal-Am's Desal? By Melodie Chrislock
Melodie Chrislock	Board of Directors and General Manager	August 16, 2022	Senate Bill 1469 – The Water Rate Adjustment Mechanism (WRAM) Surcharges
Susan Schiavone	Board of Directors	August 19, 2022	Subject Line: Letter to the Pine Cone – August 5, 2022 for Board Packet <i>Letter to the Editor: Cal Am and private vs. public</i>
Melodie Chrislock	Board of Directors and General Manager	August 20, 2022	<i>In response to an e-mail dated August 20, 2022 from the Monterey County Association of Realtors</i> Subject Line: FW: Government Affairs Update for MCAR Members
Mary L. Adams	Dave Stoldt	August 24, 2022	Invitation to the Regional Water Forum at the Monterey County Board of Supervisor's Chambers (<i>Hybrid both on-site and via teleconference means</i>) at its Regularly Scheduled Meeting on September 20, 2022 at 1:30 p.m.

Melodie Chrislock	Board of Directors and General Manager	August 28, 2022	Senate Bill 1469 Wants to Reinstate WRAM
David J. Stoldt	John Ainsworth, Executive Director with the California Coastal Commission	September 6, 2022	Completeness Letter for Cal-Am's CDP Application #9-20-0603

Joel Pablo

From: Arevalo, Greta <ArevaloG@co.monterey.ca.us>
Sent: Friday, August 12, 2022 10:51 PM
Cc: Elections
Subject: PR - Notice of Extended Filing Period for Elective Office
Attachments: 4. Extended Period Candidate Registration.pdf; 4. Extended Period Candidate Registration.docx

NEWS RELEASE

FOR IMMEDIATE RELEASE

Friday, August 12, 2022

Contact: Gina Martinez, Registrar of Voters

Phone: 831-796-1499

E-mail: elections@co.monterey.ca.us

Website: www.MontereyCountyElections.us

Facebook: <https://www.facebook.com/pages/Monterey-County-Elections>

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Notice of Extended Filing Period for Elective Office

Salinas, CA – The regular candidate filing period for the November 8, 2022, General Election has closed. The filing period for the following offices, in which an eligible incumbent did not file, is extended until 5:00 p.m. on Wednesday, August 17, 2022. Any candidates seeking municipal office will contact their City Clerk for extensions.

DISTRICT NAME	SEAT
Monterey County Board of Education	Governing Board Member, Trustee Area 3
Monterey County Board of Education	Governing Board Member, Trustee Area 7
Aromas-San Juan Unified School District	Governing Board Member, 2-year
Aromas-San Juan Unified School District	Governing Board Member, Trustee Area 3
Gonzales Unified School District	Governing Board Member, Trustee Area 4
North Monterey County Unified School District	Governing Board Member, Trustee Area 2
Soledad Unified School District	Governing Board Member
Paso Robles Joint Unified School District	Governing Board Member, Trustee Area 6
Salinas Union High School District	Governing Board Member, Trustee Area 3
Salinas Union High School District	Governing Board Member, Trustee Area 7
Bradley Union School District	Governing Board Member
Chualar Union School District	Governing Board Member, Trustee 1
Graves Elementary School District	Governing Board Member
Greenfield Union Elementary School District	Governing Board Member
King City Union School District	Governing Board Member, 4 yr
King City Union School District	Governing Board Member, 2 yr
Mission Union Elementary School District	Governing Board Member

Pleasant Valley Joint Union Elementary School District	Governing Board Member
San Antonio Union School District	Governing Board Member
San Lucas Union Elementary School District	Governing Board Member
Santa Rita Union School District	Governing Board Member, Trustee Area 2
Spreckels Union Elementary School District	Governing Board Member
Castroville Community Services District	Director
Gonzales Rural Fire Protection District	Director
Greenfield Fire Protection District	Director
Salinas Valley Memorial Healthcare District	Director, Zone 1
Soledad Community Health Care District	Director
Greenfield Memorial District	Director
Aromas Water District	Director
Marina Coast Water District	Director
Monterey Peninsula Water Management District	Director, Division 3, 2 yr
San Ardo Water District	Director
San Lucas County Water District	Director

Information regarding state office extensions will be added to the Monterey County Elections website as it becomes available.

Candidates filing during this period must meet all filing obligations. For more information, visit <https://montereycountyelections.us/11082022-candidate-guidelines/>.

To schedule an appointment, call 831-796-1499.

---END---

NOTA DE PRENSA

PARA PUBLICACIÓN INMEDIATA

Viernes, 12 de agosto de 2022

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Junta de Educación del Condado de Monterey	Miembro de la Junta Directiva, Área de Síndico 3
Junta de Educación del Condado de Monterey	Miembro de la Junta Directiva, Área de Síndico 7
Distrito Unificado de Aromas-San Juan	Miembro de la Junta Directiva, 2 años
Distrito Unificado de Aromas-San Juan	Miembro de la Junta Directiva, Área de Síndico 3
Distrito Escolar Unificado de Gonzales	Miembro de la Junta Directiva, Área de Síndico 4
D. Escolar Unificado del Norte del Condado de Monterey	Miembro de la Junta Directiva, Área de Síndico 2
Distrito Escolar Unificado de Soledad	Miembro de la Junta Directiva
Distrito Escolar Unificado Conjunto de Paso Robles	Miembro de la Junta Directiva, Área de Síndico 6
D. Unido de Escuelas Preparatorias de Salinas	Miembro de la Junta Directiva, Área de Síndico 3
D. Unido de Escuelas Preparatorias de Salinas	Miembro de la Junta Directiva, Área de Síndico 7
Distrito Escolar Unido de Bradley	Miembro de la Junta Directiva
Distrito Escolar Unido de Chualar	Miembro de la Junta Directiva, Área de Síndico 1
Distrito de Escuelas Primarias de Graves	Miembro de la Junta Directiva
Distrito Escolar Unido de Greenfield	Miembro de la Junta Directiva
Distrito Escolar Unido de King City	Miembro de la Junta Directiva, 4 años
Distrito Escolar Unido de King City	Miembro de la Junta Directiva, 2 años
Distrito Unido de Escuelas Primarias de Mission	Miembro de la Junta Directiva
D. Escolar Conjunto de Escuelas Primarias Pleasant Valley	Miembro de la Junta Directiva
Distrito Escolar Unido de San Antonio	Miembro de la Junta Directiva
Distrito Unido de Escuelas de San Lucas	Miembro de la Junta Directiva
Distrito Escolar Unido de Santa Rita	Miembro de la Junta Directiva, Área de Síndico 2
Distrito Escolar Unido de Escuelas Primarias de Spreckels	Miembro de la Junta Directiva
D. de Servicios a la Comunidad de Castroville	Director
D. Rural de Prot. Contra Incendios de Gonzales	Director
D. de Protección Contra Incendios de Greenfield	Director
Sistema de Salud Salinas Valley Memorial	Director, Zona 1
D. de Salud de la Comunidad de Soledad	Director
Distrito Conmemorativo de Greenfield	Director

Distrito de Agua de Aromas	Director
Distrito de Aguas Costeras de Marina	Director
D. de Admin. del Agua de la Península de Mry	Director, División 3, 2 años
Distrito de Agua de San Ardo	Director
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Para obtener una cita, llame al 831-796-1499.

