STATE OF CALIFORNIA GAVIN NEWSOM, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298

December 15, 2023



Kiki Carlson Regulatory Affairs Manager Suburban Water Systems 1325 N. Grand Ave., Ste. 100 Covina, CA 91724-4044

Dear Ms. Carlson,

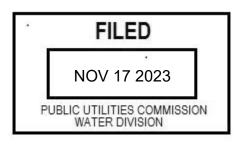
The Water Division of the California Public Utilities Commission has approved Suburban Water Systems' Advice Letter No. 397, filed on November 17, 2023, regarding Information on Suburban's lease-out of Central Basin water production rights, incompliance with D.21-10-024

Enclosed is a copy of the advice letter with an effective date of November 17, 2023 for the utility's files.

Please contact Alison Pafford at APF@cpuc.ca.gov or 415-417-7615, if you have any questions.

Thank you.

Enclosures





1325 N. Grand Ave. Ste. 100, Covina, CA 91724-4044
Phone: 626.543.2500, Fax: 626.331.4848
www.swwc.com

VIA EMAIL

U-339-W

ADVICE LETTER NO. 397-W

November 17, 2023

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Suburban Water Systems (Suburban) submits this Tier 1 Advice Letter to inform the Commission that Suburban proposes to lease out 1500 acre-feet of Central Basin water production rights to Liberty Utilities Corporation through June 30, 2024.

This information is provided to the Commission in compliance with Decision (D.) 21-10-024, Decision Approving and Adopting Settlement Agreement, Resolving Remainder of Disputed Issues and Authorizing Suburban Water Systems' General Rate Increases For 2021, 2022, and 2023 which adopted the settlement agreement.

Ordering Paragraph No. 2 of D.21-10-024 states:

The joint motion (filed on April 14, 2021) for adoption of the Settlement Agreement is granted, and the Settlement Agreement attached to this decision as Appendix A is approved and adopted.

Appendix A, Revised Settlement Agreement Between Suburban Water Systems and the Public Advocates Office, section J (Water Rights Leases), first bullet point states:

Suburban will file a Tier 1 Advice Letter with the Commission before leasing its water rights out to other entities.

A copy of the Water Right License and Agreement (Central Basin), and the signed letter for the water lease offer to Liberty Utilities Corporation from Suburban Water Systems have been included as Attachment B.

Tier Designation and Effective Date

This is a Tier 1 filing – the advice letter is a compliance advice letter. Suburban requests that the advice letter is effective on November 17, 2023.

In compliance with Water Industry Rule 4.3 of General Order 96-B, a copy of this advice letter has been mailed or electronically transmitted to all interested and affected parties as detailed in Attachment A.

Response or Protest

Anyone may respond to or protest 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 the 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 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).

A protest may not rely on policy objections to an Advice Letter (AL) where the relief requested in the AL follows rules or directions established by statute or Commission order applicable to the utility.

A protest shall provide citations or proofs where available to allow staff to properly consider the protest. DWA must receive a response or protest via email (or postal mail) within 20 days of the date the AL is filed.

The addresses for submitting a response or protest are:

Email Address: Mailing Address:

Water.Division@cpuc.ca.gov California Public Utilities Commission

Division of Water and Audits, 3rd Floor

505 Van Ness Avenue, San Francisco, CA 94102

On the same date any protest or response is submitted to the Water Division, the respondent or protestant must serve a copy of the protest or response to: Suburban Water Systems, Kiki Carlson, Regulatory Affairs Manager, 1325 N. Grand Ave., Suite 100, Covina, CA 91724-4044, and email kcarlson@swwc.com

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division, within the 20-day protest period, so that a late filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on.

Replies: The utility shall reply to each protest and may reply to any response. Each reply must be received by the Division of Water and Audits within five business days after the end of the protest period, and shall be served on the same day to the person who filed the protest or response. If you have not received a reply to your protest within ten business days, contact Suburban Water Systems at (626) 543-2500.

