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on tap

CALIFORNIA WATER ASSOCIATION

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MESSAGE FROM THE PRESIDENT

As the first quarter of 2016 draws to a close, the California Water Association (CWA) and its member companies look forward to building on the work begun in 2015 by investor-owned water companies (IOWCs), all while continuing to deliver high-quality, reliable water at just and reasonable rates.

From working together to address the challenges of the ongoing drought to advocating for positive changes in the regulatory and policy arenas, CWA and the IOWCs continue to consistently meet and exceed the state's mandatory water-use reduction targets.

Despite improvements in drought conditions, reservoir levels, groundwater aquifers and snowpack from the early winter storms that brought much needed rain and snow to Northern California in January, a dry February reminded everyone of the need to remain vigilant on water-use efficiency. So, even as the State Water Resources Control Board, on February 2, extended the emergency regulations and mandated water use targets for urban water suppliers through October, CWA joined its counterparts from the public water agency community to recommend adjustments and new approaches in the emergency conservation regulations. This will provide a higher degree of equity to customers and water suppliers in all regions of the state.

Other topics of interest arose during the first two months of 2016, including the release of a white paper on the cost of traditional and non-traditional water sources by the California Public Utilities Commission, a new tool for researching financial reports of IOWCs and the annual conference of Water Education for Latino Leaders. This edition of *On Tap* covers these issues and other developments in the following articles:

- CWA's Seamless Transition from 2015 to 2016
- CWA Sponsors Three Customer-Protection Bills in 2016 Legislative Session
- CWA Weighs in on Extension of Emergency Conservation Regulations
- Investor-Owned Water Companies Continue to Meet and Exceed Water Conservation Targets
- CWA Editorial Urges Drought Emergency Exit Plan
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- NAWC Offers New Tool on IOWC Financial Reporting
- CWA, Cal Water, and San Jose Water Sponsor 2016 WELL Conference

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California
Water
Association



QUESTIONS?

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To view *On Tap* in PDF format, [click here](#), or access the online version on CWA's website at www.calwaterassn.com.

As we move into the second quarter of 2016, CWA wishes all of you the best for productive and fulfilling months ahead. We look forward to working together with you.

Sincerely,

Greg Milleman
California Water Service Company
2015-2016 CWA President

MEMBER SPOTLIGHT

CWA'S SEAMLESS TRANSITION FROM 2015 TO 2016



The transition from 2015 to 2016 has been seamless for the California Water Association (CWA) and its member companies. Actions taken during 2015 continued into 2016, and all are in concert with CWA's strategic goals to support member companies in providing safe, reliable, high-quality water and excellent customer service; shaping the business and policy environment for the benefit of all; and strengthening CWA as the collective voice of regulated water companies.

Several of last year's major actions and accomplishments, on which efforts are continuing in 2016, include:

- CWA's work on extensive revisions to Tariff Rule 14.1, including Schedule No. 14.1, both of which now align the California Public Utilities Commission's (CPUC) drought management rules and policies with emergency regulations of the State Water Resources Control Board (SWRCB) on urban-sector water conservation. These changes enabled the investor-owned water companies (IOWCs) to reach out to customers and explain the consequences of violating water use restrictions, as well as the new mandatory reduction targets and excessive water use surcharges, through nearly 100 public meetings attended by approximately 16,000 people. Because the SWRCB extended the mandates and restrictions through October 2016, the regulated water utilities have been able to focus more on keeping customer communications fresh in 2016 rather than reinventing the drought management wheel.
- Enactment of [Senate Bill 13](#) (Pavley) in 2015, Sustainable Groundwater Management Act Reform (Act), which removed a problematic provision in the Act requiring public agency approval for CPUC-regulated IOWCs to participate in groundwater sustainability agencies (GSAs). This law enabled CWA to reach out to state contractors facilitating GSA development to promote IOWC membership in GSAs. The law now states that these regulated public water utilities may participate as members of a GSA by agreement, as long as it does not confer additional powers on a non-governmental entity. Accordingly, CWA has provided template legal agreements to the Center for Collaborative Policy, the Consensus Building Institute and other similar entities to help facilitate the numerous GSAs being created throughout the state.
- Advocating on behalf of small water companies and their customers before the CPUC and SWRCB, especially in regard to drought management requirements, financial and technical assistance and consolidation policies. Most significantly, CWA assisted small companies with applying for drought-related grants, preparing for general rate cases and general regulatory compliance.
- CWA assisted the governor's office in developing the statutory language needed to pass [Senate Bill 88](#) (Pavley), which among other things, created a program under the SWRCB that mandates the consolidation of troubled, small water systems that can no longer serve high-quality drinking water (either because of drought-induced shortages or because they lack the technical, managerial or financial resources to maintain drinking water at minimum water quality standards) with larger public water suppliers that have the resources to ensure safe, reliable drinking water for customers. Under this law, in 2016, six small water systems already have been acquired by larger CWA member companies.

