

# Calif. AG challenges ruling against tiered water rates

By Matt Stevens, Los Angeles Times

The California Attorney General's Office has asked the state Supreme Court to depublish a controversial ruling that it argues will impede the state's ability to encourage conservation by charging people higher rates when they use excessive amounts of water.

In a seven-page letter filed late last week, the AG, arguing for the State Water Resources Control Board, said an April decision by the 4th District Court of Appeal contains "unnecessary and overbroad language" that could hamper the state's efforts to fight water waste amid the ongoing drought.

In a lawsuit challenging a tiered water-rate structure once used in the city of San Juan Capistrano, the appellate court found that the system was unconstitutional because it charged more for water than it cost the city to provide the service.

At least two-thirds of California water agencies use some type of tiered-rate structure, which officials say has been an effective tool for encouraging customers to use less water. The remaining agencies use a flat-rate structure based on the units of water consumed.

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