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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of California-American Water
Company (U210W) for Approval of the
Monterey Peninsula Water Supply Project and
Authorization to Recover All Present and Future
Costs in Rates

A.12-04-019
(Filed April 23, 2012)

REBUTTAL TESTIMONY OF RICHARD C. SVINDLAND

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Dated: March 22, 201

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REBUTTAL TESTIMONY OF RICHARD C. SVINDLAND

I. WITNESS QUALIFICATIONS

Q1. Please provide your name, position and business address.

A1. My name is Richard C. Svindland. I am the Vice President of Operations for California American Water (CAW). My business address is 4701 Beloit Drive, Sacramento, CA 95838.

Q2. Have you provided testimony in this California Public Utilities Commission (Commission) proceeding and what are your qualifications?

A2. Yes, I have submitted direct, supplemental and rebuttal testimony as part of the Monterey Peninsula Water Supply Project (MPWSP) proceeding. My qualifications, prior testimony experience and prior water and wastewater experiences are included with my original testimony.

II. PURPOSE OF TESTIMONY

Q3. What is the purpose of this rebuttal testimony?

A3. The purpose of this rebuttal testimony is to address items raised by the several parties in the proceeding. Specifically I will be discussing the following areas:

- 1 • Water demand;
- 2 • Brine discharge;
- 3 • CAW return water proposal and Salinas Valley Groundwater Basin;
- 4 • Life cycle and cost estimates; and
- 5 • Desalination plant procurement

6

7 **III. WATER DEMAND**

8 Q4. Do recent lower water demands suggest that the MPWSP is not properly sized?

9 A4. No. As indicated in my January 22, 2016, Supplemental Testimony the MPWSP is sized
10 properly and CAW's demand assumptions have not changed. Although CAW has met
11 and exceeded state imposed water conservation requirements during this unprecedented
12 drought, it is reasonable to assume that water demands will increase if and to the extent
13 regulatory conservation requirements are relaxed or lifted. CAW is obligated to meet
14 customer demands, existing and planned, and its water demand assumptions are
15 reasonable and defensible for long-term project planning. Furthermore, per the Sizing
16 Settlement Agreement filed with the Commission as part of this proceeding eight parties
17 agree on the plant sizing.

18

19 **IV. BRINE DISCHARGE**

20 Q5. Will CAW's proposed brine disposal plan negatively impact third parties, as Marina
21 Coast Water District (MCWD) claims?

22 A5. No. As indicated in my Direct Testimony filed as part of the original application, the
23 existing outfall has sufficient capacity 96% of the time for the brine generated by both the
24 MPWSP and the previous Regional Desalination Project (RDP) assuming both plants
25 would be operating at full capacity. This scenario; however, is unlikely since MCWD
26 does not have the future demand needs for a plant as large as the RDP as evidenced by
27 the MCWD Board Meeting Notes that discuss the issuance of a Request for Proposals for
28

1 a much smaller desalination 2,700 acre-foot per year (AFY) desalination plant¹.

2
3 **V. RETURN WATER AND SALINAS VALLEY GRONDWATER BASIN**

4 Q6. MCWD has several concerns with CAW's "return water" proposal. Can you respond to
5 these concerns?

6 A6. Yes. CAW's water rights for the MPWSP have been discussed and briefed for years, and
7 there is no new testimony or factual information concerning the water rights for the
8 project.² The State Water Resources Control Board's Final Review of Water Rights for
9 the Monterey Peninsula Water Supply Project, dated July 31, 2013, supports CAW's
10 water rights position with respect to the MPWSP. The testimony submitted by Mr.
11 Thomas P. Moore and Mr. Curtis Hopkins on behalf of the MCWD does not provide any
12 factual information that undermines CAW's water rights for the MPWSP. Mr. Moore's
13 and Mr. Hopkins arguments have been thoroughly addressed in prior testimony and legal
14 briefing, and Mr. Hopkins' testimony is also rebutted by the testimony of Mr. Peter
15 Leffler of Luhdorff and Scalmanini, Consulting Engineers on behalf of CAW. The
16 permitting of the Test Slant Well is not at issue in this proceeding, and even if it were, the
17 testimony of Mr. Moore relative to the Test Slant Well is legal argument that has been
18 and will be responded to in legal briefing.

19
20 Q7. Do you have any comments in regards to the "Critically Overdrafted Basin" statement in
21 MCWD's testimony?