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MEMBER SPOTLIGHT

CWA'S SEAMLESS TRANSITION FROM 2015 TO 2016...CONTINUED

- CWA's Utility Supplier Diversity Program Committee hosted two "Meet the Primes" events in Northern and Southern California in 2015 and provided input on revisions to the CPUC's General Order 156 (GO 156), bringing LGBT business owners into the order's scope. CWA is proud to report that IOWCs exceeded the GO 156 goal of having diverse businesses account for 21.5 percent of the utilities' eligible procurement for the third consecutive year.
- CWA ramped up outreach efforts during 2015 through Facebook, Twitter and effective media engagement on various issues, including guest commentaries that appeared in publications and on websites as:
 - Responses to articles on compliance with emergency regulations;
 - Responses to articles containing erroneous information about the operations, costs, rates and ownership of IOWCs; and
 - Responses to articles on the regulation of public water utilities under the jurisdiction of the CPUC.
- Successful outreach continues in 2016, with growing Twitter and Facebook followers and a new guest commentary in February on the extension of the drought emergency regulations (see related article).
- The CWA-led effort in Phase 2 of the CPUC's Balanced Rates Rulemaking (R.11-11-008) provided a practical roadmap on innovative rate design approaches and the deployment of smart water technology for customers.
- Representation on the CPUC's Low Income Oversight Board (LIOB) and continuing involvement with customer information-sharing with energy utilities to ensure that eligible customers have access to low-income rate assistance (LIRA) programs. As a result, approximately 250,000 water customers (out of nearly 1.5 million customer accounts) are participating in LIRA programs. CWA bid a reluctant farewell to the water industry's representative on the LIOB, Dave Stephenson of California American Water, who retired at the end of 2015 after 37 years of service to the company and the industry. We wish Dave many years of happy retirement. 🌈



Dave Stephenson of California American Water.

LEGISLATIVE AND REGULATORY UPDATE

CWA SPONSORS THREE CUSTOMER-PROTECTION BILLS IN 2016 LEGISLATIVE SESSION



The California Water Association (CWA) identified three areas in the Water Code and Public Utilities Code that should be changed to strengthen customer benefits and protections. As a result, CWA is sponsoring three bills in the 2016 session of the California Legislature: AB 1180 (C. Garcia); AB 2874 (Gaines); and SB 1456 (Galgiani).

AB 1180 (C. Garcia)

Currently, the California Public Utilities Commission (CPUC) is required by law to have regulated water utilities set a transaction fee for utility customers paying their monthly bills by credit, debit or prepaid cards. The fee typically ranges from \$2.00 to \$3.00 per payment. Experience indicates that many customers stop using the online payment portal when confronted with the transaction fee, opting instead to use an alternate payment method that is “free” such as writing a check.

Payment by check or in person is costlier than using a card; however, those costs already are included in base rates with all other operating costs. Therefore, customers who pay their bills with credit/debit cards are effectively paying twice – once in their rates for other forms of payment and again when paying a transaction fee for using a credit or debit card.

As more consumers prefer the convenience of credit and debit cards as their primary method of paying recurring bills, CWA is taking action to rectify this inequity with the assistance of Assembly Member Cristina Garcia in authoring AB 1180. This bill will create a pilot program allowing participating water utilities to waive transaction fees for customers paying by credit and debit card and to collect information on:

- The costs associated with various forms of payment;
- Customer utilization of various forms of payment;
- Customer expectations and satisfaction regarding payment options; and
- The demographic profile of customers and their use of the various forms of payment.

