

WATER/RSK/PTL/MCV/jlj

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DIVISION OF WATER AND AUDITS  
Water and Sewer Advisory Branch

RESOLUTION NO. W-4823  
January 21, 2010

**R E S O L U T I O N**

**(RES. W-4823), ORDER AUTHORIZING REVISIONS TO GENERAL ORDER 103-A SECTION II.3.C.5, MINIMUM STANDARDS FOR REPAIRS, AND SECTION IV.1.A METHOD OF MEASURING SERVICE.**

---

**SUMMARY**

This resolution revises the disinfection requirement for water mains established in the Minimum Standards for Repairs, Section II.3.C.5 of General Order (GO) 103-A, "The Rules Governing Water Service, Including Minimum Standards for Operation, Maintenance, Design and Construction," and changes Section IV.1.A of GO 103-A to reflect the changes contained in Assembly Bill (AB) 975, signed into law on October 11, 2009.

**BACKGROUND**

GO 103-A was adopted by the Commission on September 10, 2009, in Decision 09-09-004, and revised and updated GO 103. The California Department of Public Health (DPH) raised an implementation issue related to the disinfection requirement established in GO 103-A, Section II.3.C.5, Minimum Standards for Repairs. This section requires water utilities to disinfect water mains and to obtain either DPH's or the County Health Department's (County Health) permission prior to placing the water mains back into service. DPH indicates that requiring water utilities to obtain their permission before bringing the water mains back into service is not feasible to implement because of the large numbers of water mains that utilities repair at any given time, and that they do not have the staff resources to implement this new requirement.

Assembly Bill (AB) 975, signed into law on October 11, 2009, added Public Utilities Code (PU Code) Section 781.5, and repealed and added PU Code Section 781. The prior PU Code 781 generally prohibited the Commission from requiring water utilities or customers of those utilities to install a water meter, except after a public hearing and making *all* of the following findings: (1) metering will be cost-effective within the service area of the utility, (2) metering will result in a significant reduction in water

consumption within the water utility's service area, and (3) the costs of metering will not impose an unreasonable financial burden on customers within the utility's service

area, unless the Commission finds metering necessary to assure continuation of an adequate water supply within the service territory.

Under AB 975, new PU Code Section 781: (i) requires each water corporation that is subject to the requirements of Section 525, 526, 527, or 528 of the Water Code to install water meters pursuant to those sections; and (ii) generally requires each water corporation with 500 or more service connections that is *not* subject to the requirements of those sections of the Water Code to install a water meter on each *new* service connection on and after January 1, 2010, and to install a water meter upon each *unmetered* service connection by January 1, 2025. The requirement to hold a hearing and make findings now appears only in new PU Code Section 781.5. That section only applies to utilities with less than 500 service connections that are not subject to the requirements of Section 526, 527, or 528 of the Water Code, and allows the Commission to require meters if *any* of the three requirements described above are met.

## **DISCUSSION**

### *GO 103-A Disinfection of Water Main(s) Requirement Revision*

The Division of Water and Audits' (DWA) staff reviewed the implementation issue raised by the DPH for the recently adopted disinfection requirements in the Minimum Standards of Repairs Section II.3.C.5 of GO 103-A and recommends making this requirement consistent with DPH's water main disinfection requirements set-forth in its Waterworks Standards<sup>1</sup>, California Code of Regulations, Title 22, Section 64580.

The new disinfection requirement under Section II.3.C.5 of GO 103-A requires water utilities to obtain DPH's or the County Health's permission before returning the line to service. DWA reviewed DPH's disinfection requirements, Waterworks Standards, California Code of Regulations, Title 22, Section 64580 and DPH requires that water

---

<sup>1</sup>Regulations adopted by DPH that take cognizance of the latest available "Standards of Minimum Requirements for Safe Practice in the Production and Delivery of Water for Domestic Use" adopted by the California section of the American Water Works Association. (Section 116275(q) of the Health and Safety Code.) The Waterworks Standards may be found in Title 22, Division 4, Chapter 16, of the California Code of Regulations.

mains that are taken out of service for maintenance or repairs be disinfected and sampled for bacteriological quality in accordance with the American Water Works Association (AWWA) Standard C651-05. The new GO 103-A disinfection requirement

goes beyond what DPH currently requires, and DWA does not find a reason for having a more stringent requirement, especially if it is not feasible to implement. DWA therefore recommends modifying the GO 103-A disinfection requirement in Section II.3.C.5 as follows:

delete

“disinfection of mains, and the Department’s or County Health’s permission to return the line to service;”

and insert in its place

“water mains that have been taken out of service for maintenance or repair shall be disinfected and sampled for bacteriological quality in accordance with AWWA Standard C651-05;”

DWA believes that the recommended revised language meets the intent of the original language which is to require water utilities to disinfect mains prior to placing them back into service and therefore recommends the adoption of this revised language.

*GO 103-A Revision to Reflect the Metering Requirement Established by Assembly Bill 975*

Assembly Bill (AB) 975 was approved on October 11, 2009. AB 975 added Public Utilities Code Section 781.5, and repealed and added Section 781. The revisions are discussed in the background section of this Resolution.

GO 103-A Section IV.1.A, currently reads:

“Consistent with the requirements of Public Utilities Code Section 781, which generally requires the Commission to hold a hearing and make certain findings before customers who were unmetered on January 1, 1979 can be required to have a meter, all water provided by a utility shall be metered, except that the utility may, after authorization has been obtained from the Commission, provide flat rate or estimated service.”

