

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Water Utilities BranchRESOLUTION W-3561
April 24, 1991R E S O L U T I O N

(RESOLUTION W-3561) CALIFORNIA WATER SERVICE COMPANY'S
REQUEST FOR AUTHORIZATION TO REVISE WATER RATIONING PLAN
FOR BEAR GULCH, SAN CARLOS, SAN MATEO AND SOUTH SAN FRANCISCO
DISTRICTS.

BY ADVICE LETTER 1172, FILED ON FEBRUARY 28, 1991

SUMMARY

California Water Service Company (CWS) requests authority to revise its Rule 14.1, Mandatory Water Rationing Plan (Rationing Plan) for its Bear Gulch, San Carlos, San Mateo, and South San Francisco Districts (Peninsula Districts) located in San Mateo County. This Resolution grants the request. This action is required by the action of The City of San Francisco in response to the severe drought conditions in California.

BACKGROUND

CWS purchases between 85-percent and 100-percent of the water it distributes to its Peninsula Districts customers from San Francisco. San Francisco, in turn, obtains approximately 85-percent of its water from its Hetch Hetchy water system in the Sierra Nevada mountains and the remainder from local sources, primarily runoff into nearby reservoirs. Because CWS is a private utility prohibited by the Federal Raker Act from receiving Hetch Hetchy water, all of CWS's San Francisco water comes from local sources.

San Francisco began its current 25-percent mandatory water conservation requirement of all resale customers to which it supplies water, on May 8, 1990. The Commission authorized CWS to file Rationing Plans to achieve the mandated water conservation requirements in its Peninsula Districts by Resolution No. W-3496, dated May 4, 1990.

San Francisco on February 26, 1991 revised its mandatory water conservation requirement. It now requires that beginning April 1, 1991 all resale customers reduce commercial and residential water use by at least 33-percent for inside usage and 90-percent for outside irrigation.

Section 357 of the Water Code requires that suppliers that are subject to regulation by the Commission shall secure its approval before imposing water consumption regulations and restrictions required by water shortage emergencies.

DISCUSSION

To achieve the necessary reduction in water consumption, CWS proposes to reduce the allocation for each customer as set forth in Section B of each Rationing Plan. Allocations are a percentage of the quantity of water used by a customer during the comparable billing period in 1987.

Additionally, CWS proposes to reduce the minimum monthly allocation from 6 Ccf to 5 Ccf, prohibit lawn watering between the months of November and March, and increase the excess water use penalty for all customers except residential and water for resale from \$2 per Ccf to \$4 per Ccf.

CWS's current Commission authorized Rationing Plans reflect a specific percentage for water use reduction. Each time San Francisco has changed its water use reduction requirement it has been necessary for CWS to seek Commission authorization to conform with the new level. The proposed Rationing Plan revisions would allow CWS to change the reduction level as necessary to conform with the level requested by San Francisco at any particular time, without specific approval of the Commission. This would allow CWS to implement the required changes on the date called for by San Francisco.

The Water Utilities Branch (Branch) recently supported and the Commission authorized such provisions in Rationing Plans for water utilities affected by rationing requirements of the Metropolitan Water District of Southern California.

The Rationing Plans proposed by CWS, as revised, for its Peninsula Districts are attached to this Resolution as Appendix A.

NOTICE

San Francisco's rationing changes have been given considerable coverage in the news media in the area served by CWS's Peninsula Districts.

CWS held public meetings concerning its proposed revisions to its Rationing Plans in San Mateo on March 19, Menlo Park on March 20 and South San Francisco on March 21. Attendance varied from approximately 80 customers at both the San Mateo and Menlo Park meetings to less than 20 at the South San Francisco meeting. Generally, customers were concerned about the adequacy of CWS's water supply and fairness of the proposed revised rationing plans.

As a result of the input received at these public meetings, CWS made changes in the revisions proposed for the Rationing Plans.

PROTESTS

The Commission received one protest. The particular concern of the protestant has been accommodated by the changes CWS made to its proposed revisions.