AB 1180 also would direct the CPUC to evaluate water customer bill payment preferences, including the use of credit or debit cards and whether levying a transaction fee on customers paying by credit or debit card is in the public’s interest. The bill passed the California Assembly in late January by a 71 to 3 vote and will be taken up by the Senate in June.

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LEGISLATIVE AND REGULATORY UPDATE

CWA SPONSORS THREE CUSTOMER-PROTECTION
BILLS IN 2016 LEGISLATIVE SESSION...CONTINUED**AB 2874 (Gaines)**

Assembly Bill 2874, authored by Assembly Member Beth Gaines, seeks to protect investor-owned water companies (IOWC) customers from unwarranted fees and/or other financial requirements imposed by Groundwater Sustainability Agencies (GSAs) formed pursuant to the Sustainable Groundwater Management Act of 2014 (SGMA). Current law requires the CPUC to approve all costs incurred by regulated IOWCs that are being passed on to customers.

Because SGMA authorizes a GSA to impose fees on permitting, groundwater extraction or other activities to fund the costs of a groundwater sustainability program, the regulated IOWCs need to ensure CPUC approval of those fees and expenses, especially when the local agencies have excluded IOWCs from membership in the GSA. AB 2874 will require a GSA to notify the CPUC before imposing or increasing a fee relating to a groundwater basin from which a water utility regulated by the CPUC has rights to extract groundwater to serve its customers.

SB 1456 (Galgiani)

The Drinking Water State Revolving Fund (DWSRF) program has, for nearly 20 years, provided low-interest loans to water utilities of all types for drinking water infrastructure projects. Historically, there have been two ways to secure funds under this program: Proposition 1 for which regulated utilities are eligible; and loan forgiveness for which regulated utilities are eligible under federal rules, but not in California. CWA has worked with Senator Cathleen Galgiani to correct this omission.

SB 1456 would, among other things, authorize financing arrangements for planning and preliminary engineering studies, project design and construction costs, including loan principal forgiveness, to all public water systems, including California regulated IOWCs. The bill specifically provides that any public water system serving a severely disadvantaged community with 200 connections or fewer that does not have the ability to pay back the loan would be eligible for the principal forgiveness provision.

While AB 1180 is a two-year bill, both AB 2874 and SB 1456 were introduced in 2016 and are awaiting their first policy committee hearings. 🌍

LEGISLATIVE AND REGULATORY UPDATE

CWA WEIGHS IN ON EXTENSION OF EMERGENCY CONSERVATION REGULATIONS



Governor Brown's Executive Order B-36-15, issued November 13, 2015, stated that if drought conditions persist through January 2016, the current emergency restrictions on reducing urban potable water use will be extended to October 31, 2016. The executive order prompted the State Water Resources Control Board (SWRCB) to solicit public input on several occasions via workshops and public comment letters in December and January. Most recent was a wave of letters from more than

100 interested parties on January 28, 2016, including the California Water Association (CWA).

In its [comment letter](#), CWA cautioned against instituting permanent actions mandating water-use reductions that will not be necessary once drought conditions cease. CWA also requested the SWRCB to take the following actions in the final version of its extended Emergency Regulation:

- Revisit the mandated percentage reduction in total potable water production in April 2016;
- Eliminate the cap on credits or adjustments to the conservation standards for urban water suppliers; and
- Clarify and expand the credits for water supply investments.

With respect to adjustments in individual water utility conservation standards, CWA, along with numerous other parties, strongly urged the SWRCB to revisit the extended Emergency Regulation in April 2016 after evaluating the final snowpack report, reservoir capacity and aquifer levels. CWA said, "If 2016 is an above-average year for precipitation and snowpack, however, it is unrealistic to expect that the public will remain committed to this extreme level of conservation, given the sacrifices necessary to achieve it."

CWA recommended that the SWRCB incorporate a simple formula into any extended Emergency Regulation for adjusting the mandated percentage reduction in total potable water production. To the extent the final snowpack report in April 2016 reflects amelioration of drought conditions affecting California, the conservation standard for each urban water supplier should be reduced by an equal proportion calculated as follows: an amount approximately equal to the weighted average proportion by which the deficiency in the state's snowpack as compared with an average year and the deficiency in the principal state reservoirs as compared with an average year have improved in comparison to those deficiencies as of April 2015.