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

Sincerely,
/s/Kiki Carlson
Kiki Carlson Regulatory Affairs Manager

Enclosures

Attachment A Page 1 of 3

SUBURBAN WATER SYSTEMS Distribution List

Director Of Public Works

City of Whittier 13230 E. Penn Street Whittier, CA 90602

City Attorney City of Whittier 13230 E. Penn Street Whittier, CA 90602

Michael Gualtieri

La Habra Heights County Water District

P.O. Box 628

La Habra, CA 90633-0628

City Clerk City of Industry P.O. Box 3366 Industry, CA 91744

City Clerk City of Covina 125 East College Blvd. Covina, CA 91723

Director of Public Works City of Buena Park 6650 Beach Blvd. Buena Park, CA 90621

Bill Robinson

Upper San Gabriel Valley M.W.D. 1146 East Louisa Avenue

West Covina, CA 91790-1346

City Attorney City of West Covina 1444 West Garvey Ave. South West Covina, CA 91790

The Prinden Corporation P.O. Box 712 Park Ridge, NJ 07656-0712 City Clerk

City of West Covina

1444 W. Garvey Ave. South West Covina, CA 91790

City Clerk

City of La Mirada

P.O. Box 828

La Mirada, CA 90638

City Attorney

City of Baldwin Park 14406 E. Pacific Ave. Baldwin Park, CA 91706

County Clerk
Orange County

10 Civic Center Plaza, 3rd. Floor

Santa Ana, CA 92701

City Attorney City of Covina

125 East College Blvd. Covina, CA 91723

City of Santa Fe Springs Department of Public Works 11710 E. Telegraph Road Santa Fe Springs, CA 90670

City Attorney City of La Habra P.O. Box 337

La Habra, CA 90633

City Clerk

City of Baldwin Park 14406 E. Pacific Ave. Baldwin Park, CA 91706

Orchard Dale County Water District

13819 East Telegraph Road

Whittier, CA 90604

SUBURBAN WATER SYSTEMS <u>Distribution List</u>

Page 2 of 3

City Attorney City of La Mirada P.O. Box 828

La Mirada, CA 90638

County Counsel Orange County

10 Civic Center Plaza, 3rd. Floor

Santa Ana, CA 92701

City Clerk
City of Glendora

116 East Foothill Blvd. Glendora, CA 91741

City Clerk City of Walnut P.O. Box 682

Walnut, CA 91788-0682

Jandy Macias, General Manager Valley County Water District

JMacias@vcwd.org

Audrey F. Jackson

Golden State Water Company

AFJackson@gswater.com

Rowland Water District gsanchez@rwd.org

California Domestic Water Company

lnoriega@caldomestic.com

City Clerk City of La Habra cc@lahabraca.gov

City of Azusa

Assistant Director - Water Operations

Jmacias@AzusaCa.Gov

County Clerk

Los Angeles County

12400 Imperial Hwy, Room 2001

Norwalk, CA 90650

City Clerk

City of La Puente 15900 East Main St. La Puente, CA 91744

City Attorney

City of Glendora

116 East Foothill Blvd. Glendora, CA 91741

City Attorney City of Walnut P.O. Box 682

Walnut, CA 91788-0682

Ed Jackson Liberty Utilities

AdviceLetterService@LibertyUtilities.com

City Attorney

City of Industry

mvadon@bwslaw.com

Valencia Heights Water Co.

dmichalko@vhwc.org

Walnut Valley Water District

cfleming@wvwd.com

California Advocates Office Water Branch California Public Utilities Commission

PublicAdvocatesWater@cpuc.ca.gov

City Clerk

City of La Puente mtorres@lapuente.org

SUBURBAN WATER SYSTEMS <u>Distribution List</u>

Page 3 of 3

Brett DeBie Golf Course Superintendent South Hills Country Club 2655 S. Citrus Street West Covina, CA 91791 bdebie@southhillscountryclub.org