FINDINGS

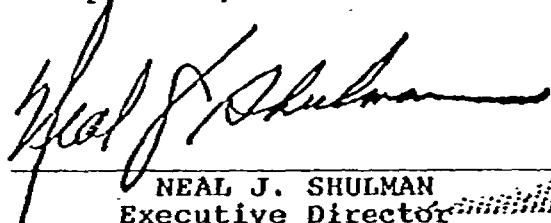
1. CWS purchases nearly all of the water supply for its Peninsula Districts from the City of San Francisco.
2. Drought conditions in California caused San Francisco to reimpose mandatory water conservation on retail entities to which it supplies water beginning May 9, 1990.
3. Drought conditions continue in California and have caused San Francisco to impose more stringent mandatory water conservation on those to which it supplies water beginning April 1, 1991.
4. CWS's Rule 14.1, Mandatory Water Rationing Plan for its Peninsula Districts should be revised as proposed.

IT IS ORDERED THAT:

1. California Water Service Company is authorized to revise Rule 14.1, Mandatory Water Rationing Plan for its Bear Gulch, San Carlos, San Mateo, and South San Francisco Districts as proposed by Advice Letter No. 1172. The effective date of these revisions shall be the date of this resolution.

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on April 24, 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

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Revised Cal. P.U.C. Sheet No. 4090-W
Cancelling Revised Cal. P.U.C. Sheet No. 3956-W

Rule No. 14.1

MANDATORY WATER RATIONING PLAN FOR BEAR GULCH, SAN CARLOS,
SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS

A. DEFINITIONS

As used in this water rationing plan, the words:

1. "Company" means the California Water Service Company;
2. "Person" means any individual, person, firm, partnership, association, corporation, company, organization or governmental entity;
3. "Customer" means any person who uses water supplied by the Company in its Bear Gulch, San Carlos, San Mateo and South San Francisco Districts;
4. "Process Water" means water used to manufacture, alter, convert, clean, grow, heat or cool a product, including water used in laundries and car wash facilities that recycle the water used;
5. "Water" means water supplied by the Company;
6. "Residential" means one or two dwelling units per service.

B. PROHIBITION OF NONESSENTIAL OR UNAUTHORIZED WATER USE

The following uses of water are nonessential or unauthorized and are prohibited except as provided below:

1. Any use of water in excess of the following allocations:

(continued)

(To be inserted by utility)

Advice Letter No. 1172

Decision No. _____

ISSUED BY

FRANCIS S. FERRARO
Vice President

(To be inserted by Cal. P.U.C.)

Date Filed _____

Effective _____

CALIFORNIA WATER SERVICE COMPANY
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 Cancelling Revised Cal. P.U.C. Sheet No. 3956-W

Rule No. 16.1

MANDATORY WATER RATIONING PLAN FOR BEAR GULCH, SAN CARLOS,
 SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS
 (continued)

B. PROHIBITION OF NONESSENTIAL OR UNAUTHORIZED WATER USE (continued)

Allocations for the Bear Gulch District

a. The allocation* for each customer shall be the percentage shown below of the quantity of water used by such customer during the comparable billing period in 1987:

	<u>for Billing Periods Ending:</u>	
	<u>Apr-Oct</u>	<u>Nov-Mar</u>
Residential:		
Tier 1 0-50 Ccf	100% minus the authorizing agency percentage reduction**	100% minus the authorizing agency percentage reduction (inside)
Tier 2 Over 50 Ccf	100% minus the authorizing agency percentage reduction (outside)	100% minus the authorizing agency percentage reduction (outside)
Process water	90%	90%
Irrigation	100% minus the authorizing agency percentage reduction (outside)	100% minus the authorizing agency percentage reduction (outside)
All other customers	100% minus the authorizing agency percentage reduction**	100% minus the authorizing agency percentage reduction (inside)