---FIN---



Greta Arevalo, MPA
 Monterey County Elections
 Program Manager – Vote by Mail Services
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 1441 Schilling Pl – North Bld, Salinas, CA
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Spreckels Union Elementary School District	Governing Board Member
Castroville Community Services District	Director
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Greenfield Fire Protection District	Director
Salinas Valley Memorial Healthcare District	Director, Zone 1
Soledad Community Health Care District	Director
Greenfield Memorial District	Director
Aromas Water District	Director
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Distrito Escolar Unido de King City	Miembro de la Junta Directiva, 4 años
Distrito Escolar Unido de King City	Miembro de la Junta Directiva, 2 años
Distrito Unido de Escuelas Primarias de Mission	Miembro de la Junta Directiva

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Joel Pablo

From: mwchrislock@redshift.com
Sent: Monday, August 15, 2022 7:57 PM
To: Alvin Edwards; Amy Anderson; Clyde Roberson; Dave Stoldt; George Riley; Joel Pablo; Karen Paull; District 5; SAFWAT MALEK
Subject: Herald Letter to the Editor

Monterey Herald Letter to the Editor | August 16, 2022

<https://www.montereyherald.com/2022/08/15/letters-to-the-editor-aug-16-2022/>

Do We Need Cal Am's Desal?

Last week Cal Am held a community meeting in an attempt to sell us on its proposed desal plant in Marina. But they could not answer the two big questions in the room: How will they bring down the cost of water? And how much water do we really need? Instead of buyoff on the project, they got an earful from irate customers and Marina residents.

Cal Am assumes that if they produce more water from desal, people will use more. Right now you can use as much water as you want, but no one does because this water is prohibitively expensive. The reason people limit their water use is cost.

Cal Am has no plan to lower our water costs. In fact, just the opposite would happen. If their desal project were built, the cost of water would go up, further diminishing demand.

Right now the Peninsula uses 9,725 acre-feet. Cal Am wants to give us 6,250 more acre-feet. That's a lot of water! Who will use it?

If cost stays the same, growth is the only way to use more water. So how much water do we need for growth?

According to the AMBAG Regional Growth Forecast, which includes both population and job growth, we would need another 786 acre-feet annually by the year 2045.

And based on our historical growth before the moratorium, new water used for growth averaged only 16 acre-feet a year.

Why is Cal Am trying to build a desal plant that produces 6,252 acre-feet of extraordinarily expensive water when we don't need it and can't afford to use it? Profit.

*Melodie Chrislock, Director of Public Water Now
Carmel*

Joel Pablo

From: Rudy Fischer <rudyfischer@earthlink.net>
Sent: Sunday, August 14, 2022 9:02 PM
To: Joel Pablo; Dave Stoldt; E. Juaquin Esquivel - SWRCB; Eileen Sobeck - SWRCB; mtwomey@ambag.org; Kate McKenna - Executive Officer LAFCO; maleffel@mcbc.biz; Tom Rowley; Rick Heuer; wilde23kirstie@gmail.com; Bill Kampe; Bill Williams; Paul Bruno
Subject: Re: Denial of MPWMD Request by SWRCB

Comments to MPWMD/PWN:

I certainly hope no one is really surprised that the State Water Resources Control Board denied the Monterey Peninsula Water Management District request for water you don't have because the agency has not developed the water it was directed to years ago.

In the Carmel Pine Cone newspaper last week Susan Schiavone and Melodie Chrislock of Public Water Now (PWN) made a lot of accusations; blaming everyone else for our water shortage. Several times now MS Chrislock has also blamed Cal Am for not building a well for the ASR-1 deep injection well for the MPWMD. This at the same time that the agency is trying to take over Cal Am and Public Water Now and it's members on the MPWMD board block everything the company tries to do to actually develop new water. She has also claimed that the MPWMD has solved our water problems.

But I think the state's denial of the MPWMD request to allocate water for subsidized affordable housing projects shows that this claim just doesn't hold water. That rejection by the SWRCB is because they know that, over almost half a century, the MPWMD has failed to develop the sufficient and reliable sources of water it was created to produce. I don't blame that on the current board or even the current General Manager. Previous boards and GM's failed the water ratepayers of the Monterey Peninsula. But this board is now making the situation even worse.

The political action committee know as Public Water Now (FPPC 2021 ruling with fine attached) – to which most of you belong has fought the development of new water for years; resulting in the continuation of that problem. That means we cannot build affordable housing, people who own vacant lots cannot build a house there, and homeowners of existing homes cannot add bathrooms or water fixtures for their growing families. All because the Public Water Now dominated MPWMD board continues to fail the water rate payer.

While I also disagreed with the size of project Cal Am originally wanted to build (and let them know that, trying to get them to agree to a smaller - but expandable one if needed), they at least tried to present a solution. It is my belief that, because of the influence of PWN, the MPWMD board has made no attempt to negotiate anything on the desal plant proposal. Those members totally failed in their board responsibility to the residents of the Monterey Peninsula.

By the way, I believe that the head of Public Water at that time – who had originally agreed to the three legged solution which included a desal plant - torpedoed the project at a critical juncture. Then the board members decided to basically ignore the two most important goals of the MPWMD:

1. To increase the water supply to meet community and environmental needs.
2. To assist California American Water in developing a legal water supply.

Then they became hostile to Cal Am and stopped working or negotiating with them as they should have. But after 44 years, the MPWMD has only created one significant water project – and that provides less than fifteen percent of the water we need. It was developed years before the PWM directors were elected to the board. I wonder if even that project would have been approved by them though. That is because, when they were urged by the current head of PWN, to oppose a pipeline that would expand the utility of that project; they did indeed at first reject it. It was only because it just made too much sense that they finally came around.

It was Monterey One Water which (with a \$103 million SRF loan from the state and a significant amount in grants [\$30 million so far] brought in by Paul Sciuto of M1W) built the Pure Water Monterey plant which now provides 37% of the water the Peninsula uses – not the MPWMD, as Ms. Chrislock seemed to publicly claim recently. **THAT IS THREE TIMES THE AMOUNT OF WATER THE ASR PROJECT PROVIDES - AND IT IS RELIABLE AND CONSISTENT FROM YEAR TO YEAR!**

I believe the MPWMD – either by itself, with Monterey One Water/Pure Water Monterey, or with Cal Am or another partner – could develop the sources of the sufficient, reliable, and uninterrupted water the Monterey Peninsula needs in order to meet the requirements to get off of the CDO. But because Public Water Now's goal is to acquire most of the assets of Cal Am on the Monterey Peninsula, it is now fighting with that company. It is also fighting with the Monterey Peninsula Taxpayers Association and the Local Agency Formation Commission (LAFCO) – which represents 440,000 people - because fewer than 24,000 Monterey Peninsula residents voted to approve a local measure that could negatively affect multiple other communities they represent. But, like a spoiled and pouting unruly child, Public Water Now wants its way – even at the expense of others.

The Peninsula needs the MPWMD to move us forward on water solutions so we can get past the CDO. Not just on arguments and spending money on lawsuits. And still, rather than developing new water projects to meet the requirements needed to have the CDO lifted, the MPWMD board continues in their singleminded focus of trying to buy the local assets of Cal Am - an action which, by the way, will not produce one single additional drop of the water we need. And so our water poverty will probably continue.

Rudy Fischer

Pacific Grove City Councilman 2010-2018

Board of Directors, Monterey One Water 2013-2018

Joel Pablo

From: mwchrislock@redshift.com
Sent: Tuesday, August 16, 2022 9:41 AM
To: Alvin Edwards; Amy Anderson; Clyde Roberson; Dave Stoldt; George Riley; Joel Pablo; Karen Paull; District 5; SAFWAT MALEK
Subject: SB 1469 - WRAM Surcharges
Attachments: SB 1469 PAO Fact Sheet.pdf; Sen. Bradford - SB 1469.pdf; SB 1469 - Letter to Governor Newsom .pdf

Disregard my first email on this. It had a typo. – Melodie

Letter and attachments sent to Assemblyman Mark Stone's office regarding SB 1469.

