

RULE 14.1 WATER CONSERVATION AND RATIONING PLAN

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 implement 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.
2. Prior to declaration of mandatory rationing, a utility may request authorization of a Schedule 14.1-Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter.
3. If, in the opinion of the utility, more stringent water conservation measures are required, the utility shall request Commission authorization to modify this plan and rationing measures set forth in Sections B through E.
4. The utility shall file a Tier 1 advice letter to request activation a particular stage of Schedule 14.1-Staged Mandatory Water Conservation and Rationing tariff;
 - a. If a Declaration of Mandatory Rationing is made by the utility or governing agency,
 - b. If the utility is unable to address voluntary conservation levels set by itself or the governing agency, or
 - c. If the utility chooses to subsequently activate a different stage.
5. When Schedule 14.1 is in effect and the utility determines that water supplies are again sufficient to meet normal demands, and mandatory conservation and rationing measures are no longer necessary, the utility shall seek Commission approval via a Tier 1 advice letter to deactivate the particular stage of mandatory rationing that had been authorized.
6. In the event of a water supply shortage requiring a voluntary or mandatory program, the utility shall make available to its customers water conservation kits as required by Rule 20. The utility shall notify all customers of the availability of conservation kits via an insert or separate mailing.

A. CONSERVATION - NONESSENTIAL OR UNAUTHORIZED WATER USE

No customer shall use utility supplied water for nonessential or unauthorized uses as defined below:

1. Use of water through any connection when the 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 make such repairs within five (5) days after receipt of such notice.
2. Use of water that results in flooding or run-off in gutters, waterways, patios, driveways, or streets.
3. Use of water for washing aircraft, cars, buses, boats, trailers or other vehicles without a positive shut-off nozzle on the end of the hose. Exceptions include washing vehicles at commercial or fleet vehicle washing facilities operated at specific locations where equipment is properly maintained to avoid wasteful use.
4. Use of water through a hose for washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas in a manner which results in excessive run-off or waste.
5. Use of water for watering streets, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public.
6. Use of 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.
7. Use of water for more than minimal landscaping for any new construction.
8. Use of water for outside plants, lawn, landscape and turf areas between the hours of 10:00 am to 6:00 pm, or more than every other day, with even numbered addresses watering on even numbered days of the month and odd numbered addresses watering on odd numbered days of the month. This provision shall not apply to commercial nurseries, golf courses and other water-dependent industries.
9. Use of 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.
10. Use of water for watering outside plants and turf areas using a hand-held hose without a positive shut-off valve.

11. Use of water for decorative fountains or the filling or topping off of decorative fountains, lakes or ponds, except those which utilize recycled water.
12. Use of water for the filling or refilling of swimming pools.
13. Service of water by any restaurant, except at the request of a patron.
14. Use of water to flush hydrants, except where required for public health or safety.

B. STAGED MANDATORY RATIONING OF WATER USAGE

1. Prior to declaration of mandatory rationing, a utility may request authorization 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 institute Schedule 14.1 until it has been authorized to do so by the Commission.
 - 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 the utility has requested and received authorization for activating a stage by Commission.
 - b. Notice of the Tier 2 advice letter (example shown in Attachment C) and associated public participation hearing shall be provided to customers under General Order (GO) 96-B rules.
 - c. Utility shall comply with all requirements of Section 350-358 of the California Water Code.
 - d. The Tier 2 advice letter requesting institution 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, and exception procedures,
 7. Conditions for installation of a flow restrictor,
 8. Charges for removal of flow restrictors, and
 9. Special Conditions

- ii. Justification for, and documentation and calculations in support of the 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 1 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
 - b. If the utility chooses to subsequently activate a different stage.
 - d. The Tier 1 advice letter requesting activation of a Schedule 14.1 shall include but not be limited to:
 - i. 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.
 - ii. When the utility requests activation of a particular Stage, it shall notify its customers as detailed in Section E. below.

Penalty funds collected from customers under Schedule 14.1 are not to be accounted for as income, but are to be kept in a separate balancing or memorandum account from the Commission, via a Tier 3 advice letter.

- 4. Utility must request permission to establish a balancing or memorandum account from the Commission, via a Tier 3 advice letter.

C. ENFORCEMENT OF STAGED MANDATORY CONSERVATION AND RATIONING

- 1. The water restrictions of the conservation program, in Section A of this rule, become mandatory when the authorized Schedule 14.1-Staged Mandatory Water Conservation and Rationing Program is triggered, the utility files a Tier 1 advice letter requesting activation of a particular stage, and authorization is received from the Commission.

- a. In the event a customer is observed using water for any unessential or unauthorized use as defined in Section A of this rule, the utility may charge a water violation fine with Schedule 14.1.
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 defined in Section A above.
3. A flow-restricting device may not restrict water delivery by greater than 50% of normal flow and shall provide the premise with a minimum of 6 Ccf/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 14.1.
4. After the removal of such restricting device, if any nonessential or unauthorized use of water shall continue, the utility may install another flow-restricting device. 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. If, despite installation of such flow-restricting device pursuant to the provisions of the previous enforcement conditions, any such nonessential or unauthorized use of water shall continue, 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.
6. Any monies collected by the utility through water use violation fees shall not be accounted for as income, but shall be accumulated by the utility in a separate balancing or memorandum account for disposition as directed or authorized from time to time by the Commission.
7. 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 water conservation and rationing plan shall notify utility in writing, explaining in detail the reason for such 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 staff of the Commission. The customer and the utility will be notified of the disposition of such appeal by letter from the Executive Director of the Commission.

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 this water conservation and rationing plan.

E. PUBLICITY

1. As stated under Section B.1.b and c, when a utility requests authorization 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 (example shown in Attachment C) and associated public participation hearings provided to customers, under General Order (GO) 96-B rules, and shall comply with all requirements of Sections 350-358 of the California Water Code. In the event that a Schedule 14.1- Staged Mandatory Water Conservation and Rationing Plan is triggered, and a utility requests activation through the filing of a Tier 2 advice letter, the utility shall provide each customer with a copy of this plan by means of billing inserts or special mailings.
2. Notifications shall take place prior to imposing any fines associated with this plan.
3. During the period that a stage of Schedule 14.1 is activated, the utility shall provide customers with updates in each bill regarding its water supply status And the results of customers' conservation efforts.