Sample Allocations

	<u>25% Reduction[#]</u>		<u>35% Reduction^{##}</u>		<u>45% Reduction^{###}</u>	
	<u>Apr-Oct</u>	<u>Nov-Mar</u>	<u>Apr-Oct</u>	<u>Nov-Mar</u>	<u>Apr-Oct</u>	<u>Nov-Mar</u>
Residential						
Tier 1	70%	90%	55%	75%	40%	67%
Tier 2	40	40	25	25	10	10
Process water	90	90	90	90	90	90
Irrigation	40	40	25	25	10	10
All others	70	90	55	75	40	67

Notwithstanding the above-listed allocations, no customer will receive a monthly allocation of less than 6 Ccf and no dwelling unit shall receive a monthly allocation of less than 4 Ccf.

b. for any customer without a prior period billing record, or where unusual circumstances dictate a change in allocation, the customer's monthly allocation shall be determined by the Company on the basis of usage by similar customers or on such other basis as may be fair and equitable under the circumstances.

* Allocations falling between full hundreds of cubic feet will be rounded upward to the larger amount.

** Weighted average (55% inside/45% outside) rounded to nearest 5%.

10% inside/60% outside

20% inside/75% outside

33% inside/90% outside

(continued)

(To be inserted by utility)

(To be inserted by Cal. P.U.C.)

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FRANCIS S. FERRARO
 Vice President

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Cancelling Revised Cal. P.U.C. Sheet No. 3956-W

Rule No. 16.1

MANDATORY WATER RATIONING PLAN FOR BEAR Gulch, SAN CARLOS,
 SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS
 (continued)

B. PROHIBITION OF NONESSENTIAL OR UNAUTHORIZED WATER USE (continued)

Allocations for the San Carlos/San Mateo Districts

a. The allocation* for each customer shall be the percentage shown below of the quantity of water used by such customer during the comparable billing period in 1987:

	<u>For Billing Periods Ending:</u>	
	<u>Apr-Oct</u>	<u>Nov-Mar</u>
Residential:		
Tier 1 0-25 Ccf	100% minus the authorizing agency percentage reduction**	100% minus the authorizing agency percentage reduction (inside)
Tier 2 Over 25 Ccf	100% minus the authorizing agency percentage reduction (outside)	100% minus the authorizing agency percentage reduction (outside)
Process water	90%	90%
Irrigation	100% minus the authorizing agency percentage reduction (outside)	100% minus the authorizing agency percentage reduction (outside)
All other customers	100% minus the authorizing agency percentage reduction**	100% minus the authorizing agency percentage reduction (inside)

Sample Allocations

	<u>25% Reduction[#]</u>		<u>35% Reduction^{##}</u>		<u>45% Reduction^{###}</u>	
	<u>Apr-Oct</u>	<u>Nov-Mar</u>	<u>Apr-Oct</u>	<u>Nov-Mar</u>	<u>Apr-Oct</u>	<u>Nov-Mar</u>
Residential						
Tier 1	70%	90%	55%	75%	40%	67%
Tier 2	40	40	25	25	10	10
Process water	90	90	90	90	90	90
Irrigation	40	40	25	25	10	10
All others	70	90	55	75	40	67

Notwithstanding the above-listed allocations, no customer will receive a monthly allocation of less than 6 Ccf and no dwelling unit shall receive a monthly allocation of less than 4 Ccf.

b. For any customer without a prior period billing record, or where unusual circumstances dictate a change in allocation, the customer's monthly allocation shall be determined by the Company on the basis of usage by similar customers or on such other basis as may be fair and equitable under the circumstances.

* Allocations falling between full hundreds of cubic feet will be rounded upward to the larger amount.

** Weighted average (55% inside/45% outside) rounded to nearest 5%.

10% inside/60% outside

20% inside/75% outside

33% inside/90% outside

(continued)

(To be inserted by utility)

(To be inserted by Cal. P.U.C.)