Hi Erica,

Cal Water, Cal Am and the big water utilities are doing quite a sales job on SB 1469. This bill will hurt seven million Californians who get their water from these investor-owned utilities. They are selling the lie that this will increase conservation. It won't and that's why the CPUC discontinued WRAM surcharges. All they do is allow water utilities to exceed their authorized rate of return.

Attached is an updated fact sheet from the Public Advocates Office on SB 1469. Richard Rauschmeier <richard.rauschmeier@cpuc.ca.gov> would be happy to answer any questions about their data or conclusions.

Here's the latest propaganda aimed at legislators in Capitol Weekly <<https://capitolweekly.net/for-water-conservation-lawmakers-should-okay-decoupling/>>.

Is anyone in the Assembly paying attention to the facts on this? Where does Assemblyman Stone stand?

Melodie

Melodie Chrislock
Managing Director
PUBLIC WATER NOW
<http://www.publicwaternow.org>
mwchrislock@redshift.com
831 624-2282



August 8, 2022

The Honorable Gavin Newsom
Governor of California
California State Capitol
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: Senate Bill 1469

Dear Governor Newsom:

On behalf of the millions of Californians to whom we provide safe and affordable drinking water service, we write to you regarding Senate Bill 1469 authored by Senators Bradford and Becker (SB 1469). In short, SB 1469 preserves a tremendously important water conservation tool, which could not be more important as California faces its worst drought in 1,200 years.

As you noted on July 29 when you met with the state's largest water suppliers, we are dealing with a changing climate in California that brings with it more frequent, persistent, and severe droughts. As was discussed in that meeting, one of the challenges posed by calls for water conservation is that reduced sales can leave utilities without the resources needed to operate their water systems safely and reliably. SB 1469 addresses this risk and, in doing so, is critical to our overall drought response and water supply efforts.

Without SB 1469, water suppliers regulated by the Public Utilities Commission (PUC) will be detached from the state's water conservation goals and will have a perverse incentive to sell as much water as possible. SB 1469 eliminates this incentive by allowing utilities to implement the regulatory best practice known as decoupling, which President Obama's Department of Energy concluded was "vital to ensuring that water and wastewater utilities have the incentives and the tools to reduce water and energy consumption."¹

Decoupling eliminates the concern that conservation will leave a utility without the resources needed to cover its fixed costs. Instead, the utility can focus on substantially expanding conservation initiatives, operating efficiently, and making critical investments in their water systems. As explained by the Regulatory Assistance Project, decoupling breaks the

¹ U.S. Department of Energy. (2015). Accelerate Energy Productivity 2030: A Strategic Roadmap for American Energy Innovation, Economic Growth, and Competitiveness. <https://www.energy2030.org/roadmap>.

conventional utility business model under which profits are tied to increasing sales, and “is a key component of a broader strategy to better align the utility’s incentives with societal interests.”²

After decades of success in the energy sector, in 2008, the PUC initiated a pilot program that allowed the water utilities it regulates to also implement decoupling. In the intervening years, the PUC-regulated water utilities have been at the forefront of the state’s efforts to make conservation a way of life. Peer reviewed research found that, during the last drought, the PUC-regulated utilities with decoupling saved considerably more water than their counterparts without decoupling and were twice as likely to meet the water conservation standards established by the State Water Resources Control Board.³ Now that the PUC’s pilot program has ended, SB 1469 is needed to prevent conservation backsliding.

SB 1469 will also help California achieve its climate change objectives. Substantial amounts of electricity are needed to pump, treat, store, and transport drinking water. Every drop of water that is not used creates corresponding energy savings. For this reason, organizations like the Alliance to Save Energy and American Council for Energy-Efficient Economy support SB 1469 as a tool to fight the drought and climate change. SB 1469 “will leverage water rates to meet California’s already progressive energy utility rates, positioning California as the leader once again in both water and climate issues, by aligning policy with the state’s water and energy efficiency goals.”⁴

In addition, SB 1469 will help keep water affordable. For example, a recent study found that water bills would be nearly 20% higher in East Los Angeles had it not been for their water supplier’s conservation efforts, made possible in large part to the PUC’s pilot program. The researchers concluded that these conservation efforts are “critical to help ensure that water utilities can continue to provide water service that is both affordable and sustainable.”⁵

Decoupling also allows water suppliers to employ equitable rates, guaranteeing that those who use the most also pay the most. Suppliers with decoupling tend to have lower fixed monthly service charges and progressive rates that increase the price customers pay for each unit of water as they use more. The Southern Environment Law Center has concluded that decoupling not only allows utilities to send proper price signals to high-volume users, but it also provides greater flexibility and savings to low-volume users, especially those who are low-income.⁶

² Regulatory Assistance Project. (2016). Revenue Regulation and Decoupling: A Guide to Theory and Application. Available at: <http://www.raponline.org/wp-content/uploads/2016/11/rap-revenue-regulation-decoupling-guide-second-printing-2016-november.pdf>.

³ Teodoro, M., Zhang, Y., & Switzer, D. (2018). Political Decoupling: Private Implementation of Public Policy. *Policy Studies Journal* 48(2), 401-424. <https://doi.org/10.1111/psj.12287>.

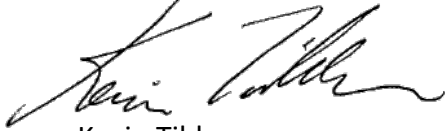
⁴ Alliance to Save Energy. (2022). Support letter for SB 1469.

⁵ Chesnutt, Pekelney, Mitchell, (2022). “The Economic Value of Efficiency for California Water Service: Lower Water Bills.” <https://www.calwater.com/docs/conservation/Economic-Value-of-Water-Efficiency-Lower-Water-Bills.pdf>.

⁶ Southern Environmental Law Center (2015). A Troubling Trend in Rate Design: Proposed Rate Design Alternatives to Harmful Fixed Charges. https://www.southernenvironment.org/uploads/news-feed/A_Troubling_Trend_in_Rate_Design.pdf.

For these reasons, we respectfully request your support of SB 1469 and the critical role it will play in helping us meet the state's water use objectives while fighting climate change and ensuring a sustainable future for all Californians.

Sincerely,



Kevin Tilden
President
California American Water



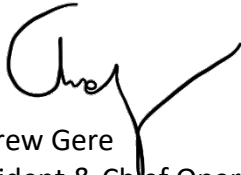
Martin A. Kropelnicki
President & Chief Executive Officer
California Water Service



Robert J. Sprowls
President & Chief Executive Officer
Golden State Water Company



Edward Jackson
President, California
Liberty Utilities



Andrew Gere
President & Chief Operating Officer
San Jose Water Company

Cc: President Alice Reynolds, California Public Utilities Commission
The Honorable Anthony Rendon, California State Assembly
The Honorable Toni Atkins, California State Senate
The Honorable Chis Holden, California State Assembly
The Honorable Steven Bradford, California State Senate
The Honorable Josh Becker, California State Senate
Ms. Ana Matosantos
Ms. Christine Bouma

Senate Bill 1469 – Fact Sheet

The Water Rate Adjustment Mechanism (WRAM or Full Decoupling) was intended to promote water conservation by decoupling water utilities' revenue from sales and presumably removing the financial incentive for a water utility to sell more water. However, California's experience with full decoupling has produced very different results. In 2008, the CPUC authorized WRAM as a pilot project for some water utilities.¹ After 10 years, the CPUC eliminated the program after determining that its flaws outweighed its benefits.² Instead, the CPUC authorized a decoupling mechanism targeted to conservation pricing (Monterey or Conservation WRAM). Several water utilities have filed petitions at the California Supreme Court appealing the CPUC's decision to eliminate full decoupling. The case is pending.

