

RULE 14.1
WATER CONSERVATION AND RATIONING PLAN

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GENERAL INFORMATION

1. If water supplies are projected to be insufficient to meet normal customer demand, and are beyond the control of the utility, the utility may elect to activate voluntary conservation using the portion of this plan set forth in Section A of this Rule, after notifying the Director of the Commission's Division of Water and Audits of its intent, via a letter in both hard-copy and e-mailed formats. The utility's customers shall be notified of the voluntary conservation measures through a bill insert or direct mailing.
2. Prior to declaration of mandatory rationing by a water wholesaler or government agency, a utility may request adding a Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter. The utility may request a lost revenue memorandum account at this time.
3. If, in the opinion of the utility, more stringent water measures are required, the utility shall request Commission authorization to activate the staged mandatory rationing measures set forth in Sections B through E.
4. The utility shall file a Tier 2 advice letter to request activation of a particular stage of Schedule 14.1 – Staged Mandatory Water Rationing tariff.
 - a. If a Declaration of Mandatory Rationing is made by utility or governing agency, or
 - b. If the utility is unable to address voluntary conservation levels set by itself, supplier, or governing agency, or
 - c. If the utility chooses to subsequently activate a different stage
5. When Schedule 14.1 is activated and the utility determines that water supplies are again sufficient to meet normal demands, and mandatory rationing measures are no longer necessary, the utility shall seek Commission approval via a Tier 1 advice letter to de-activate the particular stage of mandatory rationing that had been authorized.

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GENERAL INFORMATION (Continued)

6. In the event of a water supply shortage requiring a voluntary or mandatory program, small water utilities shall make available to its customers water conservation kits as required by its version of Rule 20. The utility shall notify all customers of the availability of conservation kits via a bill insert or direct mailers.

A. CONSERVATION - NON-ESSENTIAL OR UNAUTHORIZED WATER USE

No customer shall use utility-supplied water for non-essential or unauthorized uses, including but not limited to:

1. Use of potable water for more than minimal landscaping, as defined in the landscaping regulated of the jurisdiction or as described in Article 10.8 of the California Government Code in connection with new construction;
2. Excessive use of water when a utility has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to effect such repairs within five business days.
3. Use of potable water which results in flooding or runoff in gutters or streets;
4. Individual private washing of cars with a hose except with the use of a positive action shut-off nozzle. Use of potable water for washing commercial aircraft, cars, buses, boats, trailers, or other commercial vehicles at any time, except at commercial or fleet vehicle or boat washing facilities operated at a fixed location where equipment using water is properly maintained to avoid wasteful use;
5. Use of potable water washing buildings, structures, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas, except in the cases where health and safety are at risk;
6. Use of potable water to irrigate turf, lawns, gardens, or ornamental landscaping by means other than drip irrigation, or hand watering without quick acting positive action shut-off nozzles, on a specific schedule, for example: 1) before 9:00 a.m. and after 5:00 p.m.; 2) every other day; or 3) selected days of the week;

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- 7. Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public;
- 8. Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or other method can be used.
- 9. Use of potable water for construction purposes unless no other source of water or other method can be used;
- 10. Use of potable water for street cleaning;
- 11. Operation of commercial car washes without recycling at least 50% of the potable water used per cycle;
- 12. Use of potable water for watering outside plants, lawn, landscape and turf areas during certain hours if and when specified in Schedule No. 14.1 when the schedule is in effect;
- 13. Use of potable water for decorative fountains or the filling or topping off of decorative lakes or ponds. Exceptions are made for those decorative fountains, lakes, or ponds which utilize recycled water;
- 14. Use of potable water for the filling or refilling of swimming pools.
- 15. Service of water by any restaurant except upon the request of a patron; and
- 16. Use of potable water to flush hydrants, except where required for public health or safety.

