

April 2, 2014

The Honorable Adam Gray
California State Assembly
State Capitol, Room 2136
Sacramento, CA 95814

Re: AB 1983 (Gray) – Support If Amended

Dear Assembly Member Gray:

On behalf of the California Water Association (“CWA”), the statewide trade group representing 116 water utilities regulated by the California Public Utilities Commission who serve nearly 6 million Californians, I am writing to offer amendments in support of Assembly Bill 1983. In CWA’s view, passage of AB 1983 with the enclosed amendments will give occupants of multi-unit residential structures access to their water consumption information and will help them use water wisely.

AB 1983 will require newly constructed multi-unit residential structures to have water meters or submeters installed to measure water usage within the individual units. The bill appropriately contains safeguards and limitations on how the landlord can bill a tenant for the tenant’s water usage, including both volumetric usage and recurring fixed charges, and recognizes that the configuration of a building may dictate whether the units are individually metered or submetered.

However, AB 1983 does not involve the retail water supplier in the decision to determine the appropriate method of water measurement for each multi-unit structure. Because the configuration of a building may dictate whether the units are individually metered or submetered, and because the retail water supplier is usually in the best position to make that decision, the retail water supplier should have the option to determine the appropriate method of water measurement. Accordingly, CWA respectfully requests that AB 1983 be amended (beginning on line 8, page 3) to include the following language as a substitute for Sec. 1954.12 (c):

(c) Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure for which an application for a water connection, or more than one connection, is submitted after January 1, 2015, shall have the option of requiring the installation of a water meter or submeter that will enable the measurement by a county, municipal, or other public water system as a condition of new water service.



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(1) If the water purveyor does not exercise the option pursuant to subdivision (c), the owner of the structure shall ensure that each submeter installed complies with all laws and regulations governing installation, approval of meter type, maintenance, reading, billing, and testing of water submeters, including, but not limited to, the California Plumbing Code.

(2) This subdivision does not require a water purveyor to fund or assume responsibility for ensuring compliance with any law or regulation governing installation, approval of submeter type, maintenance, reading, billing, and testing of water submeters and associated onsite plumbing.

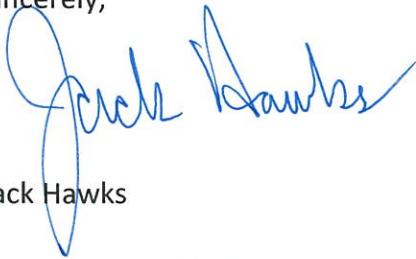
Additionally, in order to avoid any confusion with the use of the term “privately owned meters,” CWA respectfully requests that subdivision (f), beginning on line 37 of page 4, be amended to read:

~~of privately owned~~ *owner-installed or operator-installed meters or other devices which that measure or assist in the measurement of water use under subdivision (c).*

With these amendments, which properly place the metering decision with those entities responsible for providing water service to the customer, and which clarify the limitations on charging a fee or levy for the installation of meters or other devices, CWA is pleased to support AB 1983. CWA respectfully requests that the members of the Housing and Community Development Committee support the amended measure when it comes before them on April 9, 2014.

Please do not hesitate to contact me at the phone numbers listed herein, or our Legislative Advocates, Meg Catzen Brown and Jennifer Capitolo at 916-442-8888, if you have any questions regarding CWA’s position on this measure. Thank you for your consideration of CWA’s views.

Sincerely,



Jack Hawks

Cc: Honorable Members, Assembly Housing and Community Development Committee
Lisa Engel, Chief Consultant
William Weber, Republican Consultant
Martha Guzman-Aceves, Office of the Governor