Decoupling Does Not Promote Conservation

Based on data that water utilities submitted during the CPUC pilot project, the year-to-year change in water usage per customer was nearly identical for the utilities that had full decoupling WRAM and those utilities which did not. However, ratepayers subjected to the full decoupling WRAM paid up to seven times more in surcharges resulting in additional utility profits over the same period (see graphs on next page).

To advance conservation, the CPUC establishes a specific conservation budget in each general rate case. These budgets help customers use water more efficiently and result in transparent bill impacts. During periods of drought, water utilities can activate special tariffs that allow for recovery of foregone revenue and increased costs due to conservation. For all large water utilities, the CPUC has implemented conservation rate designs where a greater percentage of total revenue is collected from volumetric charges with increasing tiers so that the unit cost paid by customers increases with usage.

In contrast to these targeted conservation efforts, the full decoupling WRAM is a blunt ratemaking instrument. It permits a utility to retroactively charge customers for *any* sales that did not occur for *whatever* reason, including those unrelated to conservation, such as economic downturn, weather, unemployment, poor forecasting, and high inflation. As an alternative, the CPUC's 2020 decision eliminating full decoupling WRAM allows for a more targeted mechanism that compensates utilities only for the variance in revenue that is directly attributable to conservation rate designs.³

¹ California Water Service, Golden State Water, California American Water, Suburban, and Liberty Utilities.

² CPUC Decision 20-08-047. Elimination of decoupling is to occur in each utility's next general rate case.

³ Conservation Water Rate Adjustment Mechanism (Conservation WRAM) or Monterey-Style WRAM.

How has Full Decoupling WRAM Impacted Lower-Income Customers?

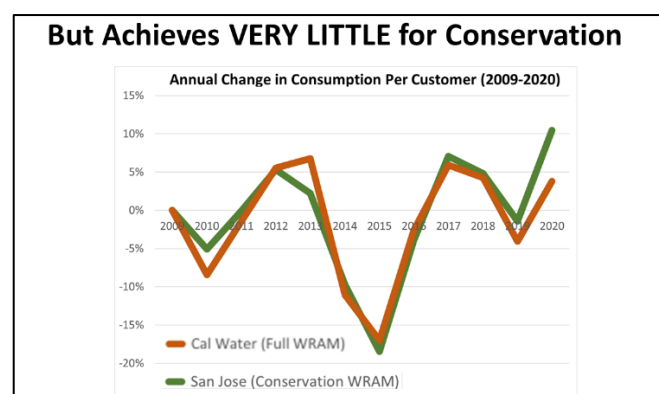
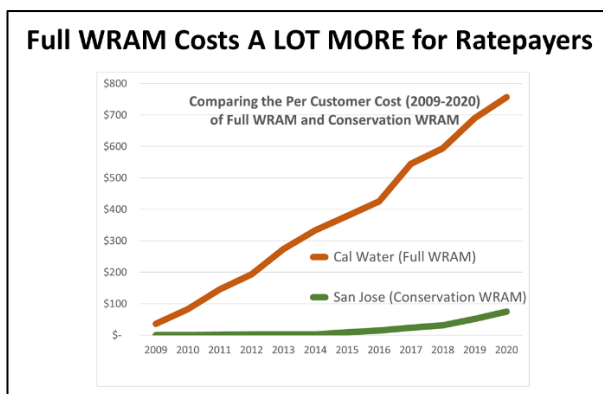
Full Decoupling WRAM surcharges have become as much as 20% of the total revenue for some utilities. In many cases, these surcharges represent only additional profit for water utilities that are already exceeding their Commission-authorized profit percentages. Furthermore, the full decoupling WRAM surcharge is applied equally to all ratepayers without regard to income. The result is that lower-income customers are particularly impacted because they spend a greater portion of their total income on essential utility services.

In 2016, the CPUC adopted special measures to control the growing and unsustainable surcharge balances in an effort to retain full WRAM decoupling. One of these measures required water utilities to collect a greater percentage of their total revenue from fixed charges, with a target range between 40% and 50%. While the utilities welcomed this change, its impact on lower-income customers and conservation efforts is questionable.

The Full Decoupling WRAM Disproportionately Benefits Shareholders

Full decoupling WRAM reduces transparency and unfairly benefits shareholders. Because decoupling surcharges accrue outside of general rate cases, neither ratepayers nor decision makers know the cumulative impacts to customer bills when setting general rate increases. In some cases, more than half of the actual increase in a residential bill has been the result of full decoupling WRAM surcharges added outside of a general rate case.

Full decoupling WRAM also functions as a backstop to bad forecasting, it reduces utilities' incentive to accurately forecast sales, revenues, and expenses in a general rate case and unfairly transfers forecasting risk from the utility to ratepayers. This backstop has also allowed water utilities to knowingly overestimate revenue or underestimate costs in order to produce misleadingly low bill impacts in general rate cases that are later overturned when recovery of full decoupling WRAM surcharges are added to customer bills.



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California State Senate

SENATOR
STEVEN BRADFORD
THIRTY-FIFTH SENATE DISTRICT



23
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August 2, 2022

The Honorable Joe Stephenshaw
Director, California Department of Finance
1021 O Street, Suite 3110
Sacramento, CA 95814

RE: Department of Finance Bill Analysis of SB 1469 (Bradford)

Dear Director Stephenshaw:

Thank you for your letter reviewing SB 1469 dated 7/14/2022. While I appreciate the work your staff has done to analyze the fiscal impact of this bill, it is unclear to me how SB 1469 would result in any additional costs for the CPUC, let alone require an additional seven positions and more than \$1.5 million per year in funding.

SB 1469 simply makes permanent a pilot program initiated by the CPUC in 2009. During the intervening period, the CPUC has already conducted more than 185 audits of the decoupling mechanisms implemented by the water utilities as well as numerous reviews of the applications for the implementation of those mechanisms. As such, any costs associated with SB 1469 are already incorporated into the CPUC's existing budget and the failure to enact SB 1469 would, in fact, leave the CPUC with excess positions and budget.

Additionally, as mentioned in your analysis, the CPUC "recommended that utilities petition for an alternative rate methodology known as Monterey-Style WRAM." The application for and implementation of these mechanisms would have to be reviewed and audited by the CPUC. Presumably, the CPUC has already accounted for the resource requirements of these mechanisms. SB 1469 would not result in any additional resource constraints, as it would simply allow water utilities to substitute one mechanism for another.

Finally, SB 1469 need not necessitate the initiation of any new proceedings at the CPUC. As part of the CPUC's pilot program, water utility applications for the implementation of decoupling mechanisms have been incorporated into their mandated triennial General Rate Cases. The assumption has been that process would continue. **To ensure that the legislation does not require the initiation of any new proceedings, the bill will be amended to only allow the water utilities to submit applications for the prescribed decoupling mechanisms during their respective General Rate Cases.**

August 2, 2022

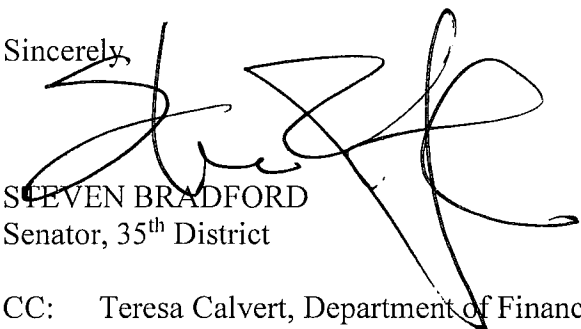
Page 2 of 2

The statement provided by the CPUC that decoupling failed to advance the state's water conservation objectives is not supported by any evidence in the proceeding mentioned in the analysis, and in fact peer-reviewed data shows that the statement is false. President Obama's Department of Energy went so far as to say, "Decoupling . . . is vital to ensuring that water and wastewater utilities have the incentives to reduce water and energy consumption."

