

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY & COMPLIANCE DIVISION  
Water Utilities BranchRESOLUTION NO. W-3556  
April 10, 1991R E S O L U T I O N(RES. W-3556) DEL ORO WATER COMPANY (DOWC). ORDER  
AUTHORIZING A WATER RATIONING PLAN.SUMMARY

DOWC, by Advice Letter (AL) No. 49, filed on February 22, 1991, requested authority to make changes to Rule 14.1 and add Schedule 14.1 to its tariffs establishing a mandatory water rationing plan for its Paradise Pines District (PPD). DOWC asserts that its proposal is necessary due to a smaller than expected yield from its active wells. Four years of drought have lowered the groundwater table so that the wells are close to maximum drawdown depth. PPD relies on groundwater for its entire water supply. Lime Saddle District and Stirling Bluffs Corporation, other entities operated by DOWC, have separate water supplies and are not covered by this rationing plan. PPD serves about 4,200 residential customers in Magalia, just north of Paradise, Butte County.

BACKGROUND

Del Oro's Paradise Pines District relies on wells for its entire water supply. These wells normally can produce 4,090 gallons per minute (gpm) on a constant basis. Currently, due to the continuing drought, the wells can only be expected to produce 2,770 gpm. The system is physically constrained, however, so that the three main sources cannot operate simultaneously. Thus the expected yield for the combination of water sources is 900 gpm or 38,000,000 gallons per month.

Well Number 2 has already reached maximum drawdown depth. If the groundwater table falls further, this well will go out of service. Well Number 3 has a maximum drawdown of 405 feet and is currently operated at around 356 feet. Well Number 4 has a maximum drawdown of 321 feet and is currently operating at 312 feet. Del Oro believes that at normal levels of consumption, two of the three wells could go dry by the end of the summer. In addition, pumping is less energy efficient at the lower water levels, and a smaller volume of water is pumped.

Del Oro indicates that its highest monthly consumption for 1990 was 47,000,000 gallons. In order to ensure the continued production of all sources, despite the constraints of the current pumping yields, Del Oro proposes to pump a maximum of 38,000,000 gallons per month. In order to achieve this goal, Del Oro wishes to ration customers in its Paradise Pines District by 25% from 1990 consumption.

DISCUSSION

To achieve the necessary reduction, DOWC requests authority to impose mandatory rationing on its customers as set forth in the AL 14's proposed Schedule 14.1 and changes to Rule 14.1.

Rule 14.1 would be changed to allow filling of swimming pools only if required by the local fire-fighting agency.

Schedule 14.1 would:

1. Establish customer water allocations at 75% of 1990 usage during the comparable billing period, but not less than six Ccf per month (one Ccf is one hundred cubic feet or 748 gallons), except that commercial and industrial customers using process water shall be allocated 90% of the 1990 usage.
2. Establish a penalty ("conservation fee") of \$5.00 per Ccf for use of up to 5 Ccf above allocation and \$10 per Ccf for use more than 5 Ccf over allocation.
3. Establish month-to-month water banking, so that a customer whose total use during rationing was less than the allotted amount would not be subject to penalties for overuse.
4. Establish an exceptions procedure where unusual circumstances dictate a change in allocation.
5. Provide that penalty funds are not to be accounted for as income, but are to be kept in a separate reserve account for disposition as directed by the Commission.
6. Provide that if a customer exceeds his or her allotment for a billing period or otherwise violates the provisions of Rule 14.1, after written warning, the utility may install a flow restrictor to be left in a minimum of three days. The second time a restrictor is installed it may be left in until rationing ends.
7. Establish charges of \$25, \$50, or actual cost depending on meter size for removing restrictors, and provide that continuing nonessential or unauthorized use may result in disconnection.

PUBLIC NOTICE

As required by Sections 350-358 of the California Water Code, DOWC notified customers by mail and by an advertisement in a locally distributed newspaper seven days in advance of the public hearing on February 19, 1991.