22 A7. Yes. I would like to point out that the proposed intake wells for the MPWSP are located
23 at the southwestern edge of the groundwater basin and are located next to the Pacific
24 Ocean which provides a constant head boundary on the groundwater basin. It would be
25

26 ¹ See minutes for item 9-b, available at http://www.mcwd.org/docs/agenda_minutes/2015-03-02_board/2015-03-02.pdf

27 ² See, e.g., Supplemental Testimony of Richard C. Svindland dated January 11, 2013, 6:14-7:11;
28 California-American Water Company Opening Brief on Legal Issues for Early Resolution filed July 11,
2012, pp. 10-18; Joint [California-American Water Company] Closing Brief in Support of Approval and
Implementation of Settlement Agreement filed February 14, 2014, pp. 5-6.

1 one thing if our intake wells were located in the middle of the overdrafted basin, but since
2 we are at far edge and located next to an ocean that will only increase in elevation over
3 time, I believe it is a misleading to use this term, especially since a group of experts are
4 studying this issue in detail.

5
6 Q8. ORA discussed the cost impact to customers if the proposed production wells draw in
7 more than the estimated 4% of inland water. Can you provide an update?

8 A8. An update was provided in my January 22, 2016 supplemental testimony as well as
9 information concerning the possible affects if a higher than 4% return obligation is
10 realized. In summary, the desalination plant's size and the costs as currently estimated
11 can accommodate various return obligation scenarios.

12
13 **VI. LIFE CYCLE AND COST ESTIMATES**

14 Q9. Would you like to make some general statements about ORA's position with respect to
15 GWR costs and the evaluation of the alternative desalination plant scenarios?

16 A9. Yes. California American Water and ORA agree on most aspects of the evaluation of
17 GWR costs. We agree that the evaluation of Year 1 revenue requirements and customer
18 bill impacts is important and common practice of the Commission when evaluating
19 alternative projects. As both signatories to the July 31, 2013 Settlement Agreement, we
20 agree on aspects of costs, financing, ratemaking as well as other provisions, including the
21 nine criteria that we think should be used by the Commission in evaluating the GWR
22 project and smaller desalination plant and whether the costs are just and reasonable when
23 compared to the revenue requirement for a larger desalination project. We also agree that
24 the Commission should consider as one factor the life cycle costs given projected
25 differences in replacement and other costs over time. Life cycle estimates can be
26 important and should be an element of the analysis and cost comparison; however, their
27 output has to be weighed against the uncertainties inherent in such estimates.

28

1 Q10. Are there any considerations or limitations with the use of life cycle analysis in
2 evaluating the plant options?

3 A10. Sure. As with any financial analysis, there are limitations or issues to consider. The life
4 cycle analysis is helpful in this case where costs can differ between the options over time.
5 However, the farther out in time the analysis goes, the more speculative the numbers and
6 assumptions can be. Technological changes, replacement cycles and costs are all things
7 that can change and impact the analysis. So while I agree with ORA that costs “can also
8 be evaluated more fully in the life cycle analysis”³ uncertainties remain.

9
10 Q11. What is the estimated life of the slant wells used in the financial model?

11 A11. It is 20 years, not 10 years as indicated by the Office of Ratepayers Advocates⁴.

12
13 Q12. ORA discusses that the GWR WPA may have more price certainty than the desalination
14 cost. Do you agree with that statement?

15 A12. Not entirely. I would agree with this statement if the GWR project would be able to
16 guarantee a cost. But at this point, we do not have such a price guarantee and since their
17 project has yet to be designed and priced by construction contractors, I do not believe that
18 the GWR team is in any type of position to offer such as price guarantee. The rebuttal
19 testimony of Jeffrey T. Linam addresses ORA’s claims in greater detail.

20
21 **VII. DESALINATION PLANT PROCUREMENT**

22 Q13. David Stoldt’s testimony contains several questions regarding the final costs of the 6.4
23 MGD desalination plant. Can you comment on this?

24 A13. Yes. In summary the costs are what the costs are based on a competitive bidding
25 environment that resulted in receiving four bids for the construction of either a 9.6 MGD
26 or 6.4 MGD desalination plant. The bidding documents and instructions to bid, as well as
27

28 ³ ORA Supplemental Testimony (January 22, 2016), page 5.

⁴ 2015 Monterey Desalination Model V8.2.xls “Inputs” tab cell H18 is set at 20 years.

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the underlying agreements, were reviewed by the Governance Committee (GC) which includes representatives from the Monterey Peninsula Regional Water Authority (Mayors Group), Monterey Peninsula Water Management District (District) and the County of Monterey. Furthermore, CAW participated in a Value Engineering Study conducted by MPWRA with an independent third party that did not offer any ideas to increase the cost difference between the two size plants. At the February 29, 2016, Governance Committee (GC) meeting the issue of the cost of the 6.4 MGD desalination plant was on the agenda. A copy of the agenda is attached hereto as Attachment A. The GC voted unanimously to not proceed with a study to review potential additional costs savings for the 6.4 MGD desalination plant.