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Rule No. 14.1

MANDATORY WATER RATIONING PLAN FOR BEAR GULCH, SAN CARLOS,
 SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS
 (continued)

B. PROHIBITION OF NONESSENTIAL OR UNAUTHORIZED WATER USE (continued)

Allocations for the South San Francisco District

For Billing Periods Ending:

	<u>Apr-Oct</u>	<u>Nov-Mar</u>
Residential:		
Tier 1 0-20 Ccf	100% minus the authorizing agency percentage reduction**	100% minus the authorizing agency percentage reduction (inside)
Tier 2 Over 20 Ccf	100% minus the authorizing agency percentage reduction (outside)	100% minus the authorizing agency percentage reduction (outside)
Process water	90%	90%
Irrigation	100% minus the authorizing agency percentage reduction (outside)	100% minus the authorizing agency percentage reduction (outside)
All other customers	100% minus the authorizing agency percentage reduction**	100% minus the authorizing agency percentage reduction (inside)

Sample Allocations

	<u>25% Reduction[#]</u>		<u>35% Reduction^{##}</u>		<u>45% Reduction^{###}</u>	
	<u>Apr-Oct</u>	<u>Nov-Mar</u>	<u>Apr-Oct</u>	<u>Nov-Mar</u>	<u>Apr-Oct</u>	<u>Nov-Mar</u>
Residential						
Tier 1	75%	90%	65%	75%	50%	67%
Tier 2	40	40	25	25	10	10
Process water	90	90	90	90	90	90
Irrigation	40	40	25	25	10	10
All others	75	90	65	75	50	67

Notwithstanding the above-listed allocations, no customer will receive a monthly allocation of less than 6 Ccf and no dwelling unit shall receive a monthly allocation of less than 4 Ccf.

b. for any customer without a prior period billing record, or where unusual circumstances dictate a change in allocation, the customer's monthly allocation shall be determined by the Company on the basis of usage by similar customers or on such other basis as may be fair and equitable under the circumstances.

* Allocations falling between full hundreds of cubic feet will be rounded upward to the larger amount.

** Weighted average (70% inside/30% outside) rounded to nearest 5%.

10% inside/60% outside

20% inside/75% outside

33% inside/90% outside

(continued)

(To be inserted by utility)

(To be inserted by Cal. P.U.C.)

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 Vice President

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3957-
Cancelling Revised Cal. P.U.C. Sheet No. 3958-W

Rule No. 14.1

MANDATORY WATER RATIONING PLAN FOR BEAR GULCH, SAN CARLOS,
SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS
(continued)

8. PROHIBITION OF NONESSENTIAL OR UNAUTHORIZED WATER USE (continued)

2. Use of water for more than minimal landscaping in connection with any new construction.
3. Use of water through any meter when the Company 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 5 days after receipt of such notice.
4. Use of water which results in flooding or runoff in gutters or streets.
5. Use of water through a hose for washing cars, buses, boats, trailers or other vehicles unless the authorizing agency has provided notification that water usage should be reduced by less than 30% and a positive automatic shut-off valve is on the outlet end of the hose.
6. Use of water through a hose for washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas, except as required for sanitary or safety purposes.
7. Use of water to clean, fill or maintain levels in decorative fountains; unless such water is part of a recycling system and the authorizing agency has provided notification that water usage should be reduced by less than 30%.
8. Use of water for construction purposes, such as consolidation of backfill; unless no other source of water or other method can be used and the authorizing agency has provided notification that water usage should be reduced by less than 30%.
9. Service of water by any restaurant except upon the request of a patron.
10. Use of water for lawn irrigation during the months of November through March unless the authorizing agency has provided notification that water usage should be reduced by less than 30%.
11. Use of water for landscape irrigation by process water customers with a 90% allocation unless the authorizing agency has provided notification that water usage should be reduced by less than 30%.
12. Use of water from fire hydrants except for fire fighting and related activities and other uses necessary to maintain the public health, safety, and welfare.
13. Use of water to irrigate lawns, landscape, or other turf areas which is not in accordance with local city and county ordinances.