(N)

B. STAGED MANDATORY RATIONING OF WATER USAGE

- 1. Prior to declaration of mandatory rationing by a water wholesaler, government agency or the utility (per Water Code Section 350), a utility may request addition of a Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter, with full justification. The utility may not activate Schedule 14.1 until it has been authorized to do so by the Commission as delegated to DWA.

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STAGED MANDATORY RATIONING OF WATER USAGE (Continued)

(N)

- a. A staged Schedule 14.1 that has been authorized by the Commission shall remain dormant until triggered by specific conditions detailed in the Schedule 14.1 tariff and utility has requested and received authorization for activating a stage by Commission.
- b. Notice of the Tier 2 advice letter and associated public participation hearing if required shall be provided to customers through a bill insert or a direct mailing.
- c. Utility shall comply with all requirements of Sections 350-358 of the California Water Code.
- d. The Tier 2 advice letter requesting the addition of a Schedule 14.1 shall include but not be limited to:
 - i. Proposed Schedule 14.1 tariff, which shall include but not be limited to:
 - 1. Applicability,
 - 2. Territory applicable to,
 - 3. A detailed description of each Stage of Rationing,
 - 4. A detailed description of the Trigger that Activates each Stage of Rationing,
 - 5. A detailed description of each water use restriction for each stage of rationing.
 - 6. Water use violation levels, written warning levels, associated fines, if applicable, and exception procedures,

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7. Conditions for installation of a flow restrictor, (N)
8. Charges for removal of flow restrictors, and
9. Special Conditions
 - ii. Justification for, and documentation and calculations in support of plan, including but not limited to each item in B.1.d.i above.
2. Number of Stages requested by each utility/district may vary, depending on specifics of water shortage event.
3. The utility shall file a Tier 2 advice letter to request activation of a particular stage of Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff.
 - a. If a Declaration of Mandatory Rationing is made by utility or governing agency,
 - b. If the utility is unable to address voluntary conservation levels set by itself or governing agency, or
 - c. If the utility chooses to subsequently activate a different stage.
4. The Tier 2 advice letter requesting activation of a Schedule 14.1 shall include but not be limited to:
 - a. Justification for activating this particular stage of mandatory rationing, as well as period during which this particular stage of mandatory conservation and rationing measures will be in effect.
 - b. When the utility requests activation of a particular Stage, it shall notify its customers as detailed in Section E, below.
5. All monies collected by the utility through water use violation fines shall not be accounted for as income but rather booked to a memorandum account to offset authorized expenses incurred or recovery of lost revenue. Lost revenues associated with reduced sales as a result of activation of either Tariff Rule 14.1 or Schedule 14.1 for a non-WRAM utility should be tracked in a separate memorandum account for disposition as directed or authorized from time to time by the Commission.
6. All expenses incurred by utility to activate Rule 14.1 and Schedule 14.1 that have not been considered in a General Rate Case or other proceeding, shall be recoverable by utility if determined to be reasonable by Commission.

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STAGED MANDATORY RATIONING OF WATER USAGE (Continued)

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- e. These monies shall be accumulated by the utility in a separate memorandum account for disposition as directed or authorized from time to time by the Commission.

C. ENFORCEMENT OF STAGED MANDATORY CONSERVATION AND RATIONING

1. The water use restrictions of the conservation program, in Section A of these drought procedures, become mandatory when the Schedule 14.1-Staged Mandatory Rationing Program is triggered, the utility files a Tier 2 advice letter requesting activation of a particular stage, and authorization is received from the Commission as delegated to DWA.
 - a. In the event a customer is observed to be using water for any nonessential or unauthorized use as defined in Section A of this rule, the utility may charge a water use violation fine in accordance with Schedule No. 14.1.
2. The utility may, after one written warning, install a flow-restricting device on the service line of any customer observed by utility personnel to be using water for any non-essential or unauthorized use as defined in Section A above.
3. A flow restrictor shall not restrict water delivery by greater than 50% of normal flow and shall be capable of providing the premise with a minimum of 3 Ccf/person/month. The restricting device may be removed only by the utility, only after a three-day period has elapsed, and only upon payment of the appropriate removal charge as set forth in Schedule No. 14.1.
4. After the removal of the restricting device, if any non-essential or unauthorized use of water continues, the utility may install another flow-restricting device without written notice. This device shall remain in place until water supply conditions warrant its removal and until the appropriate charge for removal has been paid to the utility.
5. Any tampering with flow restricting device by customer can result in discontinuation of water use at the utility's discretion.