Q14. Does this conclude your rebuttal testimony?

A14. Yes, it does at this time.

ATTACHMENT A

GOVERNANCE COMMITTEE FOR THE MONTEREY PENINSULA WATER SUPPLY PROJECT

California American Water • Monterey County Board of Supervisors
Monterey Peninsula Regional Water Authority • Monterey Peninsula Water Management District

This meeting has been noticed according to the Brown Act rules. This agenda was posted on February 26, 2016.

Governance Committee Members:

California American
Water

Robert MacLean
Alt. – Rich Svindland

Monterey Peninsula
Regional Water Authority

Jason Burnett, Chair
Alt. - Bill Kampe

County of Monterey
David Potter

Alt. - Simon Salinas

Monterey Peninsula
Water Management
District

Robert S. Brower, Sr.
Vice Chair
Alt. – Jeanne Byrne

Staff Contact:

David J. Stoldt, MPWMD
Arlene Tavani, MPWMD

AGENDA

REGULAR MEETING

Monterey Peninsula Water Supply Project Governance Committee

Monday, February 29, 2016, 1:30 PM

Monterey Peninsula Water Management District, Conference Room,
5 Harris Court, Building G., Monterey, CA

Call to Order/Roll Call

Pledge of Allegiance

Public Comments

Anyone wishing to address the Committee on matters not listed on the agenda that are within the subject jurisdiction of the Committee, may do so during Public Comments. The public may comment on any other items listed on the agenda at the time they are considered by the Committee. Please limit your comment to 3 (three) minutes.

Presentations – Public Comment will be Received

1. Progress Report from California-American Water on the Monterey Peninsula Water Supply Project Including Updates on Production from Test Slant Well; Desalination Project Design; and Design and Procurement of Conveyance Facilities

Action Items – Public Comment will be Received

2. Adopt 2016 Committee Meeting Schedule
3. Develop Process for Procurement of Consultant to Conduct Value Engineering Analysis of Conveyance Facilities
Action: Section V., Category A.2 of the Governance Committee Agreement specifies that the Governance Committee shall make a recommendation to California American Water (Cal-Am) on selection of professional engineer to perform a value engineering analysis for the Conveyance Facilities. The committee will consider directing the Water Management District to develop a Request for Qualifications and process for selection of a value engineer, in conjunction with the Regional Water Authority.

4. Receive Report from California-American Water on Potential Additional Savings in Capital Costs for the 6.4 MGD Project Variant and Provide Direction as to whether to Invest in Further Study of Cost Savings

Discussion Items – Public Comment will be Received

5. Suggest Items to be Placed on Future Agendas

Adjournment

After staff reports have been distributed, if additional documents are produced by the Governance Committee and provided to a majority of the committee members regarding any item on the agenda, they will be available at the Monterey Peninsula Water Management District (MPWMD) office during normal business hours, and posted on the Governance Committee website at <http://www.mpwmd.net/GovernanceCommittee/GovernanceCmte.htm>.

Documents distributed at the meeting will be made available in the same manner. Upon request, a reasonable effort will be made to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. A reasonable effort will also be made to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service by 5:00 PM on Friday, February 26, 2016. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.

Monterey Peninsula Water Supply Project Governance Committee

Meeting Date: February 29, 2016

Action Item: 2. **Adopt 2016 Committee Meeting Schedule**

Summary: Shown below is a proposed 2016 meeting schedule. Note that the March, May and November meetings may be rescheduled.

Recommendation: The committee should review and approve the 2016 meeting schedule.

Proposed 2016 Meeting Schedule

Wednesday, March 16, 2016, 2 pm – *may be rescheduled*
Wednesday, April 20, 2016, 2 pm
Wednesday, May 18, 2016, 2 pm – *may be rescheduled*
Wednesday, June 15, 2016, 2 pm
Wednesday, July 20, 2016, 2 pm
Wednesday, August 17, 2016, 2 pm
Wednesday, September 21, 2016, 2 pm
Wednesday, October 19, 2016, 2 pm
Wednesday, November 16, 2016, 2 pm – *may be rescheduled*
Wednesday, December 14, 2016, 2 pm

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Dated: March 22, 2016

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

PROCEEDING: A1204019 - CAL-AM WATER CO. - F
FILER: CALIFORNIA-AMERICAN WATER COMPANY
LIST NAME: LIST
LAST CHANGED: MARCH 17, 2016

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