

SCHEDULE NO. 14.1

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**WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS, RESTRICTIONS AND DROUGHT SURCHARGES**

A. APPLICABILITY

This schedule applies to all Liberty Apple Valley water customers in all California service areas. This schedule is effective in times of voluntary conservation or mandatory rationing, as required by Rule No. 14.1. To the extent any provision in this Schedule is inconsistent with Rule 14.1, the provisions of this Schedule apply. The drought emergency surcharges listed in this schedule are in addition to the regular water use charges under the current Schedules as authorized by the California Public Utilities Commission (CPUC) for the respective ratemaking area.

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To the extent that a stage of the water shortage contingency plan in Schedule No. 14.1 has been activated, and a provision of Rule No. 14.1 is inconsistent with the activated stage in Schedule No. 14.1, the provisions of Schedule No. 14.1 apply.

B. TERRITORY

This schedule is applicable to all Liberty Apple Valley water customers in California.

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C. MANDATORY WATER USE REDUCTIONS, MANDATORY RESTRICTIONS, AND DROUGHT EMERGENCY SURCHARGES

(D)

The State Water Resources Control Board has established the following mandatory restrictions for all water users.

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No customer shall use utility-supplied water for non-essential or unauthorized uses as defined below:

(L)

- a. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flow onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- b. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
- c. The use of potable water for washing buildings, structures, sidewalks, walkways, patios, tennis courts, or other hard-surfaced, non-porous areas.
- d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(L)

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C. MANDATORY WATER USE REDUCTIONS, MANDATORY RESTRICTIONS, AND DROUGHT EMERGENCY SURCHARGES (continued)

- e. The use of potable water for watering outside plants, lawn, landscape, and turf area during certain hours prohibited by applicable laws, during and up to 48 hours after measurable rainfall (0.1" or more).
- f. The utility will promptly notify customers when aware of leaks within the customer's control. (T)
The failure to promptly repair any leaks, breaks, or other malfunction resulting in water waste in a customer's domestic or outdoor water system after notification by the utility, unless other, (T)
specific arrangements are made with and agreed to by the utility. (T)
- g. The serving of water, other than upon request, in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, bars, or other public places where food or drink are served and/or purchased.
- h. Hotels/motels must provide guests with the option of choosing not to have towels and linens laundered daily and prominently display notice of this option in each guestroom.
- i. The use of potable water for irrigation of ornamental turf on public street medians.
- j. The use of potable water for irrigation outside of newly constructed homes and buildings that is not delivered by drip or micro spray systems.
- k. Commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water use in an amount consistent with the mandated reduction.
- l. Further reduction in or the complete prohibition of any other use of water declared non-essential, unauthorized, prohibited, or unlawful by an authorized government or regulatory agency or official. (L)
- m. Use of potable water for watering streets with trucks, or other vehicles, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public. (L)

The following stages will be implemented as needed to achieve the annual mandated reduction. The utility may implement Stage 2 and the associated Drought Emergency Surcharge without first implementing Stage 1 if warranted by the mandated reduction. (L)

(Continued)

Advice Letter No. 259-W
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CHRISTOPHER G. ALARIO
PRESIDENT

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WITH STAGED MANDATORY REDUCTIONS, RESTRICTIONS AND DROUGHT SURCHARGES

Stage 1 – Stage 1 is a “Water Alert” where voluntary conservation is encouraged.

1. Outdoor irrigation is restricted to no more than three days per week. Customers may choose what days they would like to water OR follow the below schedule:

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Addresses Ending In:	Watering Days
Even Numbers (0, 2, 4, 6, 8)	Monday, Wednesday, and Saturday
Odd Numbers (1, 3, 5, 7, 9)	Tuesday, Thursday, and Sunday

2. Watering or outdoor irrigation of outside plants, lawn, landscape, and turf areas with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than 10 minutes of watering per day per station, with no watering between 8:00 a.m. and 7:00 p.m. This provision does not apply to landscape irrigation zones that exclusively use drip-type irrigation systems that use less than 1.0 inch per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive action shut-off nozzle or device that causes it to cease dispensing water immediately when not in use, or for the express purpose of adjusting or repairing an irrigation system. However, no irrigation that results in runoff can occur regardless of method.
3. Apart from the above outdoor irrigation restrictions, when a city, county, or other local public agency in the utility’s service area adopts restrictions on the number of days or hours of the day that customers may irrigation that are different than those adopted by the utility, the utility may adopt the city, county, or other local public agency’s restrictions.
4. All leaks, breaks, or other malfunctions in the customer’s plumbing fixtures and/or irrigation system must be repaired within five (5) business days of written notification by the utility, unless other arrangements are made with the utility.
5. Failure to comply with these restrictions may result in the installation of a flow restrictor device along with associated fees for installation and removal.
6. Failure to comply with these restrictions may result in the installation of a real time measurement device on the customer’s service line to provide the customer and the utility with access to information from the device. The cost of the device, including installation, shall be billed to the customer, and nonpayment may result in discontinuance of service.
7. If conditions warrant, the utility will change the number of watering days and the specific day of watering after first notifying its customers in accordance with Rule No. 14.1.
8. If conditions warrant, the utility will change the number of days allowed for a customer to fix leaks, breaks or other malfunctions after first notifying its customers in accordance with Rule No. 14.1.
9. The utility will identify the year to be used for establishing the customer baseline water use.

