

Via fax (916) 319-3950

June 18, 2018

The Honorable Bill Quirk
Chair, Assembly Committee on Environmental Safety and Toxic Materials
1020 N Street, Room 171
Sacramento, CA 95814

Re: **Oppose position** on SB 998 (Dodd) Discontinuation of residential water service: urban and community water systems, as amended on May 7, 2018

Dear Assemblyman Quirk,

On behalf of the City of Palo Alto, we write to express our opposition to SB 998 (Dodd) regarding when a water utility may terminate residential service for nonpayment. The City of Palo Alto began operating its first utility in 1896, when the water supply system was installed. Today, we own and operate six different utilities that serve over 65,000 residents and hundreds of businesses in Palo Alto. We also own and maintain over 19,500 residential and business water meters.

We must oppose SB 998 as it would significantly change our well established shut-off practices and protocols in a manner that does not appear to benefit our customers. These written protocols, publicly available on [our website](#), state that we will only discontinue service as a last resort. Our termination procedures include providing a 10 day disconnect notice, and a 48 hour disconnect notice. Additionally, we often call residents and if available, send emails prior to terminating service. The 48 hour notice includes specific information, including the procedure by which our customers can initiate a compliant, request an investigation, request amortization of unpaid charges, or obtain information regarding financial assistance.

Proponents of SB 998 have indicated that they are solving a widespread, statewide water service discontinuation problem. However, there is no current data to indicate that either there is a large problem or that this bill would provide a viable solution. Additionally, our State's Human Right to Water, referenced by supporters, reads, "*(e) The implementation of this section shall not infringe on the rights or responsibilities of any public water system.*" The language in SB 998 would infringe on our rights and responsibilities in various ways, including:


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- Allowing an “adult in residence” to appeal a bill which prevents service termination, even while the bill remains unpaid, and with no definition of the term “in residence” or statement as to why such a person has the same authority as the accountholder
- Mandating we translate our written disconnection procedures into languages that may not be spoken by even a significant minority of our residents
- Potentially infringing on tenants’ rights by requiring property owners that receive shut-off notices on accounts not their own and for which they have no contractual obligation

Additionally, SB 998 prevents us from terminating water service when we receive a certification from a licensed medical professional that discontinuation will be life threatening or pose a serious health threat to a resident of the home where service is provided. Water agencies have no expertise in determining (1) if a particular medical professional is licensed in any State by any agency, (2) if the professional has ever examined or seen the resident, or (3) otherwise verifying the legitimacy of such a certification. Effectively, SB 998 demands water agencies simply accept paperwork and continue providing service at no cost.

For these and other reasons, we must respectfully oppose the bill as amended on May 7, 2018.

Sincerely,



Liz Kniss
Mayor, City of Palo Alto

Cc: Honorable Members of the Assembly Committee on Env. Safety and Toxic Materials
Josh Tooker, Chief Consultant, Assembly Committee on Env. Safety and Toxic Materials
John Kennedy, Policy Consultant, Assembly Republican Caucus
The Honorable Bill Dodd
Senator Jerry Hill
Assemblyman Marc Berman
Palo Alto City Council
James Keene, Palo Alto City Manager