CWA also opposed adoption of a SWRCB staff recommendation to cap all credits and adjustments to water suppliers' conservation standards. CWA believes water suppliers meeting the climate adjustment standard, experiencing growth or having invested in drought-resilient water supply projects should receive full credits or adjustments. CWA also noted that the cap would create a disincentive to invest in drought-resilient water supplies.

LEGISLATIVE AND REGULATORY UPDATE

CWA WEIGHS IN ON EXTENSION OF EMERGENCY CONSERVATION REGULATIONS...CONTINUED

Finally, CWA suggested water suppliers should receive credit for investing in all indirect potable reuse, not just coastal wastewater, and that the credit should be based on the percentage of indirect potable reuse water within the water suppliers' overall potable water supply. CWA believes suppliers that have made investments to meet a large portion of irrigation demand with non-potable recycled water will not have the same ability to meet water-use reduction targets as those not making similar efforts (and therefore should get credit for these recycled water investments). CWA also believes that remediation of polluted groundwater sources should be included in the credit program because these investments contribute to existing surface and groundwater supplies.

CWA's letter pointed out that the Emergency Regulation should provide credits for drought-resistant water supplies developed "prior" to 2013 rather than "since" 2013, as staff recommended, to reward the efforts of water suppliers that made investments during previous periods of drought, not just the current drought.

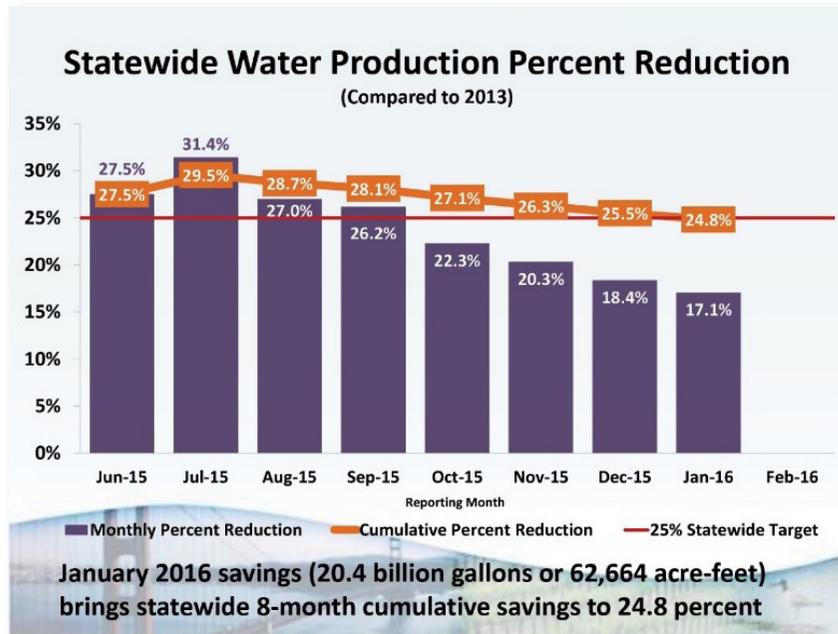
On February 2, 2016, the SWRCB [adopted](#) the Proposed Framework, and the Office of Administrative Law approved the Extended Emergency Regulation on February 11, 2016. CWA was pleased to note that the SWRCB will, indeed, revisit the Emergency Regulation and the revised conservation standards in April 2016, and that while the SWRCB did not eliminate the cap on potential revisions to a supplier's individual target, it did expand the cap to eight percentage points rather than four. CWA will continue to pursue additional recommended revisions to the Emergency Regulation in April. 

THE QUALITY & SERVICE FOCUS

INVESTOR-OWNED WATER COMPANIES CONTINUE TO MEET AND EXCEED WATER CONSERVATION TARGETS

According to the State Water Resources Control Board’s (SWRCB) February 25, 2016, [press release](#), urban water suppliers subject to the state’s emergency conservation regulations reported a cumulative savings of 24.8 percent through January 2016, just missing Governor Brown’s 25 percent statewide mandate. With more than 1,147,000 acre-feet of water conserved from June 2015 through January 2016, the SWRCB announced that “the state is 96 percent of the way toward reaching its goal of 1.2 million acre-feet of water to be saved by the end of February, an unprecedented conservation achievement.”