Two separate studies have been completed by third party researchers that highlight how effective the CPUC's pilot was at encouraging greater water conservation. One study by a firm that regularly does work for the State Water Resources Control Board found that, prior to the last drought, the CPUC-regulated water utilities with decoupling, achieved 29% more water savings than those without full decoupling. Those savings amounted to about 7.9 billion additional gallons of water. A second study conducted by a well-respected authority on water policy, Professor Manny Teodoro of the University of Wisconsin, examined the conservation performance of CPUC-regulated utilities with decoupling to that of public agencies without decoupling during the last drought. Professor Teodoro found that the CPUC-regulated utilities with decoupling saved considerably more water than their counterparts without decoupling and were twice as likely to comply with the conservation mandates adopted by the Water Board.

It is also important to point out that decoupling does not increase the total amounts paid by customers. Rather, as the Natural Resources Defense Council has explained, a "decoupling mechanism is simply a system to regularly adjust rates to ensure a utility's actual revenues match its authorized revenues to recover its fixed costs. Regulators of investor-owned utilities and governing boards of publicly owned utilities can use regular, small adjustments in rates . . . to ensure that utilities recover their authorized fixed costs—no more and no less."

Sincerely,



STEVEN BRADFORD
Senator, 35th District

CC: Teresa Calvert, Department of Finance
David Evans, Department of Finance
Eamon Nalband, Department of Finance
Hazel Miranda, Office of Governor Gavin Newsom



OPINION

For water conservation, lawmakers should okay 'decoupling'



BY **ROBERTO BARRAGAN** POSTED 08.10.2022

With climate change, our boom and bust cycle of rainy vs dry years will mean fewer rainy years and longer, more frequent dry years. We've all been doing our part to conserve water during this drought, but according to figures provided by state water regulators, it's not enough.

We urge the legislature to pass and Gov. Newsom to sign SB 1469 which offers water providers a powerful tool to help encourage customers to save water and fight the drought.

SB 1469 makes permanent a program called decoupling which sounds technical but is really a very simple concept to conserve water.

When water customers pay their water bill, they are paying for maintenance of our water infrastructure as well as the cost of the water.

Decoupling changes the water utility business model from selling to conserving water by severing the link between water sales and everyday system operations

Decoupling changes the water utility business model from selling to conserving water by severing the link between water sales and everyday system operations. It eliminates an incentive for water providers to sell more water.

SB 1469 will ensure all customers equitably contribute to operations, maintenance, and infrastructure costs, but under SB 1469, water providers will be able to establish progressive, equitable water rates so those who use more water pay more, and those who use less will pay less.

In 2008, after decades of success with energy utilities, the California Public Utilities Commission (CPUC) established a pilot decoupling program.

SB 1469 will also make it easier for water suppliers to maintain robust water conservation programs to help incentivize Californians to conserve, including rebates for turf replacement and high-efficiency home appliances, making them accessible to those who may not otherwise be able to afford them, as well as programs to assist low-income families repair leaky sprinkler systems.

Decoupling came about because in 2008, after decades of success with energy utilities, the California Public Utilities Commission (CPUC) established a pilot decoupling program for the largest water utilities it regulates. That pilot program ended in 2020, but empirical, peer-reviewed research highlighted the effectiveness of decoupling.

For example, during California's last major drought from June 2015 – April 2017, water suppliers that implemented decoupling “adopted more aggressive conservation measures, were more likely to meet state conservation standards, and conserved more water,” according to an independent study done in 2018.

The same study found that if all water suppliers had been using decoupling, the additional conservation would have equated to 54.6 billion gallons of additional water savings, enough to supply San Francisco for more than two years.

Low income and low water use customers will benefit the most from SB 1469. SB 1469 protects customers by ensuring they only pay the actual cost of operating, maintaining, and upgrading the water system.

Without the passage of SB 1469, 75% of customers served by PUC-regulated water suppliers could see their water bills increase by an average of more than 7.7 percent and water use would increase by 5 to 10 percent, according to a 2020 study from M.Cubed. The same study found that without SB 1469, lower-income customers who use the least water could see their monthly bills increase by 10 – 20 percent.

Every drop of water that is saved by decoupling and SB 1469 results in corresponding energy savings, making the water conservation efforts supported by decoupling a critical tool in the battle against climate change.

SB 1469 has been endorsed by a wide array of environmental groups, non-governmental organizations, and even President Obama’s Department of Energy as an essential tool to support water conservation because it removes the incentive for water providers to sell more water.

We are strong supporters of SB 1469 because it will help those from disadvantaged communities the most. We urge a YES vote on SB 1469.

—
Editor’s Note: Roberto Barragan is the executive director of the California Community Economic Development Association, which advocates for community revitalization in diverse urban and rural neighborhoods.

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Joel Pablo

From: susan schiavone <s.schiavone@sbcglobal.net>
Sent: Friday, August 19, 2022 1:34 PM
To: Joel Pablo
Subject: LTE to Pine Cone August 5, 2022 for Board Packet

Cal Am and private vs. public

Dear Editor,

Cal Am is currently politicizing the issue of the ASR 1 well (Pine Cone, July 8). Pushing the water district to break their contract for water delivery is not legal or reasonable. The problem is being worked out; there is no reason to go back to over-pumping Carmel River. In fact, the water from Pure Water Monterey is what enabled Cal Am to get off the river.

The increase in cost for recycled water is pandemic-related cost increases for chemicals, construction and materials. Rather, they use this chimera to convince us to support their proposed desal plant, where water estimates are \$6,000-8,000 an acre-foot, not \$3,486 for Pure Water Monterey. We also need to remember that the desal plant is highly polluting and damages plover habitat and Marina groundwater sources. Pure Water Monterey is a sustainable water supply, soon to run on methane produced by the waste management district, making a closed sustainable low-carbon system. In that framework, the recycled water is a bargain.

The private/public argument should include that MPWMD has been awarded a district transparency certificate of excellence for outstanding efforts to promote transparency and good governance for three years, along with awards for fiscal management. And Monterey One Water along with Marina Coast Water District received national recognition for engineering excellence on the Pure Water Monterey Phase I.

Private companies have no transparency. You may

not know we ratepayers are paying for at six water company acquisitions Cal Am has made in recent years, and added a new one this month. We benefit zero but share the cost because the CPUC allows private utilities to do this, increasing their monopoly.

Private companies work for shareholders and profit. A local public water agency would end CPUC sweet deals Cal Am enjoys at the expense of ratepayers.

Susan Schiavone,
Seaside

Joel Pablo

From: mwchrislock@redshift.com
Sent: Saturday, August 20, 2022 6:23 PM
To: Alvin Edwards; Amy Anderson; Clyde Roberson; Dave Stoldt; George Riley; Joel Pablo; Karen Paull; District 5; SAFWAT MALEK
Subject: FW: Government Affairs Update for MCAR Members
Attachments: Fwd: Government Affairs Update for MCAR Members

An MCAR member sent me the attached email after calling to complain that MCAR was sending out false information to its members.

Pinterits was one of three desal supporters who spoke at the Cal Am Community Meeting along with John Tilley and Eric Tynan. There were 20 Cal Am customers and Marina Residents who spoke against it.