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ENFORCEMENT OF STAGED MANDATORY CONSERVATION AND RATIONING

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(N)

6. If, despite installation of such flow-restricting device pursuant to the provisions of the previous enforcement conditions, any such non-essential or unauthorized use of water continues, then the utility may discontinue water service to such customer. In such latter event, a charge as provided in Rule No. 11 shall be paid to the utility as a condition to restoration of service.
7. All monies collected by the utility through water use violation fines shall not be accounted for as income but rather booked to a memorandum account to offset either authorized expenses incurred or recovery of lost revenues. All expenses incurred by utility to implement Rule 14.1 and Schedule 14.1 that have not been considered in a General Rate Case or other proceeding, shall be recoverable by utility if determined to be reasonable by Commission. These additional monies shall be accumulated by the utility in a separate memorandum account for disposition as directed or authorized from time to time by the Commission.
8. The charge for removal of a flow-restricting device shall be in accordance with Schedule No. 14.1.

D. APPEAL PROCEDURE

1. Any customer who seeks a variance from any of the provisions of this voluntary water conservation and mandatory rationing plan shall notify the utility in writing, explaining in detail the reason for such a variation. The utility shall respond to each such request in writing.
2. Any customer not satisfied with the utility's response may file an appeal with the Director of DWA.

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APPEAL PROCEDURE (Continued)

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3. If the customer disagrees with such disposition, the customer shall have the right to file a formal complaint with the Commission. Except as set forth in this Section, no person shall have any right or claim in law or in equity, against the utility because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of the voluntary water conservation and mandatory rationing plan.

E. PUBLICITY

1. As stated under Section B.1.b and c, when a utility requests the addition of a Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter, it shall provide notice of the Tier 2 advice letter and associated public hearing provided to customers through bill inserts or direct mailing and shall comply with all requirements of Sections 350-358 of the California Water Code (CWC), including but not limited to the following:
 - a. In order to be in compliance with both the General Order 96-B and CWC, the utility shall provide notice via both newspaper and bill insert/direct mailing.
 - b. Utility shall file one notice for each advice letter filed, that includes both notice of the filing of the Tier 2 advice letter as well as the details of the public hearing (date, time, place, etc.).
 - c. The public meeting shall be held after the utility files the Tier 2 advice letter, and before the Commission authorizes the addition of Schedule 14.1 to the tariff except in cases of emergency water shortages approved by DWA.
 - d. Utility shall consult with Division of Water and Audits staff prior to filing advice letter, in order to determine details of public meeting.

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2. In the event that a Schedule 14.1-Staged Mandatory Rationing Plan is triggered, and a utility requests activation through the filing of a Tier 2 advice letter, the utility shall notify its customers and provide each customer with a copy of Schedule 14.1 by means of bill insert or direct mailing. Notification shall take place prior to imposing any fines associated with this plan. If activation of Schedule 14.1 occurs one year or more since the public hearing associated with adding Schedule 14.1 to its tariffs, then the utility shall conduct a public hearing pursuant to California Water Code Section 351 prior to activating the mandatory rationing stage.
3. During the period that a stage of Schedule 14.1 is activated, the utility shall provide customers with updates in at least every other bill, regarding its water supply status and the results of customers' conservation efforts.

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(N)

Advice Letter No. 1565-W
Decision No. _____

ISSUED BY
R. J. SPROWLS
President

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