Despite the beginning of the El Niño storms, precipitation that fell in November and December and the relatively cool weather in late fall and early winter, water agencies across the state have effectively met the governor’s mandate for eight straight months. Average statewide residential water use declined from 102 gallons per person per day to 97 in September, 87 in October, 76 in November, down to 67 in December and to a new low of 61 in January.



And California Water Association (CWA) member companies are leading the way. Of the 401 water suppliers reporting their December compliance outcomes, 58 percent (234 water suppliers) met or came within 1 percentage point of meeting their conservation goals. CWA is pleased to note that its member companies, which comprise 59 of the 401 reporting suppliers, bettered the state average of 17.1 percent in January by a significant margin – 68 percent achieved their targets and 80 percent achieved or were within 1 percentage point. Further, unlike the state as a whole, the regulated IOWCs have continued to exceed the governor’s 25 percent conservation mandate, maintaining a cumulative 26.9 percent reduction from June 2015 through January 2016.

SWRCB Chair Felicia Marcus noted in the press release, “While the recent rains and growing snowpack are wonderful to behold, we won’t know until spring what effect it will have on the bottom line for California’s unprecedented drought. Until we can tally that ledger, we have to keep conserving water every way we can. Every drop saved today is one that we may be very glad we have tomorrow.” 

THE QUALITY & SERVICE FOCUS

CWA EDITORIAL URGES DROUGHT EMERGENCY EXIT PLANS

In keeping with the themes in its comment letter, the California Water Association (CWA) published an editorial in several newspapers throughout the state in late February and early March. Titled “Now’s the Time for the State to Formulate a Drought Emergency Exit Plan,” the op-ed congratulated Californians for their remarkable conservation performance during the past eight months and noted that the SWRCB made a “responsible, prudent decision” when it extended the Emergency Regulation in early February.

CWA noted that the successful drought management program has not come without costs, including declines in needed infrastructure investments by utilities, rate increases for customers, tax penalties for homeowners who have received rebates for turf replacement in their yards and the loss of millions of trees throughout the state. CWA reiterated its call for a measured exit plan from the drought emergency regulations should the weather and water conditions continue to improve during March (which they did) and suggested a proportional reduction in the mandated conservation targets keyed to the improvement in snowpack water content, improved reservoir capacities and recharge of groundwater aquifers.

“The logic for an approach like this, or something similar, is simple,” CWA said in the editorial. “The original 25 percent statewide reduction mandate was determined under the worst drought conditions in history, so a commensurate decrease in the statewide average, based on improved water supply conditions, is rational and reasonable.”

Among other publications, the op-ed article appeared in the *Bakersfield Californian*, the *Monterey Herald* and the Bay Area News Group’s *Contra Costa Times*. 🌍



POINTS OF INTEREST

CPUC ISSUES WHITE PAPER ON COST OF NEW WATER SOURCES



The California Public Utilities Commission (CPUC), through its Policy and Planning Division, released a report titled, “[What Will Be the Cost of Future Sources of Water for California?](#)” The report, unveiled at CPUC’s Thought Leaders Speaker Series on February 25, 2016, concludes that in a perennial dry state like California that is subject to frequent droughts, traditional sources of surface and groundwater will become increasingly constrained, and water purveyors will need to exploit and rely on new ways to conserve, recycle, and desalinate water. The inescapable conclusion, according to the white paper, is

that new sources water, including conservation, will be considerably more expensive than traditional sources of water.

The white paper provides a comparison of costs from traditional sources, principally surface water, to a group of selected new water sources: freed-up supplies from conservation/efficiency actions; water produced from resource recovery (i.e., recycled wastewater); and seawater desalination. The paper surveyed five sources of traditional water with costs ranging from \$139 per acre-foot (one acre-foot (AF) equals approximately 325,851 gallons or enough water to supply nine Californians for one year) to \$1,456/AF. The average cost across these traditional sources was approximately \$800/AF.

In contrast, the average costs for the conservation, recycled water and desalination water sources researched in the white paper were \$1,335/AF, \$2,869/AF and \$3,389/AF, respectively. The conservation cost estimates were supplied by California American Water and San Jose Water Company. The recycled water estimates were drawn from information by the State Water Resources Control Board, California American Water, the Monterey Regional Water Pollution Control Agency and Golden State Water Company. The desalination costs were provided by San Diego County Water Authority and California American Water.