The meeting was held in Magalia at 7:00 pm. Approximately 300 customers attended. Customers asked questions for over ninety minutes. Among the customers' greatest concerns was that the penalty structure was not stringent enough. The company representatives responded by stiffening the penalty structure. All customers responded positively to the need for rationing, and there were no complaints.

PROTESTS

No other comments or protests were received.

FINDINGS

1. All of DOWC's Paradise Pines District water supply is obtained from local groundwater supplies.
2. Due to the continuing drought, the water table in the supply aquifer for Paradise Pines District has receded significantly, reducing pumping capacity. Del Oro Water Company has determined that available supplies in Paradise Pines District are insufficient to meet normal customer needs without creating an unreasonable risk to public health and safety. Del Oro Water Company believes a cut of 25% in customer use will guarantee continuous water supply.
3. DOWC has declared a water shortage emergency following the requirements of the California Water Code, Section 350 et seq., after determining that the ordinary demands and requirements of customers cannot be satisfied without depleting the water supply to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.
4. DOWC's proposed rationing Schedule 14.1 and changes to Rule 14.1 as set forth in AL 49 are necessary to ensure the equitable allocation of such water supplies as are available, with particular regard to domestic use, sanitation, and fire protection.
5. The escalating penalties provided for under DOWC's proposed Schedule 14.1 for excess usage are necessary to promote compliance with customer's maximum allocations.
6. The restrictor removal charges established under DOWC's proposed Schedule 14.1 are reasonable and justified to compensate DOWC for costs incurred in installing and removing such restrictors.

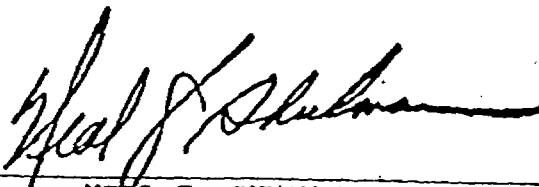
7. DOWC's proposal to accumulate the amounts collected under its excess usage penalty rate in a separate account for eventual disposition in a manner to be determined by the Commission rather than accounting for them as utility income is appropriate.

IT IS ORDERED THAT:

1. Del Oro Water Company is authorized to amend its Rule 14.1 and add Schedule 14.1 to its tariffs establishing the mandatory rationing plan proposed by Advice Letter No. 49. The effective date of the revised Rule 14.1 and Schedule 14.1 shall be the same as the effective date of this resolution.
2. Del Oro Water Company is authorized to file an advice letter to remove or reduce the rationing set forth in Schedule 14.1 after obtaining concurrence from the Water Utilities Branch. Such advice letter shall become effective five days after filing.
3. Del Oro Water Company shall not impose stricter restriction than set forth in Schedule 14.1, without obtaining Commission approval.
4. Del Oro Water Company shall accumulate all excess water use penalties in a separate account for future disposition in a manner to be determined by the Commission rather than accounting for them as utility income.

This resolution is effective today.

I hereby certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on April 10, 1991. The following Commissioners approved it:

  
NEAL J. SHULMAN  
Executive Director

PATRICIA M. ECKERT  
President  
G. MITCHELL WILK  
JOHN B. OHANIAN  
DANIEL Wm. FESSLER  
NORMAN D. SHUMWAY  
Commissioners

Appendix A  
Page 1

RULE 14.1  
(continued)

WATER CONSERVATION/RATIONING PLAN

- A.9. Use of 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.
10. Use of water for the filling or refilling of swimming pools unless required by the local fire-fighting agency. (N)
11. Service of water by any restaurant except upon the request of a patron.

B. RATIONING OF WATER USAGE

In the event the conservation measures required by Section A, above, are insufficient to control the water shortage, the utility shall seek Commission approval for rationing water usage. The water allocated for each customer and time period for rationing shall be in accordance with the conditions set forth in an appropriate tariff schedule as filed at the time such rationing is approved by the Commission.

