



GREAT OAKS WATER COMPANY

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(408) 227-9540
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January 25, 2018

California Public Utilities Commission
Division of Water and Audits
Room 3102
505 Van Ness Avenue
San Francisco, CA 94102-3298

**Advice Letter 269-W
Great Oaks Water Company (U-162-W)
To the California Public Utilities Commission**

Great Oaks Water Company (Great Oaks) hereby submits this Tier 1 advice letter to update and amend its Rule 19 pertaining to Service to Separate Premises and Multiple Units, and Resale of Water to comply with new law in California. The following tariff sheets are provided with this Advice Letter 269-W:

CPUC Sheet Number	Title	Canceling
854-W	Rule No 19 Service to Separate Premises and Multiple Units, and Resale of Water (Continued)	280-W
855-W	Table of Contents	853-W

Background

On September 25, 2016, Governor Brown approved Senate Bill (SB) 7, which, among other things, added Article 5 (commencing with Section 537) to Chapter 8 of Division 1 of the Water Code, relating to housing, individual water meters, and submeters. Section 537.1(a) of the Water Code provides:

Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted after January 1, 2018, shall require a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of water service. The measurement may be by individual water meters or submeters.

This new law means that Great Oaks, as a “water purveyor,”¹ must require, as a condition of service, that the owner or operator of the newly constructed structure individually meter each residential unit of the multiunit residential mixed residential/commercial structure if the water purveyor elects not to do so.

The proposed amendment/addition to Great Oaks’ Rule No. 19 complies with this new legal requirement in all respects.

Requested Action

Great Oaks requests that the Commission authorize it to update and amend its Rule No. 19 with the proposed tariff sheet attached to this Advice Letter.

Tier Designation

This is a Tier 1 Advice Letter under General Order 96-B, as it addresses compliance with a mandatory statute (Industry Rule 7.3.1(3)).

Requested Effective Date

Great Oaks requests that this Advice Letter be approved with an effective date of January 1, 2018.

Notice and Service

This Advice Letter is being served upon the Distribution List provided below.

¹ The term “water purveyor” is defined in Water Code §512 as “any person who furnishes water service to another person.”

Protests and Responses

Anyone may protest and respond to this Advice Letter. A Response supports the filing and may contain information that proves 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 specific grounds on which it is based. These grounds may be based upon the following:

- (1) The utility did not properly serve or give notice of the Advice Letter; or
- (2) The relief requested in the Advice Letter would violate a statute or Commission order, or is not authorized by statute or Commission order on which the utility relies; or
- (3) The analysis, calculations, or data in the Advice Letter contain material error or omissions; or
- (4) The relief requested in the Advice Letter is pending before the Commission in a formal proceeding; or
- (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 re-litigating a prior order of the Commission).

Any Protest or Response must be made in writing or by electronic mail and must be received by the Water Division of the Commission within 20 days of the date this Advice Letter is filed. The Advice Letter process does not provide for any Protests, Responses or other comments, except for a reply by Great Oaks, after the 20 day comment period expires. The address for mailing or delivering a Protest or Response 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 any Protest or Response is submitted to the Water Division, the protesting or responding person, entity or party must serve a copy of the Protest or Response on Great Oaks addressed to Timothy S. Guster, Great Oaks Water Co., PO Box 23490, San Jose, CA 95153, 408-227-9540, 408 227-7126 (fax), email: tguster@greatoakswater.com.

Great Oaks Water Company

/s/

Timothy S. Guster
General Counsel
Legal and Regulatory Affairs

VERIFICATION

I am an officer of the Great Oaks Water Company, and am authorized to make this verification on its behalf. The statements in the foregoing document, Great Oaks Water Co.'s Advice Letter 269-W, are true of my own knowledge, except as to matters that are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 25, 2018 at San Jose, California.

/s/
Timothy S. Guster

Certificate of Service

I hereby certify that I have this day served a copy of Great Oaks Water Co.'s Advice Letter 269-W on the parties listed on the following Distribution List by mailing a properly addressed copy by first class mail with postage prepaid (unless otherwise noted).

Executed on January 25, 2018 at San Jose, California.

/s/
Timothy S. Guster

Great Oaks Water Co.
Distribution List

Municipal Water System
City of San Jose
3025 Tuers Road
San Jose, CA 95121

County Clerk
County of Santa Clara
70 W. Hedding Street
San Jose, CA 95110

Safe Drinking Water Office
Department of Water Resources
1416 9th Street, Room 804
Sacramento, CA 95814

Office of Regulatory Affairs (by email)
California Water Service Company
1720 North First Street
San Jose, CA 95112

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Raminder Kahlon
Division of Water and Audits
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Richard Smith
Division of Ratepayer Advocates
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Ting-Pong Yuen
Division of Ratepayer Advocates
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Legal Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3214

Regulatory Affairs
San Jose Water Company
110 West Taylor Street
San Jose, CA 95110

Rule No. 19

SERVICE TO SEPARATE PREMISES AND MULTIPLE UNITS,
AND RESALE OF WATER

C. Resale of Water

Except by special agreement with the utility, or except as provided in B.2.b. above, no customer shall resell any of the water received from the utility, nor shall such water be delivered to premises other than those specified in such customer's application for service.

D. Newly Constructed Multiunit Structures

In compliance with Public Utilities Code Section 537.1, the utility shall not sell, lease, rent, furnish, or deliver water to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted, without requiring a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The measurement may be by individual water meters or submeters.

(N)

(N)

(To be inserted by utility)
Advice Letter No. 269-W

Issued by
Timothy S. Guster
NAME
Vice President and General Counsel
TITLE

(To be inserted by Cal. P.U.C.)
Date Filed _____

Decision No. _____

Effective _____

Decision/Resolution No. _____

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(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 269-W

Timothy S. Guster

Date Filed _____

Decision No. _____

VP & General Counsel

Effective _____

TITLE

Resolution No. _____