The paper concludes by noting, “The future for Californians most likely will involve a combination of all these non-traditional sources of water...traditional and least-costly sources are all fully subscribed, and new sources will be necessary to provide water to Californians... We should expect that future costs for water service will rise as new sources are developed, and their higher costs become part of the overall cost of service.” 

POINTS OF INTEREST

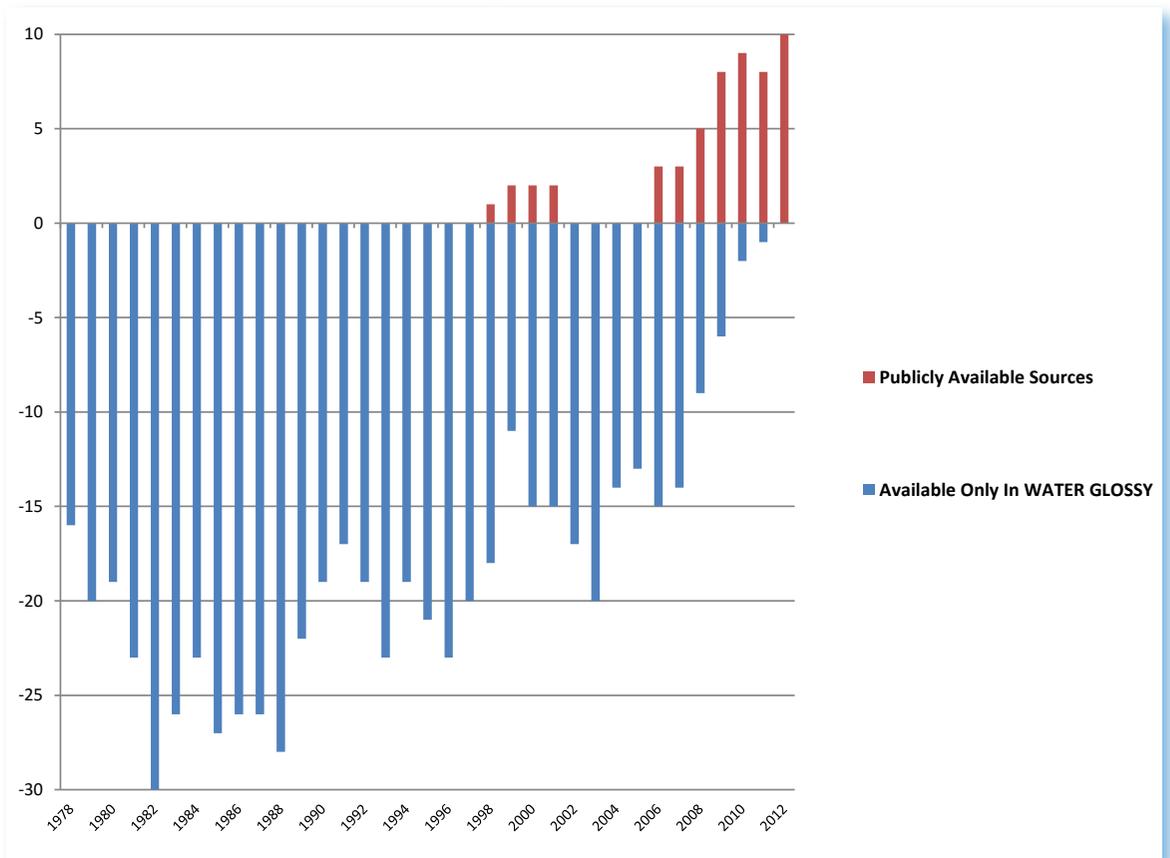
NAWC OFFERS NEW TOOL ON IOWC FINANCIAL REPORTING

The National Association of Water Companies (NAWC) has a new research tool available on its website (www.nawc.com) called Water Glossy, which consists of more than 1,500 water utility annual reports, Securities and Exchange Commission (SEC) Form 10Ks and SEC proxy statements (Form 14As) from 1978 to the present day. Developed by Suburban Water Systems and donated to NAWC, Water Glossy allows researchers and other users to make precise searches of historical water utility financial reports – all with just a few computer keystrokes.

There are at least four uses for Water Glossy...it provides:

- A boundless trove of creative ideas for financial presentations, speeches and narratives;
- A previously unknown ability to research examples of shareholder disclosure about unusual events such as storm damage and condemnations;
- A powerful tool for crafting financial statement footnotes using other water utilities' financial statements as a guide; and
- A new and powerful approach for identifying methods of accounting used by other water utilities.

