Original

Cal. P.U.C. Sheet No.

10329-W

655 W. Broadway, Suite 1410 San Diego, CA 92101

Schedule 14.1 - RP WATER SHORTAGE CONTINGENCY PLAN RIO PLAZA SERVICE AREA

Sheet 1

A. APPLICABILITY

(N)

- This schedule applies to all water customers served under all tariff schedules authorized by the Commission for Rio Plaza Service Area. It is only effective in times of implementation of the Water Shortage Contingency Plan enforcement stages, as required by Rule No. 14.1, and only for the period noted in the Special Conditions section below.
- 2. This Schedule shall remain dormant until activated by Commission authorization via a Tier 2 advice letter.
- 3. Once the Schedule is activated, utility can implement Stages of the Schedule by filing a Tier 2 advice letter
- 4. When this schedule is activated, it shall remain in effect until the utility files a Tier 1 advice letter to deactivate a specific stage of the Water Shortage Contingency Plan and such is authorized by the Commission.

B. TERRITORY

1. This Schedule applies to all customers in the Rio Plaza Service Area. All other customers served by California-American Water Company are excluded from this particular tariff but are included in separate and distinct Water Shortage Contingency Plans.

C. STAGES

- 1. Stage 1 of the Water Shortage Contingency Plan enacts water conservation requirements established in Rule 14.1 Section D. The non-essential or unauthorized water uses in Section D are in effect at all times.
- 2. Stage 2 First Enforcement Stage of the Water Shortage Contingency Plan A Stage 2 Water Shortage Contingency Plan condition exists when it is determined that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a further consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Stage 2 of the Water Shortage Contingency Plan will be enacted upon a determination that water usage should be further reduced from current levels, that a temporary water emergency exists necessitating implementation or that the requirements of Stage 1 are ineffective in complying with the necessary reduction.
- 3. Stage 3 Second Enforcement Stage of the Water Shortage Contingency Plan A Stage 3 Water Shortage Contingency Plan Condition exists when it is determined that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a further consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Stage 3 will be enacted upon a determination that water usage should be reduced further from current levels, that a temporary water emergency exists necessitating implementation or that the requirements in Stages 1 and 2 are ineffective in complying with the necessary reduction.

(Continued)

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Sheet 2

C. STAGES

(N)

- 4. Stage 4 Third Enforcement Stage of the Water Shortage Contingency Plan A Stage 4 Water Shortage Contingency Plan condition is also referred to as an "Emergency" condition. A Stage 4 condition exists when it is determined that a critical water shortage emergency exists, or that the measures in Stages 1 through 3 are ineffective in complying with a necessary reduction.
- 5. Stage 5 Mandatory Rationing. A rationing plan will be implemented when it is determined that the efforts in Stage 4 are insufficient to meet the regulatory or physical limitations of the available water supply.

D. WATER USE VIOLATION FINE

- 1. When an Enforcement Stage of the Water Shortage Contingency Plan has been activated by Commission authorization, the water use restrictions of Stage 1 in the Water Shortage Contingency Plan in Section D of Rule 14.1 become subject to fines and penalties imposed by the utility. The utility will first work closely with local law enforcement and public agencies charged with enforcing the mandatory water use restrictions. However, should the utility find that the local agency is not effectively enforcing the mandatory use restrictions, the utility, after written warnings, such as door hangers and letters, may begin to issue fines. If a customer is seen violating the water use restrictions, as outlined in Rule No. 14.1 and the Special Conditions below, the customer will be subject to the following fine structure:
 - a. First offense: Written warning, including explanation of penalty for subsequent offense.
 - b. Second offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and \$100 fine.
 - c. Third offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$250 fine.
 - d. Fourth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and a \$500 fine.
 - e. Fifth offense within 1 year (of the same restriction): Written warning, including explanation of penalty for subsequent offense and service termination pursuant to Rule 11 and a \$500 fine.
 - f. Sixth offense within 1 year. (of the same restriction): Installation of a flow restricting device on customer's water meter for duration of enforcement stage of the Water Contingency Plan.
- 2. Offenses for separate water use restrictions will each start at the warning stage.

The water use violation fine is in addition to the regular rate schedule charges and any applicable drought surcharge rates.

(Continued)

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Sheet 3

E. APPLICABLE DROUGHT SURCHARGE RATES

(N)

- 1. When in Stage 3 of the Water Shortage Contingency Plan a surcharge rate be will be added to all residential water usage in excess of 11 CCF. The surcharge rate will be equal to the Tier 3 residential rate for the Rio Plaza Service Area in effect at the time Stage 3 is enacted. The surcharge rate for low-income customers will be 50% of the Stage 3 surcharge rate. For all other customers there will be no surcharge imposed at Stage 3.
- 2. When in Stage 4 of the Water Shortage Contingency Plan The Stage 3 residential drought surcharge rates will be tripled for all usage in excess of 11 CCF in Stage 4. The surcharge rate for low-income customers will be 50% of the residential Stage 4 surcharge rate. All other customers will pay a drought surcharge rate of 25% of the regular rate on all usage in Stage 4.
- 3. Rule 14.1 includes provisions to allow customers to seek a variance to the drought surcharge rates. Those residential customers who prevail in their request for a variance will receive a 50% increase in the amount of usage not subject to the surcharge rate. The usage not subject to the surcharge rate would be increased from 11 CCF to 17 CCF.

