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**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Application of California-American )  
Water Company (U210W) for Approval ) Application 12-04-019  
of the Monterey Peninsula Water Supply ) (Filed April 23, 2012)  
Project and Authorization to Recover )  
All Present and Future Costs in Rates )  
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**MOTION OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
FOR PARTY STATUS**

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Attorneys for **MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT**

May 22, 2012

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**MOTION OF THE  
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FOR PARTY STATUS**

**I. INTRODUCTION**

Pursuant to Rules 1.4(a)(4) and 1.4(b) of the Rules of Practice and Procedure of the California Public Utilities Commission (CPUC or Commission), the Monterey Peninsula Water Management District (Water Management District or MPWMD) hereby moves for party status in Application (A.) 12-04-019.

**II. MPWMD SHOULD BE GRANTED PARTY STATUS**

The California Legislature created the Water Management District in 1977<sup>1</sup> and expressly granted it authority to regulate all local water systems within its jurisdiction, including the California-American Water Company (Cal-Am) system.

The Water Management District's interests are directly affected by the Monterey Peninsula Water Supply Project (Project) proposed by Cal-Am, and by any settlement of

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<sup>1</sup> Chapter 527 of the Statutes of 1977, as amended (Water Management District Law), found at West's Water Law Appendix Section 118-1, et. seq.

issues in this proceeding. In accord with Rules 1.4(b), MPWMD has information that would be useful and pertinent to the Commission in acting in this proceeding.

Presently, MPWMD regulates Cal-Am under a comprehensive water management program. Cal-Am is required by law to obtain a permit from the Water Management District to add the Monterey Peninsula Water Supply Project, or any project alternative, as a source of supply to its water distribution system.

MPWMD and Cal-Am co-own and operate a permit from the State Water Resources Control Board (SWRCB) to appropriate water from the Carmel River.<sup>2</sup> This water right (SWRCB Permit 20808A) is used to provide water for the joint Cal-Am-MPWMD Aquifer & Storage Recovery (ASR) project. The Monterey Peninsula Water Supply Project may provide an additional source of supply for the ASR project.

Also, Water Management District Rule 165, in concert with Cal-Am Rule 14.1 as authorized by the CPUC, regulates and imposes rationing and conservation measures upon Cal-Am and customers that use water from the Cal-Am main system.

The MPWMD is governed by a locally-elected board of directors that represents the communities that benefit from water supplies from this Project. As such, the Water Management District has access to municipal credit opportunities to provide public financing, and offer alternate means that may protect ratepayer interests and promote affordable and deliverable water supplies for the Monterey Peninsula.

### **III. PARTICIPATION IN PROCEEDINGS**

MPWMD is a responsible agency for the Monterey Peninsula Water Supply Project pursuant to the California Environmental Quality Act (CEQA). MPWMD

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<sup>2</sup> SWRCB Permit 20808A derives from Decision 1632 (Application 27414) and SWRCB Permit 20808.

supports, in concept, the Groundwater Replenishment (GWR) and ASR components of the proposed Project. MPWMD is also ready, willing, and able to lend its status and expertise as the public agency with authorization on the Monterey Peninsula to help the desalination component achieve the lowest cost impact on ratepayers and implementation in a timely fashion. However, MPWMD cannot take a final position or limit its obligation to consider any and all alternatives, including the “no project” alternative, and any and all mitigation measures, and to make required findings as a responsible agency, until CEQA review has been completed. Until then, MPWMD cannot exercise its discretion to take final action on any aspect of the Project.

#### **IV. CONTACT INFORMATION**

All correspondence, pleadings, orders and notices in this proceeding should be directed to the following:

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**V. CONCLUSION**

For the reasons stated, MPWMD seeks party status in this proceeding to ensure the CPUC is informed of all Water Management District interests affected by this proceeding, and to ensure MPWMD has adequate notice and opportunity to respond to all issues, claims and arguments raised by any party in the course of this proceeding.

The Water Management District respectfully requests the Commission grant Party Status to the Water Management District.

Dated: May 22, 2012

Respectfully submitted,

*/s/ David C. Laredo*

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