Here's the message Adam Pinterits sent out to members of MCAR (Monterey County Association of Realtors).

CalAm Water Forum

Earlier this week California American Water hosted public forums about their water service and regional water supply projects. MCAR President Russell Hays and I attended to make sure the vital nexus of water and housing was recognized. In addition to this public dialogue, we have been in communication with other water supply stakeholders in the region including Ag. and Hospitality.

Key takeaways:

- It is still not clear that recycled water is consistently meeting all safety requirements
- Recycled water supply is not reliable, Ag. will keep and reuse their wastewater if it makes more sense for them to do so
- Desalination technology has continued to advance, the lack of negative environmental impact has been demonstrated by the test slant well
- Though still challenging to get approved and built, a desalination plant remains a necessary component of long-term, drought-proof water supplies to support much needed housing

Stay tuned for local calls to action. If further public conversations take place Realtors need to speak up for sensible solutions.

Melodie Chrislock
 Managing Director

PUBLIC WATER NOW

<http://www.publicwaternow.org>

mwchrislock@redshift.com

831 624-2282

Joel Pablo

From: Ferguson, Lloyd W <lloyd.ferguson@cbnorcal.com>
Sent: Saturday, August 13, 2022 3:52 PM
To: mwchrislock@redshift.com
Subject: Fwd: Government Affairs Update for MCAR Members



Hi,

Thank you to the many members who have recently joined a committee, attended classes both in-person and hybrid, or visited the new MCAR office. Stop by the office, check our social media, or give us a call to learn more about getting involved with your association.

Due to schedule constraints, Coffee with your GCAD and LGR will not take place this month, so I want to provide a thorough update on local and state government affairs instead. If you have feedback or government-related issues of concern, [please let me know](#).

-Adam Pinterits, Government & Community Affairs Director



MCAR Answers C.A.R. Calls to Action

Last month C.A.R. put out an urgent call to action to oppose SB 1105 and SB 679, bills that would create new tax authorities with no elected officials to hold accountable. Members of MCAR joined me in leading the effort and rallying members from San Benito and Santa Cruz Counties to join us in meetings with our lawmakers and their staff. Together we presented arguments to oppose these bills.

SB 1105 was defeated this week! SB 679 will moved forward. **Please participate in the continued call to action C.A.R. will announce soon by clicking the button below and telling your representatives you oppose unaccountable taxation.**

Tell your Assembly Member and Senator that you **OPPOSE** allowing an un-elected body to tax your property!

Shoutout to the members who attended: MCAR President-Elect Jorge Edeza, Renee Garner, Gloria Moore, and Ian Morran.

Salinas Rental Registry



The Salinas Community Development Department has created a first draft of the rental registry ordinance. With the help of experienced Local Government Relations Committee member, Gloria Moore, we are providing comments and critiques of the very rough draft.

Examples of the provisions we are opposing:

- Discriminatory exemption of certain property types and waiving requirements for nonprofit housing providers
- Requirements applying even to properties that are vacant
- Lack of consideration or waivers for small, locally owned rental housing providers currently exempt for needing a business license
- Complete discretionary spending of rental registry funds without independent oversight

Seattle created similarly overreaching rental regulations in 2020 and has since lost nearly 10,000 units of rental housing as owners were forced to stop renting them. **We will continue to oppose regulatory overreach locally as it helps neither renters nor rental housing providers. Please be prepared to join us at a future Salinas City Council meeting if this ordinance is not significantly revised.**

CalAm Water Forum



Earlier this week California American Water hosted public forums about their water service and regional water supply projects. MCAR President Russell Hays and I attended to make sure the vital nexus of water and housing was recognized. In addition to this public dialogue, we have been in communication with other water supply stakeholders in the region including Ag. and Hospitality.

Key takeaways:

- It is still not clear that recycled water is consistently meeting all safety requirements
- Recycled water supply is not reliable, Ag. will keep and reuse their wastewater if it makes more sense for them to do so
- Desalination technology has continued to advance, the lack of negative environmental impact has been demonstrated by the test slant well
- Though still challenging to get approved and built, a desalination plant remains a necessary component of long-term, drought-proof water supplies to support much needed housing

Stay tuned for local calls to action. If further public conversations take place Realtors need to speak up for sensible solutions.

No Coffee with your GAD this month Two in September: Salinas and Monterey

Due to schedule constraints there is no Coffee with your GCAD event this month. We will instead host two in September, one in Salinas and one in Monterey.

Please save the dates:

- **Tuesday, September 13, 10AM, Salinas**
- **Thursday, September 15, 10AM, Monterey**



C.A.R. Legislative Update



California's State budget and accompanying legislation were approved by the Legislature and signed into law by the Governor. One of the items included an allocation of \$500 million to CalFHA to fund Senate Pro Tempore Atkins' proposed new equity sharing down payment assistance program entitled the California Dream for All Program. The money allocated to the California Dream for All program will provide down payment assistance with an equity share component for first time homebuyers making no more than 150% of the area median income.

Details are still forthcoming but effectively it will provide homebuyers with up to a 20% down payment, with a small percentage coming from the homeowner. The plan envisions that homeowners will refinance out of that state lien and once the state investment is paid back those funds could be used for other potential homeowners. C.A.R. will provide more information on this program as details are finalized.

Monterey County Association of REALTORS® | 5 Harris Ct, Building A, Monterey, CA 93940

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Sent by adam@mcar.com in collaboration with



***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

Joel Pablo

From: Hardgrave, Sarah <HardgraveS@co.monterey.ca.us>
Sent: Wednesday, August 24, 2022 3:58 PM
To: Dave Stoldt
Cc: Joel Pablo; District 5; Donna Meyers; Buche, Brent
Subject: On behalf of Monterey County Board Chair Adams - Invitation to Regional Water Forum
Attachments: MPWMD.Regional Water Forum Invitation to Water Agencies.pdf

Dear Dave:

On behalf of Chair Adams, please see the attached invitation from the Monterey County Board of Supervisors to participate in a regional water forum, to be held on September 20, 2022 at 1:30pm.

The purpose of the regional water forum is to provide an overview of current efforts regarding water management and sustainability, and to initiate a comprehensive discussion on regional water supplies and solutions. The goal is to look broadly at what will be needed to ensure water security in Monterey County. An understanding of the larger regional water picture is important to forge a consensus approach for water agencies and County leaders.

Please see the attached letter inviting you, or your designated representative, to attend.

Thank you for your consideration.

Sarah Hardgrave | *Chief of Staff*
to District 5 Supervisor Mary L. Adams
County of Monterey
Phone: 831-647-7755

MONTEREY COUNTY



BOARD OF SUPERVISORS

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August 23, 2022

David Stoldt, General Manager

MPWMD

P.O. Box 85

Monterey, CA 93942-0085

Re: Invitation to Speak at Regional Water Forum, September 20, 2022, 1:30pm

Dear Mr. Stoldt:

On September 20, 2022 at 1:30pm, the Board of Supervisors will hold its second Regional Water Forum to address water supply issues facing Monterey County.

The purpose of the regional water forum is to provide an overview of current efforts regarding water management and sustainability, and to initiate a comprehensive discussion on regional water supplies and solutions. The goal is to look broadly at what is needed to ensure water security in Monterey County. An understanding of the larger regional water picture is important to forge a consensus approach for water agencies and County leaders.

The first regional water forum, held in March, provided an overview of how the regional water picture is now influenced by the Sustainable Groundwater Management Act's required outcomes, particularly in over drafted subbasins. The second forum will provide an overview of the portfolio of potential regional management actions and projects to address our water supply needs, followed by input from key stakeholders, including our federal and state elected representatives, special district water agency and regulated utility representatives and the public.

