

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DIVISION OF WATER

RESOLUTION W-5105

RESOLUTION

(RES. W-5105) ORDER CORRECTING NON-SUBSTANTIVE ERROR IN RESOLUTION NO. W-5103.

SUMMARY

The Commission has been informed of non-substantive error in Resolution No. W-5103, which was passed on June 23, 2016. The resolution incorrectly cites Section 864 (g)2 as Section 865(g)2 on pages 3, 7, and 10 of the resolution.

To correct this, revised pages 3, 7 and 10 of Resolution No. W-5103 are attached, with the correct citation.

IT IS ORDERED THAT:

1. The cited Section 864 (g)2 indicated on pages 3, 7 and 10 of Resolution No. W-5103 is hereby replaced with the correct citation to Section 865(g)2 in the revised and attached pages.

This order is effective today.

Signed and dated in San Francisco, California on June 30, 2016.

/s/ TIMOTHY J. SULLIVAN

TIMOTHY J. SULLIVAN

Executive Director

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Section 864 of the Emergency Regulation prohibits waste and unreasonable use of water to promote water conservation, except where necessary to address immediate health and safety needs or to comply with a term or condition in a permit issued by a state or federal agency. EO B-37-16 makes the water use restrictions in Sections 864(a) permanent, except for restrictions No. 6 and 8.¹ Accordingly, we direct all water utilities, to enforce and comply with the water use restrictions identified in Section 864(a) of the Emergency Regulation. Class C and D water utilities² shall also comply with the reporting requirements included in Section 865 (g)² of the Emergency Regulation.

Finally, the Commission invites bold actions by its jurisdictional utilities to continue to maintain the water use restrictions³ by including provisions for, but not limited to: (1) mandatory water audits; (2) customer funded remotely read meters; (3) restriction on water use for the top residential, commercial and industrial users, particularly outliers⁴, e.g. those with excessive water use; (4) flow restrictor requirements; (5) restrictive outdoor water rules; and (6) limits on total water use.

¹ The serving of drinking water other than upon request in eating or drinking establishments, and irrigation of landscapes outside of newly constructed homes and buildings inconsistent with the Emergency Regulation or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

² As defined in General Order 96-B Water Industry Rules Section 1.2 Class C, and D investor owned water utilities serve 501 through 2,000 and less than 500 service connections, respectively.

³ Class A and B water utilities that do not establish a conservation standard as required by Section 864.5 of the Emergency Regulation shall continue to enforce the mandatory use restrictions established by Res. W-5041 and Res. W-5082 as modified by Section 865 of the Emergency Regulation.

⁴ Outliers include those users that are in the highest category of water users that may be masked by overall consumption from average users. Targeting these outliers could reduce overall water use.

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8. Class A and B water utilities that do not identify a conservation standard as required by Section 864.5 of the Emergency Regulation, or if the Water Board rejects the water utility's conservation standard, the utility shall continue to implement the mandatory water conservation actions adopted by Res. W-5041 and Res. W-5082, with the modifications provided in Section 865 of the Emergency Regulation.
9. All water utilities shall enforce and comply with Sections 864(a) of the Emergency Regulation.
10. The Commission expects bold actions by its jurisdictional utilities in its enforcement of the water use restrictions, as set-forth in this Resolution, by including provisions for, but not limited to: (1) mandatory water audits; (2) customer funded remotely read meters; (3) restriction on water use for the top residential, commercial and industrial users, particularly outliers, e.g. those with excessive water use; (4) flow restrictor requirements; (5) restrictive outdoor water rules; and (6) limits on total water use.
11. Class C and D water utilities shall comply with the reporting requirements included in Section 865 (g)2 of the Emergency Regulation.
12. These emergency regulations are necessary to preserve sufficient potable water to ensure safe drinking water for Californians.
13. Class A and B water utilities may file an appropriate advice letter to amend their Tariff Schedule 14.1, if necessary, based upon their compliance with the Emergency Regulation.

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5. Class C and D water utilities shall comply with the reporting requirements included Section and 865 (g)2 of the State Water Resources Control Board's Emergency Regulation.
6. Class A and B water utilities shall file an appropriate advice letter to amend their Tariff Schedule 14.1, if necessary, based upon their compliance with the Emergency Regulation.
7. All water utilities shall comply with all monitoring and reporting requirements as established by the State Water Resources Control Board.

This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on June 23, 2016; the following Commissioners voting favorably thereon:

/s/ TIMOTHY J. SULLIVAN

TIMOTHY J. SULLIVAN

Executive Director

MICHAEL PICKER

President

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

CARLA J. PETERMAN

LIANE M. RANDOLPH

Commissioners