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(L)
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(N)

(Continued)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS, RESTRICTIONS AND DROUGHT SURCHARGES

Stage 2 – 20% Mandatory Reduction Stage

Stage 2 is a “Moderate Shortage” and will be implemented if the Stage 1 restrictions are deemed insufficient to achieve reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official.

In addition to the restrictions identified in Stage 1, the following restrictions, allocations, and drought emergency surcharges are in effect:

1. Outdoor irrigation is restricted to no more than two (2) days per week. Watering or outdoor irrigation of outside plants, lawn, landscape, and turf areas with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than ten (10) minutes of watering per day per station.
2. All leaks, breaks, or other malfunctions in the customer’s plumbing fixtures and/or irrigation system must be repaired within three (3) business days of written notification by the utility, unless other arrangements are made with the utility.
3. The use of potable water to refill residential swimming pools or outdoor spas more than one foot or initial filling with potable water except when existing pools are drained to repair leaks.
4. All customers will have their baseline established by using the system wide average use for the year identified in Stage 1.
5. The customer’s allocation will be based upon the year identified in Stage 1, less 20%.
6. No allocation will be less than eight (8) Ccf per month or sixteen (16) Ccf per bi-monthly period, unless directed otherwise by an authorized government agency.
7. All usage in excess of residential customer’s allocation may be charged at the regular Schedule No. PR-1-R rate plus a drought emergency surcharge rate that is calculated from the Tier 1 quantity rate multiplied by a factor of 1.0. (C)
8. All usage for non-residential customers served under Tariff Schedule No. PR-1-NR may be charged at the regular Schedule No. PR-1-NR quantity rate plus a drought emergency surcharge rate that is calculated as the quantity rate multiplied by a factor of 0.15. (C)
9. If feasible, customer’s allocation may be based on a customer’s consumption during a historical base period and will include a percentage reduction designed to meet necessary water use reductions. In addition to the normal rate paid for the unit of water, a drought surcharge may be charged to a customer for each unit of water used over the established allocation for the billing period. (C)

(Continued)

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Stage 3 – 30% Mandatory Reduction Stage

Stage 3 is a “Severe Shortage” and will be implemented if the Stage 2 allocations and drought emergency surcharges are deemed insufficient to achieve reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official.

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(C)

In addition to the restrictions identified in Stage 2, the following restrictions and drought emergency surcharges are in effect:

1. Outdoor irrigation is restricted to no more than two (2) day per week. Watering or outdoor irrigation of outside plants, lawn, landscape, and turf areas with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than five (5) minutes of watering per day per station. (L)
2. All leaks, breaks or other malfunctions in the customer’s plumbing fixtures and/or irrigation system must be repaired within two (2) business days of written notification by the utility, unless other arrangements are made with the utility. (T)
(T)
3. All usage in excess of residential customer's allocation will be charged at the regular Schedule No. 1 quantity rate plus a drought emergency surcharge rate that is calculated as the Tier 1 quantity rate multiplied by a factor of 1.5
4. All usage for non-residential customers served under Tariff Schedule No. 3 will be charged at the regular Schedule No. 3 quantity rate plus a drought emergency surcharge rate that is calculated as the quantity rate multiplied by a factor of 0.30.
5. The customer’s allocation will be based upon the year identified in Stage 1, less 30%. (N)
6. No allocation will be less than eight (8) Ccf per month or sixteen (16) Ccf per bi-monthly period, unless directed otherwise by an authorized government agency. (N)
(N)
7. Other restrictions on use of potable water as prescribed by the Commission, the utility, or another governing body or agency. (N)
(N)

Stage 4 – 40% Mandatory Reduction Stage

Stage 4 is a “Critical Shortage” and will be implemented if the Stage 3 allocations and drought emergency surcharges are deemed insufficient to achieve reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official.

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In addition to the restrictions identified in Stage 3, the following restrictions and drought emergency surcharges are in effect:

1. Outdoor irrigation is restricted to no more than one (1) day per week. Watering or outdoor irrigation of outside plants, lawn, landscape, and turf areas with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than five (5) minutes of watering per day per station.
2. All usage in excess of residential customer's allocation will be charged at the regular (L)

(Continued)

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Stage 4 – continued

Schedule No. 1 quantity rate plus a drought emergency surcharge rate that is calculated as the Tier 1 quantity rate multiplied by a factor of 2.0.