As part of the forum agenda, I would like to invite you, or your designated representative to make brief remarks (up to five minutes) on these issues. In particular, the Board of Supervisors would benefit from hearing your perspective on the following questions:

- What are the water supply needs and conditions facing your agency?
- What role do you see for your agency in implementing regional projects or management actions?
- Where do you foresee progress towards regional solutions in the next five years?
- What are the biggest challenges to getting there?
- What do you recommend as next steps?

This invitation to speak is being sent to the following water agencies and the regulated utilities in Monterey County:

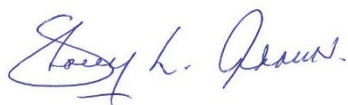
- Monterey County Water Resources Agency
- Salinas Valley Groundwater Sustainability Agency
- Monterey One Water
- Monterey Peninsula Water Management District
- Marina Coast Water District/MCWD Groundwater Sustainability Agency
- Castroville Community Services District
- Seaside Groundwater Basin Watermaster
- Arroyo Seco Groundwater Sustainability Agency
- California Water Service
- California American Water
- Alco Water Service

We are planning for the water agencies' portion of the agenda to occur shortly after 2:30pm, following a presentation by the General Managers from the Monterey County Water Resources Agency and the Salinas Valley Basin Groundwater Sustainability Agency and remarks from our Federal and State representatives.

If you, or your designated representative, are able to participate on September 20th, please have your staff confirm with my office by email to my Chief of Staff, Sarah Hardgrave at hardgraves@co.monterey.ca.us or by phone at 831-647-7755. Sarah will be following up with you in early September to answer any questions you may have about this invitation.

I look forward to working with you and other stakeholders to identify a path forward to ensure water security for Monterey County in the 21st century and beyond.

Sincerely,



Mary L. Adams, Chair
Monterey County Board of Supervisor
Fifth District

cc: MPWMD Board of Directors

Joel Pablo

From: mwchrislock@redshift.com
Sent: Sunday, August 28, 2022 12:05 PM
To: Alvin Edwards; Amy Anderson; Clyde Roberson; Dave Stoldt; George Riley; Joel Pablo; Karen Paull; District 5; SAFWAT MALEK
Subject: SB 1469 wants to reinstate WRAM
Attachments: 202120220SB1469_Assembly Floor Analysis.pdf
Importance: High

Assemblymember Mark Stone,

Laura Shybut came out with another analysis of SB 1469 (attached) for the Assembly Floor. Unfortunately, she swallowed the utilities' arguments (and paid-for consultant analysis) hook, line, and sinker. Going so far as to now state unequivocally, *"Utility rate decoupling works. In fact, from 2008 – 2018, decoupled suppliers and their customers reduced water use by 13% more than non-decoupled suppliers."*

Here's how the utilities' paid consultant study calculated the benefits of WRAM.

Customer #1 is a 100 gallon-per-day user who cuts his usage by 10% and now uses 90 gallons-per-day.

Customer #2 is a 1000 gallon-per-day user who cuts his usage by 2% and now uses 980 gallons-per-day.

Who is doing a better job conserving?

Most people would say Customer #1 is doing a better job conserving. And this is consistent with the Public Advocates Office's analysis comparing decoupling effects on percentage changes in consumption amongst utilities over the 10-year CPUC pilot program.

But the analysis paid for by the utilities says Customer #2 is doing a better job conserving because he saved 20 gallons and Customer #1 only saved 10 gallons.

Seriously, this is how the utilities were able to show WRAM is better at conservation. Unfortunately, our legislators and environmental groups are being lied to.

These utilities want to raise water costs on 7 million Californians to increase their

profits on shrinking water sales.

Melodie Chrislock

Melodie Chrislock

Managing Director

PUBLIC WATER NOW

<http://www.publicwaternow.org>

mwchrislock@redshift.com

831 624-2282

Background

In April all the WRAM surcharges for the water we didn't use finally dropped off our bills.

Now the four big water utilities (Cal Am, Cal Water, Goldent State and Liberty) have gone to our state legislators to try and get WRAM back on our bills. They claim WRAM or decoupling increases conservation. But the CPUC found it did not after a ten year pilot program. They also found that WRAM was allowing the utilities to exceed their authorized rate of return. That's why the CPUC discontinued WRAM in 2020 and the charges finally expired in April.

Now the utilities are lying to our legislators. All our senators believed them, including John Laird. I spoke with him about this months ago, but he voted for it anyway. Now it is headed to the Assembly for a vote. I've contacted Mark Stone about this.

For water conservation, lawmakers should okay 'decoupling'

<https://capitolweekly.net/for-water-conservation-lawmakers-should-okay-decoupling/>

The big water utilities didn't like the results of the CPUC's pilot program which found decoupling or WRAM did NOT increase conservation, so they did their own study to get the result they wanted!

"Decoupling came about because in 2008, after decades of success with energy utilities, the California Public Utilities Commission (CPUC) established a pilot decoupling program for the largest water utilities it regulates. That pilot program ended in 2020, but empirical, peer-reviewed research highlighted the effectiveness of decoupling."

This article is the height of well crafted lying! They never admit what the CPUC found or even mention that WRAM charges were discontinued. They make the reader think the study they conducted validated the pilot study the CPUC did.

One more reason to be rid of Cal Am.

SENATE THIRD READING
SB 1469 (Bradford and Becker)
As Amended August 23, 2022
Majority vote

SUMMARY

Authorizes the California Public Utilities Commission (CPUC), upon application by a water corporation with more than 10,000 service connections, to consider and allow implementation of a mechanism that separates the water corporation's revenues and its water sales, commonly known as "decoupling."

Major Provisions

COMMENTS

The CPUC regulates the rates and service of water corporations that provide water service to about 16% of California's residents. Approximately 95% of those residents – or nearly 1.2 million people – are served by "Class A" water corporations which are water corporations that have more than 10,000 service connections. There are nine of these large, Class A water corporations.

In 2008, the CPUC instituted a pilot program by which the state's largest water corporations could decouple charges for water use from other charges the corporations collected from their respective ratepayers. The goals of the decoupling program, as described by the CPUC, were "to sever the relationship between sales and revenue to remove any disincentive for the utility to implement conservation rates and programs; ensure cost savings are passed on to ratepayers; and reduce overall water consumption." In 2020, the CPUC chose to end the decoupling mechanisms, noting no party "presented evidence or arguments that persuade us that the pilot WRAM/MCBA [decoupling] mechanism provides discernable benefits that merit its continuation."

This bill would require the CPUC to consider authorizing one of the nine largest water corporations to use decoupling mechanisms, upon the corporation's request. Unless mutually agreed upon by the corporation and the CPUC, the corporation may only make such a request during the corporation's triennial general rate case application. The CPUC objects to this requirement as "legislative ratemaking."

According to the Author

According to the author, "SB 1469 is seeking to establish for water corporations a long-held practice of ratemaking that has been used to encourage conservation. Decoupling has been in place for energy utilities since the 1980s and the Legislature made the program permanent in 2001 as part of the policies and practices established after the 2000 energy crisis. Decoupling was identified as a best practice for water utilities since 2005 as part of the CPUC's Water Action Plan and reaffirmed in its 2010 update. When utilizing rate decoupling, water conservation efforts resulted in real reductions in operating costs, resulting in lower monthly bills for customers. In fact, from 2008 – 2018, decoupled suppliers and their customers reduced water use by 13% more than non-decoupled suppliers. Utility rate decoupling works - LADWP, the largest municipal utility in the United States, serving four million residents and businesses

implemented decoupling for its water utility in 2016 (Ordinance 184130). SB 1469 reinstates rate decoupling to ensure that both cost savings and conservation benefits continue to be available for customers throughout California."