Annual Reports to Shareholders



POINTS OF INTEREST

NAWC OFFERS NEW TOOL ON IOWC FINANCIAL REPORTING...CONTINUED**What is Special about Glossies?**

Today, annual reports to shareholders often are minimalist documents called “10K wraps” and are not much more than data dumps from SEC lawyers. Back in the age of thick glossy paper, the best annual reports were four-color masterpieces with glossy photos deftly woven among charts, loads of financial statistics and thorough analyses of companies’ businesses, competitors and prospects. Annual reports were both comprehensive and comprehensible. Some were spectacular anniversary issues celebrating companies’ historic milestones. In Water Glossy, the user will see some of the very best. For example, Bridgeport Hydraulic Company’s 125th Birthday issue, published in 1983, was an artistic masterpiece, brilliantly chronicling the utility’s history.

Water Glossy Includes Land Developers

In much of the United States, the story of water is a story of land development. Land developers constructed their own water and sewer systems to serve their communities. They were usually operated as stand-alone utility companies and were subject to conventional rate regulation just like non-developer-owned utilities. Many of the nation’s largest water and sewer utilities began this way, including some California Water Association member companies. Developer utilities were especially common in the South and Southwest, commonly known as the Sun Belt. To reflect a complete picture of investor-owned water companies, Water Glossy includes many of the major land developers: General Development; Leisure Technologies; Gulfstream Land; AMREP; Cenville Communities; Deltona; Land Resources; and Avatar. They often promoted water and sewer development as a necessity for daily life in order to market their land sales. Their heyday was from 1963 to 1973, but almost all of them are now gone.

Water Glossy vs. EDGAR

The SEC’s freely accessible Electronic Data Gathering, Analysis and Retrieval system (EDGAR) is similar to Water Glossy but with two important differences: EDGAR does not have glossies and documents are mostly in HTML format, which excludes photographs and graphics.

How Does Water Glossy Do Searches?

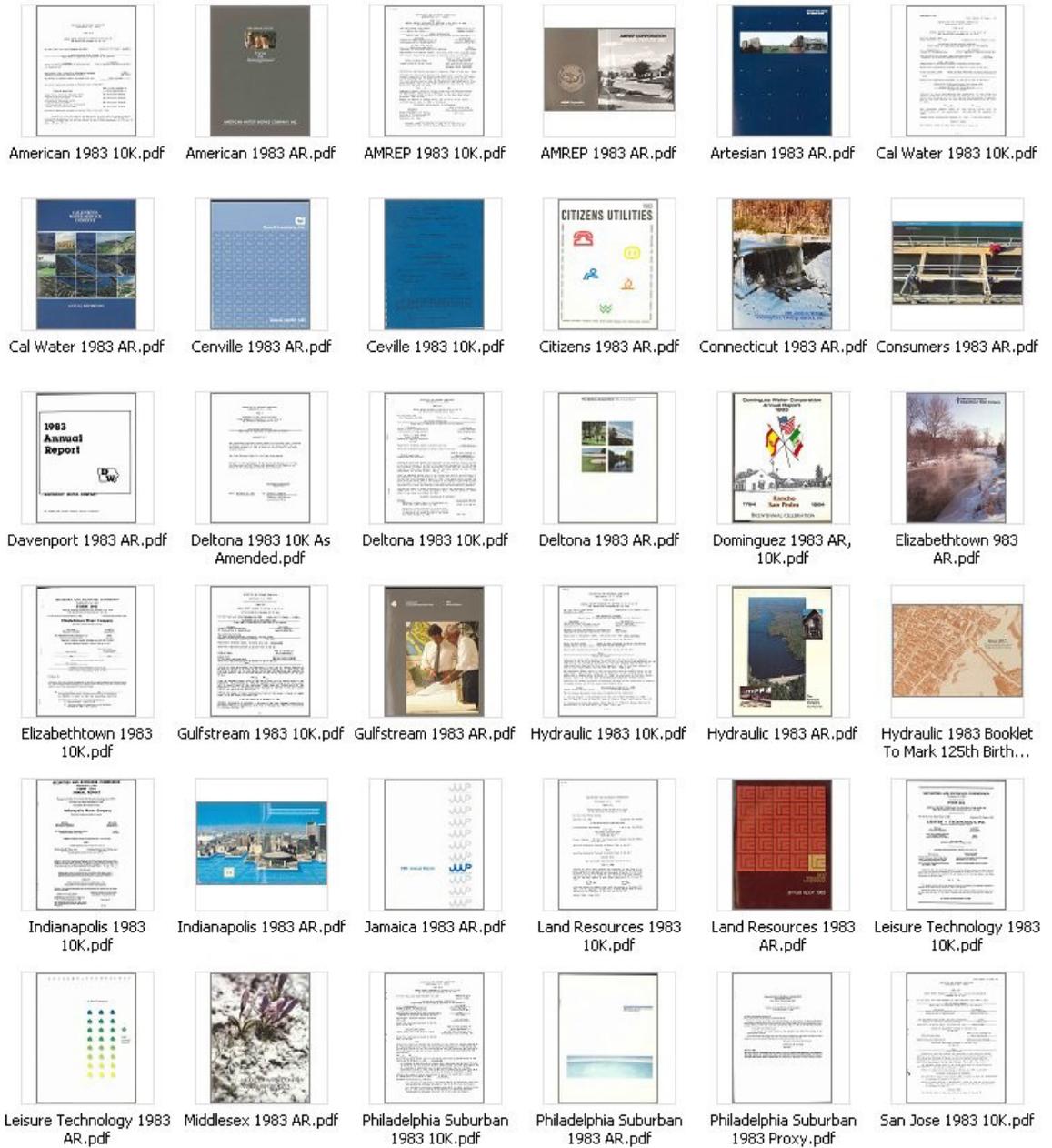
Water Glossy reduces the time to do searches by embedding an index of the words in all the documents. Users search Water Glossy exactly as they would search without embedded indexes – no extra steps are required. Water Glossy also includes metadata to facilitate searches by company name, year and type of document (annual report, 10K or proxy).