F. ENFORCEMENT

- 1. Letter/Fine: From second violation of the same restriction within a one-year period and onwards, a violation letter will be posted on property and sent to billing address, if different.
- 2. Aging of violation: Violations will accrue for the period of one year and be considered corrected and expunged one year after the violation occurs. The purpose of this rule is to prevent discrete violations from accruing in the event of a multi-year enforcement of the Water Contingency Plan.

(N)

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Sheet 4

3. Applies to all Enforcement Stages of Water Shortage Contingency Plan.

(N)

(N)

3. Applies to all Enforcement Stages of Water Shortage Contingency Plan.					
	Violation 1	Violation 2	Violation 3	Violation 4	Violation 5/6 ⁽²⁾
		(of the same	(of the same	(of the same	(of the same
		restriction)	restriction)	restriction)	restriction)
Proof of violation	Employee or	Verification with	Verification with	Verification	Verification
	Customer reports,	a written report	a written report	with a written	with a written
	with no	by employee or	by employee or	report by	report by
	additional	contractor of	contractor of	employee or	employee or
	verification	CAW	CAW	contractor of	contractor of
	required			CAW	CAW
Letter/fine	Warning letter	Violation letter	Violation letter	Violation letter	Violation letter
	mailed to premise	posted and	posted and	posted and	posted and mailed,
	and billing	mailed with \$100	mailed with \$250	mailed with \$500	shut off per Rule 11
	address	penalty on next	penalty on next	penalty on next	and \$500 penalty on
		bill	bill	bill	next bill
Fixing leaks	Customer has:	Customer has:	Customer has:	Customer has:	Customer has:
Stage 1	5 days	5 days	5 days	5 days	5 days
Stage 2	72 hours	72 hours	72 hours	72 hours	72 hours
Stage 3	24 hours	24 hours	24 hours	24 hours	24 hours
Stage 4	Immediate	Immediate	Immediate	Immediate	Immediate
Time to correct	5 days	5 days	5 days	5 days	5 days
violation			10.4	10.1	
Time customer	14 days to	14 days to	10 days to file an	10 days to file an	10 days to file an
has to request variance of the	contact CAW in	contact CAW in	appeal with	appeal with CAW	appeal with CAW
alleged	writing	writing	CAW in writing	in writing	in writing
violation					
If the customer	Further reported	If the customer	If the	If the customer	If the customer
does not agree	violations of the	disagrees with	customer	disagrees with	disagrees with
with CAW's	same restricted	CAW's	disagrees with	CAW's	CAW's resolution,
resolution		resolution, they	CAW's	resolution, they	they may file a
(1)	counted in the	may file a	resolution,	may file a	formal complaint
7 . 6 . 4	determination of	formal	they may file	formal	with the CPUC
Reference Section	further action	complaint with	a formal	complaint with	
K of Rule 14.1		the CPUC	complaint	the CPUC	
	until one week		with the		
	after the variance		CPUC		
	request is				
	resolved				
(4)	I	L.	L		annumet hout will mak

⁽¹⁾ If a customer has appealed the receipt of the penalty, the penalty will continue to be posted on the customer's account, but will not result in further service action, until at least 14 days after the resolution of appeals. Once resolved, if in the customers favor, the penalty will be immediately removed from the account. If not resolved in the customers favor, then the penalty will be due and payable as part of the next billing cycle and subject to all such further actions as with any other billed charge.

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⁽²⁾ For violation 6 instead of shut-off per Rule 11 and \$500 penalty, a flow restrictor will be installed for duration of enforcement.

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Sheet 5

G. FLOW RESTRICTOR REMOVAL CHARGE

(N)

The charge for removal of a flow-restricting device and/or reconnecting water service shall be:

Connection Size Removal Charges

5/8" to 1" \$150.00 1-1/2" to 2" \$200 3" and larger Actual Cost

H. SPECIAL CONDITIONS

- The Tier 2 advice letter requesting activation of any Enforcement Stage of Schedule 14.1 shall include documentation of the overall water shortage justifying activation of that particular stage.
- This tariff schedule shall remain in effect until the utility files a Tier 1 advice letter to deactivate specific stage of Water Shortage Contingency Plan and such is authorized by the Commission.
- 3. Water use violation fines must be separately identified on each bill.
- Water penalty surcharges must be separately identified on each bill.
- 5. All bills are subject to the reimbursement fee set forth on Schedule No. UF.
- 6. All monies collected by the utility through drought surcharges or penalties or fees for water use violations shall be booked to the Water Revenue Adjustment Mechanism (WRAM) or a memorandum account to offset recovery of lost revenues. All flow restrictor removal charges collected by the utility and all expenses incurred by the utility to implement Rule 14.1 and Schedule 14.1, and the requirements of the California State Water Board Resources Control Board ("SWRCB"), or other agencies, that have not been considered in a General Rate Case or other proceeding, shall be tracked in a memorandum account for disposition as directed or authorized from time to time by the Commission and shall be recoverable by the utility if determined to be reasonable by the Commission.

(N)

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