Based on the new Sections 781 and 781.5 DWA recommends the following language modification:

“Consistent with the requirements of Public Utilities Code Section 781.5, all water provided by a utility shall be metered, except that the utility may, after authorization has been obtained from the Commission, provide flat rate or estimated service, if permitted by Public Utilities Code Section 781.”

This revised language reflects the revised requirements contained in AB 975.

Attachment A specifically shows the revision and how the new subsections would be incorporated into Section IV.1.A of GO 103-A.

### **COMMENTS**

Public Utilities Code Section 311(g) (1) provides that resolutions generally must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Accordingly, on December 22, 2009, the draft of this resolution was served on served on all parties to D.09-09-004 (which adopted GO 103-A.)

On January 11, 2010, San Gabriel Valley Water Company (San Gabriel) and California Water Association (CWA) filed comments on the draft Resolution. Both San Gabriel and CWA in their comments point out an inconsistency in the revised GO 103-A language for Section II.3.C.5 in Attachment A and the language in Ordering Paragraph (OP) 1 of the Resolution. DWA concurs with CWA’s and San Gabriel’s comments given that the intended revision to Section II.3.C.5 of GO 103-A is that appearing in OP 1 of the Resolution. DWA therefore has revised the language in Attachment A to reflect the language in OP 1. In addition, since this disinfection requirement is specific to potable water mains, DWA has added the word water at the beginning of the sentence.

### **FINDINGS**

1. GO 103-A was adopted by the Commission on September 10, 2009, in Decision 09-09-004, and revised and updated GO 103.
2. GO 103-A, Section II.3.C.5, requires water utilities (utilities) to disinfect water mains and to obtain DPH’s or County Health’s permission prior to placing the main(s) back into service.
3. DPH has indicated that requiring water utilities to obtain their permission before bringing the water main(s) back into service is unfeasible to implement because of the large numbers of water mains that utilities repair at any given time, and the lack of staff or resources to implement this new requirement.

4. DWA recommends making this requirement consistent with DPH's water main disinfection requirements set-forth in its Waterworks Standards, California Code of Regulations, Title 22, Section 64580.
5. Assembly Bill (AB) 975, signed into law on October 11, 2009, added Public Utilities Code Section (Section) 781.5, and repealed and added Section 781.
6. The new PU Code Section 781: (i) requires each water corporation that is subject to the requirements of Section 525, 526, or 528 of the Water Code to install water meters pursuant to those sections; and (ii) generally requires each water corporation with 500 or more service connections that is *not* subject to the requirements of those sections of the Water Code to install a water meter on each *new* service connection on and after January 1, 2010, and to install a water meter on each *unmetered* service connection by January 1, 2025.
7. The prior PU Code Section 781 generally prohibited the Commission from requiring water utilities or customers of those utilities to install a water meter except after a public hearing and making all of the following findings: 1) metering will be cost-effective within the service area of the utility, (2) metering will result in a significant reduction in water consumption within the water utility's service area, and (3) the costs of metering will not impose an unreasonable financial burden on customers within the utility's service area, unless the Commission finds metering necessary to assure continuation of an adequate water supply within the service territory.
8. The requirement to hold a hearing and make findings now appears only in new PU Code Section 781.5, and it applies to utilities with less than 500 service connections that are *not* subject to the requirements of Section 526, 527, or 528 of the Water Code, and allows the Commission to require meters if *any* of the three requirements described above are met.
9. DWA recommends reflecting the new metering requirements approved by AB 925 in Section IV.1.A of GO 103-A.

**THEREFORE IT IS ORDERED THAT:**

1. The disinfection requirement of main(s) established in the Minimum Standards of Repairs Section II.3.C.5 of General Order (GO) 103-A is revised as follows:

delete

“disinfection of mains, and the Department’s or County Health’s permission to return the line to service;”

and insert in its place

“water mains that have been taken out of service for maintenance or repair shall be disinfected and sampled for bacteriological quality in accordance with AWWA Standard C651-05;”

2. Section IV.1.A is revised as follows:

delete

“Consistent with the requirements of Public Utilities Code Section 781, which generally requires the Commission to hold a hearing and make certain findings before customers who were unmetered on January 1, 1979 can be required to have a meter, all water provided by a utility shall be metered, except that the utility may, after authorization has been obtained from the Commission, provide flat rate or estimated service.”

insert in its place

“Consistent with the requirements of Public Utilities Code Section 781.5, all water provided by a utility shall be metered, except that the utility may, after authorization has been obtained from the Commission, provide flat rate or estimated service, if permitted by Public Utilities Code Section 781.”

3. The Division of Water and Audits shall inform all water utilities of the change to GO 103-A.

4. 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 January 21, 2010; the following Commissioners voting favorably thereon:

---

PAUL CLANON  
Executive Director

MICHAEL R. PEEVEY  
President  
DIAN M. GRUENEICH  
JOHN A. BOHN  
TIMOTHY ALAN SIMON

Attachment A

Revised Language to Be Included in General Order No 103-A

**II. Standards of Service**

...

**3. Continuity of Service**

...

**C. Minimum Standards for Repairs**

All repairs associated with a utility's water and wastewater system shall include, as a minimum:

...

(5) water mains that have been taken out of service for maintenance or repair shall be disinfected and sampled for bacteriological quality in accordance with AWWA Standard C651-05;

...

**IV. Measurement of Service**

**1. Method of Measuring Service**

**A. Metering**

Consistent with the requirements of Public Utilities Code Section 781.5, all water provided by a utility shall be metered, except that the utility may, after authorization has been obtained from the Commission, provide flat rate or estimated service, if permitted by Public Utilities Code Section 781.

...

(End of Attachment A)