You can access Water Glossy at www.nawc.com by clicking on Knowledge Center and then on Water Glossy.

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POINTS OF INTEREST

NAWC OFFERS NEW TOOL ON IOWC FINANCIAL REPORTING...CONTINUED



POINTS OF INTEREST

CWA, CAL WATER AND SAN JOSE WATER SPONSOR 2016 WELL CONFERENCE



California Water Association (CWA), California Water Service (Cal Water) and San Jose Water Company were among 26 sponsors for the annual Water Education for Latino Leaders (WELL) held March 4-5, 2016, in San Jose. More than 150 Hispanic local and state leaders in the water industry, including local water district

board members, city council members, county commissioners and special district board members, were in attendance. Among the topics covered were the history and governance of water in California, the basics of California water infrastructure and finance, a roadmap to the many state and local agencies responsible for water and a primer on California's "Human Right to Water" statute with particular emphasis on how the state is implementing the law.

The keynote address was delivered by Tom Steyer, Founder and President of NextGen Climate, a San Francisco-based environmental advocacy organization that promotes aggressive public policy actions to mitigate climate change impacts. His remarks focused on the link between climate change in California and the potentially damaging effects on long-term water supply options.

Newly elected California State Assembly Speaker Anthony Rendon treated the audience to a personal history on his career path to the speakership emphasizing how he became a legislative leader in water. He welcomed the assistance of the local Latino water leaders with the state's 2016 legislative water agenda and noted that assistance for water-short and drought-impacted disadvantaged communities in the state is a top priority for him and California Senate President pro Tempore Kevin de León.

The CWA member company representatives present at the conference were pleased to have Commissioner Catherine Sandoval of the California Public Utilities Commission as a featured speaker. She highlighted the exceptional conservation and water-use reduction performance of the Latino communities throughout the state, especially in East Los Angeles where residents have exceeded the conservation goals set forth by the State Water Resources Control Board to a higher degree than their more affluent counterparts living in the state's coastal cities. She also praised the investor-owned water companies for working with their customers so effectively on the water-use reduction goals. She singled out Cal Water for providing water supply assistance to drought-stricken communities in the Central Valley.



Register now for [California Water Association's Spring Conference](#) on Thursday, May 19, 2016, at the Citizen Hotel in Sacramento. [Click here for registration details and the conference program.](#) 