

SCHEDULE NO. 14.1- BY

STAGED MANDATORY WATER CONSERVATION AND RATIONING

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A. APPLICABILITY

This schedule applies to all water customers served under Schedule BY-1 tariff rate schedule. This schedule is only effective in times of mandatory rationing, as required by Rule No. 14.1, and only for the period noted in the Special Conditions section below. The penalty charges listed in this schedule are in addition to the regular water use charges under the current Schedule BY-1, as authorized by the Commission.

B. TERRITORY

This schedule is applicable to the Bay Point Customer Service Area only.

C. STAGES OF MANDATORY CONSERVATION AND RATIONING

1. Stage 1: Water Use declared to not exceed 3 year historical average usage from period 2005-2007 by utility, governing agency, or supplier.
2. Stage 2: Water Allocation Reduction and Rationing subjected to usage penalties for exceeding allocation declared by utility, governing agency, or supplier; or when water supplied to Utility is reduced by 5 - 15%.
3. Stage 3: Water Allocation Reduction and Rationing subjected to usage penalties for exceeding allocation declared by utility, governing agency, or supplier; or when water supplied to Utility is reduced by >15 - 25%.
4. Stage 4: Water Allocation Reduction and Rationing subjected to usage penalties for exceeding allocation declared by utility, governing agency, or supplier; or when water supplied to Utility is reduced by >25- 35%.
5. Stage 5: Water Allocation Reduction and Rationing subjected to usage penalties for exceeding allocation declared by utility, governing, agency, or supplier; or when water supplied to Utility is reduced by >35 - 50%

D. WATER USE VIOLATION FINES

When a stage of Mandatory Conservation and Rationing from this schedule is activated by Commission authorization, the Water Use Restrictions of the conservation program in Section entitled **Non Essential or Unauthorized Water Use** of Rule 14.1 as well as those listed in the Special Condition section in this tariff, becomes mandatory. Customers who violate the Water Usage Restrictions will receive a warning for the first offense. Any subsequent offense to the water usage restrictions will be subject to the fines listed below. Fines vary depending on the activated stages of mandatory conservation and rationing.

Water Use Violation Fines

- | | |
|-----------------|-------|
| a. Stage 1 & 2: | \$50 |
| b. Stage 3: | \$100 |
| c. Stage 4: | \$150 |
| d. Stage 5: | \$200 |

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E. MANDATORY WATER USE RESTRICTIONS AT EACH STAGE

In addition to the water use restrictions listed in authorized Rule 14.1 Section entitled **Non Essential or Unauthorized Water Use** and those listed in the Special Condition of this schedule, the following mandatory usage restrictions and penalties apply to Stage 1 through Stage 4 of Mandatory Water Use Restrictions:

- a. Stage 1 Allocation: Customer usage shall not exceed 3 year historical average usage for period 2005-2007 applied to each billing period.

Allocation Penalty Charges

1. Usage up to historical average.....\$0
2. Usage above historical average.....3 x qty rate on BY-1 Tariff

- b. Stage 2 Allocation: Customer usage reduced to 85 - 95% of 3 year historical average usage for period 2005-2007 applied to each billing period.

Allocation Penalty Charges

1. Usage within allocation.....\$0
2. Usage over allocation up to 10% above allocation.....3 x qty rate on BY-1 tariff
3. Usage over allocation by more than 10%.....6 x qty rate on BY-1 tariff

- b. Stage 3 Allocation: Customer usage reduced to 75 - 84% of 3 year historical average usage for period 2005-2007 applied to each billing period.

Allocation Penalty Charges

1. Usage within allocation.....\$0
2. Usage over allocation up to 10% above allocation.....3 x qty rate on BY-1 tariff
3. Usage over allocation by more than 10%.....6 x qty rate on BY-1 tariff

- c. Stage 4 Allocation: Customer usage reduced to 65 - 74% of 3 year historical average usage for period 2005-2007 applied to each billing period.

Allocation Penalty Charges

1. Usage within allocation.....\$0
2. Usage over allocation up to 10% above allocation.....3 x qty rate on BY-1 tariff
3. Usage over allocation by more than 10%.....6 x qty rate on BY-1 tariff

- d. Stage 5 Allocation: Customer usage reduced to 50 – 64% of 3 year historical average usage for period 2005-2007 applied to each billing period.

Allocation Penalty Charges

1. Usage within allocation.....\$0
2. Usage over allocation up to 10% above allocation.....3 x qty rate on BY-1 tariff
3. Usage over allocation by more than 10%.....6 x qty rate on BY-1 tariff

Note: The exact percent allocation within each stage will be noted in the tier 1 advice letter filing to activate the stage of Mandatory Water Use Restriction. Allocations are based on reductions varied by month, lower in winter months, higher in summer months, to achieve an overall annual reduction as imposed by the utility, governing agency, or supplier.

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F. Monthly Allocation of Mandatory Water Use Restrictions at Each Stage

Monthly allocation varies depending on the activated stage of Mandatory Water Conservation and Rationing and the percentage of annual reduction. Below is a chart showing the monthly allocation based on the annual Reduction:

Annual Reduction	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Stage 1: 5%	2%	3%	3%	4%	4%	6%	7%	7%	6%	5%	3%	2%
6%	3%	4%	4%	5%	5%	8%	9%	9%	8%	6%	4%	3%
7%	3%	4%	4%	6%	6%	9%	10%	10%	9%	7%	4%	3%
8%	3%	5%	5%	7%	7%	10%	12%	12%	10%	8%	5%	3%
9%	4%	6%	6%	8%	8%	11%	13%	13%	11%	9%	6%	4%
Stage 2: 10%	4%	6%	6%	8%	8%	13%	15%	15%	13%	11%	6%	4%
11%	5%	7%	7%	9%	9%	14%	16%	16%	14%	12%	7%	5%
12%	5%	8%	8%	10%	10%	15%	18%	18%	15%	13%	8%	5%
13%	5%	8%	8%	11%	11%	16%	19%	19%	16%	14%	8%	5%
14%	6%	9%	9%	12%	12%	18%	21%	21%	18%	15%	9%	6%
15%	6%	9%	9%	13%	13%	19%	22%	22%	19%	16%	9%	6%
16%	7%	10%	10%	13%	13%	20%	24%	24%	20%	17%	10%	7%
17%	7%	11%	11%	14%	14%	22%	25%	25%	22%	18%	11%	7%
18%	8%	11%	11%	15%	15%	23%	27%	27%	23%	19%	11%	8%
19%	8%	12%	12%	16%	16%	24%	28%	28%	24%	20%	12%	8%
Stage 3: 20%	8%	13%	13%	17%	17%	25%	30%	30%	25%	21%	13%	8%
22%	9%	14%	14%	19%	19%	28%	32%	32%	28%	23%	14%	9%
24%	10%	15%	15%	20%	20%	30%	35%	35%	30%	25%	15%	10%
26%	11%	16%	16%	22%	22%	33%	38%	38%	33%	27%	16%	11%
28%	12%	18%	18%	24%	24%	35%	41%	41%	35%	30%	18%	12%
30%	13%	19%	19%	25%	25%	38%	44%	44%	38%	32%	19%	13%
32%	13%	20%	20%	27%	27%	40%	47%	47%	40%	34%	20%	13%
34%	14%	22%	22%	29%	29%	43%	50%	50%	43%	36%	22%	14%
Stage 4: 35%	15%	22%	22%	30%	30%	44%	52%	52%	44%	37%	22%	15%
36%	15%	23%	23%	30%	30%	46%	53%	53%	46%	38%	23%	15%
38%	16%	24%	24%	32%	32%	48%	56%	56%	48%	40%	24%	16%
40%	17%	25%	25%	34%	34%	51%	59%	59%	51%	42%	25%	17%
42%	18%	27%	27%	35%	35%	53%	62%	62%	53%	44%	27%	18%
44%	19%	28%	28%	37%	37%	56%	65%	65%	56%	46%	28%	19%
50%	21%	32%	32%	42%	42%	63%	74%	74%	63%	53%	32%	21%

Allocation will be applied based on the month the meter is read and there will be no proration.

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G. FLOW RESTRICTOR CHARGES

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

<u>Connection Size</u>	<u>Charges</u>
5/8" to 1".....	\$100.00
1-1/2" to 2".....	\$150.00
3" and larger.....	\$200.00

EXEMPTION

Allocation limitation and associated penalty charges listed above for different stages are exempted for customers whose monthly usage is 5 Ccf or less.

SPECIAL CONDITIONS

1. A Tier 1 advice letter will have to be filed with the Commission to activate any of the Stages of Mandatory Conservation and Rationing listed in this schedule.
2. The active stage of Mandatory Conservation and Rationing is to remain in affect until a Tier 1 advice letter is filed with the Commission to activate another stage of Mandatory Conservation and Rationing or when Schedule 14.1-BY is deactivated.
3. Water use violation fines must be separately identified on each bill.
4. All bills are subject to reimbursement fee set forth on Schedule No. UF
5. All monies collected by the utilities through water use violation fines shall not be accounted for as income, but shall be accumulated along with operational and administration cost associated with the implementation of this schedule by the utility in a separate balancing or memorandum account for disposition as directed or authorized from time to time by the Commission.

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SPECIAL CONDITIONS (Continued)

6. No Customer shall use utility-supplied water for non-essential or unauthorized uses as defined below:
- a. Use of water through any connection when the utility has notified the customers in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to make such repairs within 5 business days after receipt of such notice.
 - b. Use of water which results in flooding or run-off into gutters, waterways, patios, driveway, or streets.
 - c. Use of water for washing aircraft, cars, buses, boats, trailers or other vehicles without a positive shut-off nozzle on the outlet end of the hose. Exceptions include washing vehicles at commercial or fleet vehicle washing facilities operated at fixed locations where equipment using water is properly maintained to avoid wasteful use.
 - d. 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.
 - e. 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.
 - f. 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.
 - g. Use of water for more than minimal landscaping in connection with any new construction.
 - h. Use of water for watering outside plants, lawn, landscape, and turf areas. Except that this provision shall not apply to commercial nurseries, golf courses and other water-dependent industries. Below are the water use restrictions at each stage of mandatory conservation and rationing:
 - 1. At Stage 1 & 2: Water use restricted from 8am – 7pm, except by hand
 - 2. At Stage 3: Water use restricted from 8am – 7pm, watering every other day – no more than three times per week
 - 3. At Stage 4: Water use restricted from 8am – 7pm, watering every other day – no more than two times per week
 - 4. At Stage 5: Water use restricted from 8am – 7pm, watering limit to no more than one time per week
 - i. Use of water for watering outside plants and turf areas using a hand-held hose without a positive shut-off valve.
 - j. 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 and are equipped with a recirculation system.

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SPECIAL CONDITIONS (Continued)

6. No customer shall use utility-supplied water for non-essential or unauthorized uses as defined below:
- k. Use of water for filling or refilling of swimming pools.
 - l. Service of water by any restaurant except upon the request of the patron.
 - m. Use of water for purpose of irrigating landscape by means of permanently install sprinklers for more than 15 minutes.
 - n. Hotel must provide guests option to not launder towels and linen daily basis.
 - o. Use of water at any car wash that is not equipped with a recirculation system.
 - p. Restaurants must use conserving nozzles.

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