3. All usage for non-residential customers served under Tariff Schedule No. 3 will be charged at the regular Schedule No. 3 quantity rate plus a drought emergency surcharge rate that is calculated as the quantity rate multiplied by a factor of 0.45.
4. The customer's allocation will be based upon the year identified in Stage 1, less 40%. (N)
5. No allocation will be less than eight (8) Ccf per month or sixteen (16) Ccf per bi-monthly period, unless directed otherwise by an authorized government agency.
6. Other restrictions on use of potable water as prescribed by the Commission, the utility, or another governing body or agency.

Stage 5 – 50% Mandatory Reduction Stage

Stage 5 is a "Shortage Crisis" and will be implemented if the Stage 4 allocations and drought emergency surcharges are deemed insufficient to achieve reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official.

In addition to the restrictions identified in Stage 4, the following restrictions and drought emergency surcharges are in effect:

1. All usage in excess of residential customer's allocation will be charged at the regular Schedule No. 1 quantity rate plus a drought emergency surcharge rate that is calculated as the Tier 1 quantity rate multiplied by a factor of 2.5.
2. All usage for non-residential customers served under Tariff Schedule No. 3 will be charged at the regular Schedule No. 3 quantity rate plus a drought emergency surcharge rate that is calculated as the quantity rate multiplied by a factor of 0.60.
3. The customer's allocation will be based upon the year identified in Stage 1, less 50%.
4. No allocation will be less than eight (8) Ccf per month or sixteen (16) Ccf per bi-monthly period, unless directed otherwise by an authorized government agency.
5. Other restrictions on use of potable water as prescribed by the Commission, the utility, or another governing body or agency.

Stage 6 – 55% Mandatory Reduction Stage

Stage 6 is an "Emergency Shortage" and will be implemented if the Stage 5 allocations and drought emergency surcharges are deemed insufficient to achieve reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official.

In addition to the restrictions identified in Stage 5, the following restrictions and drought emergency surcharges are in effect: (N)

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Stage 6 (continued)

1. All usage in excess of residential customer's allocation will be charged at the regular Schedule No. 1 quantity rate plus a drought emergency surcharge rate that is calculated as the Tier 1 quantity rate multiplied by a factor of 3.0.
2. All usage for non-residential customers served under Tariff Schedule No. 3 will be charged at the regular Schedule No. 3 quantity rate plus a drought emergency surcharge rate that is calculated as the quantity rate multiplied by a factor of 0.75.
3. The customer's allocation will be based upon the year identified in Stage 1, less 55%.
4. No allocation will be less than eight (8) Ccf per month or sixteen (16) Ccf per bi-monthly period, unless directed otherwise by an authorized government agency.
5. Other restrictions on use of potable water as prescribed by the Commission, the utility, or another governing body or agency

(N)
|
(N)

D. FLOW RESTRICTOR REMOVE CHARGE

The charge for installation and removal of a flow-restricting device shall be \$30 during normal business hours, and \$150 during outside normal business hours. The flow restrictor will remain installed for a minimum of 7 days.

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E. EXEMPTION AND APPEALS PROCESS

Any customer who seeks a variance from any of the provisions of this Water Shortage Contingency plan shall notify the utility in writing using the appeals form, explaining in detail the reason for such a variation. The utility shall respond to each such request in writing.

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The appeals form is available online at the utility's website, www.libertyutilities.com, the Liberty Apple Valley office located at 21760 Ottawa Road, Apple Valley, CA 90308 or by calling 1-760-247-6484.

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If the customer disagrees with such disposition, the customer shall have the right to file a 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, or any of its employees, or the Commission because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of this Schedule No. 14.1.

F. SPECIAL CONDITIONS

1. The active stage of Schedule No. 14.1 is to remain in effect until a Tier 2 advice letter is filed with the Commission to activate a different Stage or when Schedule No. 14.1 is deactivated.
2. Drought Emergency Surcharges must be separately identified on each bill.
3. All bills are subject to reimbursement fee set forth on Schedule No. UF.

(Continued)

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Special Conditions (continued)

4. All monies collected by the utility through Drought Emergency Surcharges shall not be accounted for as income but shall be accumulated in the 2022 Drought Revenue Memorandum Account (2022 DRMA) and used to offset the lost revenues associated with implementation of voluntary and mandatory conservation efforts in accordance with Rule No. 14.1 and Schedule No. 14.1. (T)
(T)
(T)
(N)

5. All expenses incurred by the utility to implement Rule No. 14.1, and Schedule No. 14.1, and requirements of the Water Board that have not been considered in a General Rate Case or other proceeding shall be accumulated by the utility in a separate memorandum account, authorized in Resolution No. W-4976, for disposition as directed or authorized from time to time by the Commission.