C. ENFORCEMENT OF RATIONING

1. In case the customer uses water in excess of his/her allocation, the utility may charge an excess usage fee in accordance with the appropriate rationing tariff schedule.
2. The utility may, after one verbal and 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 nonessential or unauthorized use as

End of Appendix A

Appendix B  
Page 1 of 3

Schedule No. 14.1

MANDATORY WATER CONSERVATION AND RATIONING

APPLICABILITY

This schedule applies to all water customers served under all tariff rate schedules authorized by the Commission. It is only effective in times of rationing, as required by Rule 14.1, and only for the period noted in the Special Conditions section below.

TERRITORY

This schedule is applicable to the Paradise Pines District served by the utility.

ALLOCATION

Each customer shall be allocated 75% of the customers 1990 usage during the comparable billing period, but not less than 600 cubic feet (6 Ccf) per month, except those commercial and industrial customers using process water shall be allocated 90% of the 1990 usage.

EXCESS WATER USE PENALTY

For water used in excess of the allocated amount during each billing period for all service rendered on and after the effective date of rationing,  
up to 5 Ccf over allocation ..... \$ 5.00 per Ccf  
more than 5 Ccf over allocation..... \$10.00 per Ccf

The excess water use penalty shall not apply to any customer whose total consumption to date during the period this rationing plan has been in effect does not exceed the total allocated usage for said period.

The excess water use penalty is in addition to the regular rate schedule cost per Ccf.

FLOW RESTRICTOR REMOVAL CHARGE

The charge for removal of a flow-restricting device shall be:

Connection Size	Removal Charge
5/8" to 1"	\$25
1-1/2" to 2"	\$50

(continued)

Schedule No. 14.1  
(continued)

MANDATORY WATER CONSERVATION AND RATIONING

SPECIAL CONDITIONS

1. This tariff schedule shall remain in effect until revoked by the Commission.
2. There shall be no use of water for outside plants, lawn, landscape and turf areas between the hours of 11:00 a.m. and 6:00 p.m., regardless of address or day of the month.
3. Allocations falling between full hundreds of cubic feet shall be rounded up to the next full hundred.
4. For any customer without a prior billing record, or where unusual circumstances dictate a change in allocation, the customer's allocation shall be determined by the utility on the basis of usage by similar customers or on such other basis as may be fair and equitable under the circumstances.
5. Excess water use penalties are separate and in addition to any penalties for violating Section A of Rule 14.1, which prohibits nonessential and unauthorized uses of water. Consumption of less than the full allocation of water in any billing period shall not release a customer from compliance with Section A of Rule 14.1.
6. Excess water use penalties and flow restrictor removal charges must be separately identified on each bill.
7. All bills are subject to the reimbursement fee set forth on Schedule No. UF.
8. No customer shall use utility supplied water for nonessential or unauthorized uses as defined in Rule 14.1 A. Conservation - Nonessential or Unauthorized Use, and as additionally defined below:
  - a. Use of water for watering streets 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.

(continued)

Schedule No. 14.1  
(continued)

MANDATORY WATER CONSERVATION AND RATIONING

SPECIAL CONDITIONS (Continued)

- b. Use of water for outside plants, lawn, landscape and turf areas more often than every other day, with even numbered addresses watering on even numbered days of the month and odd numbered addresses watering on the odd days of the month, except that this provision shall not apply to commercial nurseries, golf courses and other water dependent industries.
9. The effective date of rationing may vary from customer to customer depending on the date their meter is read during the month in which rationing is imposed. For example, if a customer's meter is read on April 3 and rationing is effective April 1, the allocation and water use penalties would be effective commencing April 3.
10. Any monies collected by the Utility through penalty charges from over usage shall not be accounted for as utility income, but shall be accumulated by the Utility in a separate reserve account for disposition as directed or authorized from time to time by the Commission.
11. The Utility may, at its discretion, after one verbal and one written warning, install a flow restricting device on the service line of any customer exceeding his rationed allotment or otherwise violating the provisions of Rule 14.1.

End of Appendix B