



FILED
San Francisco County Superior Court

NOV 18 2015

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SAN DIEGO COUNTY WATER AUTHORITY

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 IN AND FOR THE COUNTY OF SAN FRANCISCO

15 SAN DIEGO COUNTY WATER
AUTHORITY,

16 Petitioner and Plaintiff,

17 v.

18 METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA; ALL
19 PERSONS INTERESTED IN THE
VALIDITY OF THE RATES ADOPTED
20 BY THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA
21 ON APRIL 13, 2010 TO BE EFFECTIVE
JANUARY 2011; and DOES 1-10,

22 Respondents and Defendants.

Case No. CPF-10-510830
Case No. CPF-12-512466

PEREMPTORY WRIT OF MANDATE

Dept.: 304
Judge: Hon. Curtis E.A. Karnow

Date Filed: June 11, 2010
June 8, 2012

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2 **TO RESPONDENT METROPOLITAN WATER DISTRICT OF SOUTHERN**
3 **CALIFORNIA (“Met”):**

4 Final judgment having been entered in the above-captioned actions declaring Met’s
5 System Access Rate, System Power Rate, Water Stewardship Rate, and wheeling rate for
6 calendar years 2011, 2012, 2013 and 2014 to be unlawful, unconstitutional (2013 and 2014 rates
7 only) and invalid, **MET IS HEREBY COMMANDED** to enact only legal transportation and
8 wheeling rates in the future, and, specifically, not to do the things this Court held were illegal
9 and/or unconstitutional in the Court’s April 24, 2014 Statement of Decision (“SOD”), which is
10 incorporated here by reference.

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13 **MET IS HEREBY SPECIFICALLY COMMANDED** to do, or not do, the following in
14 setting its transportation and wheeling rates in the future:

15 1. Met is hereby commanded to henceforth set its rates based on cost causation—that
16 is, Met must charge for its services based only on what it costs to provide them. *See* SOD at 47,
17 52.


18 2. Met is hereby commanded not to include in its future transportation or wheeling
19 rates costs that are not attributable to Met’s own conveyance system or to its actual costs in
20 conveying water. *See* SOD at 57. Met does not own or operate the State Water Project (SWP) or
21 the SWP transportation facilities, nor does Met transport SWP water from Northern California to
22 the terminal reservoirs at Castaic Lake and Lake Perris. *Id.* at 5, 53. The SWP is not part of Met’s
23 conveyance system, and the SWP conveyance facilities are not a part of Met’s conveyance
24 facilities. *See id.* at 57.

25 3. Met is hereby commanded to allocate its costs associated with local water supply
26 development, water reclamation, desalination, and conservation programs to Met’s rates and
27 charges based on cost causation. The costs of such programs may be included in Met’s wheeling
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1 rate only to the extent that the costs of transporting wheeled (*i.e.*, non-Met) water are a function
2 of the costs of such programs. *See* SOD at 58-61.

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Dated: November 18, 2015


CURTIS E.A. KARNOW
JUDGE OF THE SUPERIOR COURT