(continued)

(To be inserted by utility)

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MANDATORY WATER RATIONING PLAN FOR BEAR CULCH, SAN CARLOS,
SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS
(continued)

C. EXCESS WATER USE PENALTY

1. For residential and water for resale an excess use penalty of \$2 per 100 cubic feet of water used in excess of the applicable allocation during each billing period shall be charged by the Company for all service rendered on and after the effective date of this tariff, except that such excess use penalty shall not apply to any customer and/or dwelling unit whose consumption is 500 cubic feet or less per billing period per dwelling unit, nor to any customer whose total consumption to date during the period this rationing plan has been in effect does not exceed his or her total allocated usage for said period.
2. For all customers except residential and water for resale an excess use penalty of \$4 per 100 cubic feet of water used in excess of the applicable allocation during each billing period shall be charged by the Company for all service rendered on and after the effective date of this tariff, except that such excess use penalty shall not apply to any customer whose consumption is 500 cubic feet or less per billing period, nor to any customer whose total consumption to date during the period this rationing plan has been in effect does not exceed his or her total allocated usage for said period.
3. In addition to the excess water use penalty any process water customer observed by Company personnel using water for landscape irrigation may after one warning have this allocation percentage reduced to that of other commercial customers.
4. Any monies collected by the Company through penalty charges shall not be accounted for as income, but shall be accumulated by the Company in a separate reserve account for disposition as directed or authorized from time to time by the California Public Utilities Commission.

D. ENFORCEMENT

1. The Company may, after one written warning, install a flow-restricting device on the service line of any customer observed by Company personnel to be using water for any nonessential or unauthorized use defined in Section B above. The restricting device may be removed only by the Company, only after a three-day period has elapsed, and only upon payment of the appropriate removal charge set forth below. After the removal of such restricting device, if any such nonessential or unauthorized use of water shall continue, the Company may install a flow-restricting device which shall remain in place until this water rationing plan shall terminate and until the appropriate charge for removal hereinafter set forth shall have been paid to the Company. However, if despite installation of such flow-restricting device pursuant to the provisions of the previous sentence, any such nonessential or unauthorized use of water shall continue, then the Company may discontinue water service to such customer. In such latter event, a charge as provided in Rule No. 11 shall be paid to the Company as a condition to restoration of service.

(continued)

(To be inserted by utility)

(To be inserted by Cal. P.U.C.)

Advice Letter No. 1172

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FRANCIS S. FERRARO
Vice President

Decision No. _____

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Revised Cal. P.U.C. Sheet No. 4096-W
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Rule No. 14.1

MANDATORY WATER RATIONING PLAN FOR BEAR GULCH, SAN CARLOS,
SAN MATEO AND SOUTH SAN FRANCISCO DISTRICTS
(continued)

D. ENFORCEMENT (continued)

It is the intent of the Company that restriction devices will not be installed in a customer's service due to exceeding a monthly quota if a customer's accumulated usage does not exceed his accumulated allocation beginning with bills rendered after the effective date of this tariff.

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

<u>Meter Size</u>	<u>Removal Charge</u>
5/8" to 1"	\$25
1-1/2 to 2"	50
3" and larger	Actual cost

E. APPEAL PROCEDURE

Any customer who seeks a variance from any of the provisions of this water rationing plan shall notify the Company in writing, setting forth in detail the grounds therefor. The Company shall respond to each such request. Any customer not satisfied with the Company's response may file an appeal therefrom with the Staff of the Commission requesting relief. The customer and the Company will be notified of the disposition of such appeal by letter from the Executive Director of the Commission. If the customer shall disagree with such disposition, he shall have the right to file a formal complaint with the Commission. Except as set forth in this Section, E, no person shall have any right or claim in law or in equity, against the Company because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of this water rationing plan.

(End of Appendix A)

(To be inserted by utility)

Advice Letter No. 1172

Decision No. _____

ISSUED BY

FRANCIS S. FERRARO
Vice President

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