Ronald Moore Golden State Water Company Regulatory Affairs Department 630 E. Foothill Blvd. San Dimas, CA 91709 RKMoore@gswater.com

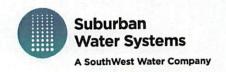
City of Compton Water Department 205 W. Willowbrook Compton, CA 90220 ccornwell@comptoncity.org Jeff Boand O'Donnell Chevrolet – Buick 1312 Golden Vista Drive West Covina, CA 91791 Jboand007@aol.com

The Public Advocates Office California Public Utilities Commission Richard.Raushmeier@cpuc.ca.gov Hani.Moussa@cpuc.ca.gov

WATER RIGHT LICENSE AND AGREEMENT

(Central Basin)

For a valuable consideration,		Suburban Water Systems	1-2-1-5	(Licensor) hereby grants to	
Liberty	Utilities	(Licensee): a license to e	xtract1,50	on acre-feet of Licensor's	
Judgme "Centra	ent dated October 11, 19 al and West Basin Water	ocated to Licensor (or predec 65, and entered in Los Angeles r Replenishment District vs. Ch d continuing to and including Ju	Superior Cou narles E. Ada	urt Case No. 786,656 entitled ms, et al." during the period	
Said Lic	ense is granted subject t	o the following conditions:			
1.	. Licensee shall exercise said right and extract the same on behalf of Licensor during the period above specified and put the same to beneficial use and Licensee shall not by the exercise hereunder of said right acquire any right to extract water independent of the rights of Licensor.				
2.	Licensee shall pay assessments levied on the pumping of said ground waters by the Water Replenishment District of Southern California (District).				
3.	. Licensee shall notify the District that said pumping was done pursuant to this license and provide the District with a copy of this signed document.				
4.	. Licensee shall note, in any recording of water production for the period of agreement that said pumping was done pursuant to this license.				
5.	be increased by the amount hereby leased when computing carryover or allowable overextraction as provided by Part III, Subpart A and B in said Judgment.				
Subur	ban Water Systems wa	rrants that it hasacre-fe	eet of Allowed	Pumping Allocation and that	
it has r	not pumped and will not	t pump or permit or license as eriod of July 1, 20 <u>23</u> through	ny other pers	on to pump any part of said	
This lease may signed by the parties by facsimile, electronic or digital signature, and such signature shall be deemed valid and binding on the party signing this lease in that manner.					
Dated :	11/06/2023				
Licenso	r: Suburban Water	Systems	Licensee :	Liberty Utilities	
Signed	By: Craig Gott FETBISBERZBERBSBAAGGCUFBBZZS	usu comroecwarks.	Signed By:		
Title :	President		Title:	President California	



1325 N. Grand Avenue Suite 100 Covina, CA 91724-4044 Phone 626.543.2500 Fax 626.331.4848 www.swwc.com

November 6, 2023

Gabriel Gomez
Operations Manager
Liberty Utilities (California)
9750 Washburn Road,
Downey, CA 90241

Re: Water License Offer to Liberty Utilities from Suburban Water Systems

Dear Mr. Gomez,

Suburban Water Systems ("Licensor") has agreed to license to Liberty Utilities ("Licensee") extract the right to pump 1,500 acre-feet with Flex of Licensor's allowed pumping allocation in the Central Groundwater Basin for the Water Year 2023-24 for \$ per acre foot. Licensee acknowledges that the terms of this transaction and require the filing of the "Water Right License and Agreement" form with the Central Basin Watermaster. The total amount to be paid for the right is:

1,500 Acre Feet with Flex for Water Year 2023-24@ \$ /AF = \$

Should you agree with the foregoing, please date and sign below. Thank you for your consideration with respect to this matter.

Sincerely, SUBURBAN WATER SYSTEMS

By: Craig Gott

Name: Craig Gott

Title: President, Suburban Water Systems

Accepted and agreed to this <u>6th</u>day of November 2023

LIBERTY UTILITIES

Name: En la Jack Sov Title: President Californ