Arguments in Support

A broad coalition of water corporations, labor, local chambers of commerce, water conservation organizations, local governments, and environmental organizations support this measure. The proponents argue that decoupling of sales and revenue supports conservation efforts, especially critical as the state continues to experience drought. Many of the water utilities supporting this bill disagree with the CPUC decision to eliminate full decoupling, arguing that decoupling provides stability despite changes in water use and ensures that water suppliers only receive the funds they need to safely operate and upgrade the water system.

Arguments in Opposition

Those opposed to this bill are consumer groups that include California Coastkeeper Alliance, Public Water Now, and the Public Advocates Office (oppose unless amended) who argue that the decision to decouple water utility rates is best left to the CPUC, who already determined that full decoupling should be discontinued. They note that the issues in determining just and reasonable rates for customers are complex and involve multiple variables, particularly as it relates to encouraging conservation. They express concerns that the surcharges imposed by full decoupling lack transparency, create customer complaints, and can saddle customers with costs for extended periods. Moreover, they note that conservation can occur under alternative mechanisms which are still permitted by the CPUC.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, the CPUC estimates approximately \$1.3 million in ongoing funding is needed to implement this bill, with an additional \$234,000 every year for three years. According to the CPUC, these funds would be needed to consider as many as 91 new complex proceedings that the CPUC anticipates would be filed in response to this bill. Recent amendments may adjust these cost estimates.

VOTES

SENATE FLOOR: 36-0-4

YES: Allen, Bates, Becker, Borgeas, Bradford, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Melendez, Min, Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, Wilk

ABS, ABST OR NV: Archuleta, Atkins, Caballero, Hertzberg

ASM UTILITIES AND ENERGY: 14-0-1

YES: Eduardo Garcia, Patterson, Bauer-Kahan, Carrillo, Chen, Mike Fong, Cristina Garcia, Holden, Mayes, Muratsuchi, Quirk, Reyes, Santiago, Ting

ABS, ABST OR NV: Cunningham

ASM APPROPRIATIONS: 16-0-0

YES: Holden, Bigelow, Bryan, Calderon, Arambula, Megan Dahle, Davies, Mike Fong, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, McCarty

UPDATED

VERSION: August 23, 2022

CONSULTANT: Laura Shybut, Natalie Seitzman / U. & E. / (916) 319-2083 FN: 0003929



OPINION

For water conservation, lawmakers should okay 'decoupling'



BY **ROBERTO BARRAGAN** POSTED 08.10.2022

With climate change, our boom and bust cycle of rainy vs dry years will mean fewer rainy years and longer, more frequent dry years. We've all been doing our part to conserve water during this drought, but according to figures provided by state water regulators, it's not enough.

We urge the legislature to pass and Gov. Newsom to sign SB 1469 which offers water providers a powerful tool to help encourage customers to save water and fight the drought.

SB 1469 makes permanent a program called decoupling which sounds technical but is really a very simple concept to conserve water.

When water customers pay their water bill, they are paying for maintenance of our water infrastructure as well as the cost of the water.

Decoupling changes the water utility business model from selling to conserving water by severing the link between water sales and everyday system operations

Decoupling changes the water utility business model from selling to conserving water by severing the link between water sales and everyday system operations. It eliminates an incentive for water providers to sell more water.

SB 1469 will ensure all customers equitably contribute to operations, maintenance, and infrastructure costs, but under SB 1469, water providers will be able to establish progressive, equitable water rates so those who use more water pay more, and those who use less will pay less.

In 2008, after decades of success with energy utilities, the California Public Utilities Commission (CPUC) established a pilot decoupling program.

SB 1469 will also make it easier for water suppliers to maintain robust water conservation programs to help incentivize Californians to conserve, including rebates for turf replacement and high-efficiency home appliances, making them accessible to those who may not otherwise be able to afford them, as well as programs to assist low-income families repair leaky sprinkler systems.

Decoupling came about because in 2008, after decades of success with energy utilities, the California Public Utilities Commission (CPUC) established a pilot decoupling program for the largest water utilities it regulates. That pilot program ended in 2020, but empirical, peer-reviewed research highlighted the effectiveness of decoupling.

For example, during California's last major drought from June 2015 – April 2017, water suppliers that implemented decoupling “adopted more aggressive conservation measures, were more likely to meet state conservation standards, and conserved more water,” according to an independent study done in 2018.

The same study found that if all water suppliers had been using decoupling, the additional conservation would have equated to 54.6 billion gallons of additional water savings, enough to supply San Francisco for more than two years.

Low income and low water use customers will benefit the most from SB 1469. SB 1469 protects customers by ensuring they only pay the actual cost of operating, maintaining, and upgrading the water system.

Without the passage of SB 1469, 75% of customers served by PUC-regulated water suppliers could see their water bills increase by an average of more than 7.7 percent and water use would increase by 5 to 10 percent, according to a 2020 study from M.Cubed. The same study found that without SB 1469, lower-income customers who use the least water could see their monthly bills increase by 10 – 20 percent.

Every drop of water that is saved by decoupling and SB 1469 results in corresponding energy savings, making the water conservation efforts supported by decoupling a critical tool in the battle against climate change.

SB 1469 has been endorsed by a wide array of environmental groups, non-governmental organizations, and even President Obama’s Department of Energy as an essential tool to support water conservation because it removes the incentive for water providers to sell more water.

We are strong supporters of SB 1469 because it will help those from disadvantaged communities the most. We urge a YES vote on SB 1469.

—
Editor’s Note: Roberto Barragan is the executive director of the California Community Economic Development Association, which advocates for community revitalization in diverse urban and rural neighborhoods.

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September 6, 2022

Mr. John Ainsworth
 Executive Director
 California Coastal Commission
 455 Market Street
 San Francisco, CA 94105

Via Email

RE: Completeness Letter for Cal-Am's CDP Application #9-20-0603

Dear Mr. Ainsworth:

We understand that the California American Water Company's (Cal-Am) CDP Application #9-20-0603 has been deemed complete.

Please be aware that Cal-Am is in the midst of an open application A.21-11-024 in front of the California Public Utilities Commission (CPUC), Phase 2 of which specifically is to review and approve updated water supply and demand estimates for the Monterey Peninsula Water Supply Project (the desalination plant). The February 9, 2022 CPUC scoping memo for the proceeding states that testimony required in Phase 2 should address the most recent supply and demand data Cal-Am has available and which should further address a scenario in which the Amended and Restated Water Purchase Agreement is adopted and a scenario in which it is not adopted. As such, the Phase 2 CPUC proceedings will likely determine the timing of need for the desalination plant and its appropriate size.

In an update to the scoping memorandum on June 17, 2022 the assigned CPUC Commissioner provided the following schedule for the Phase 2 proceeding:

- September 26, 2022 Meet & Confer
- October 6, 2022 Joint Case Management Statement
- w/in 30 days of 10/6 Evidentiary Hearings
- w/in 30 days of Hearings Opening Briefs
- w/in 20 days of Opening Briefs Reply Briefs
- w/in 90 days of Reply Briefs Proposed Decision

As you can see, the important outcome of this CPUC Phase 2 proceeding may not be known until March of 2023. We hope the Coastal Commission will wait until the conclusion of the CPUC proceedings before it schedules a hearing on CDP Application #9-20-0603. Anything else would be premature and not fully informed by the facts.

Thank you for your consideration of the District's position.

Sincerely,

A handwritten signature in blue ink that reads "David J. Stoldt".

David J. Stoldt
 General Manager

cc: Dan Carl, Alison Detmer, Tom Luster