

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
DEPARTMENT 304

SAN DIEGO COUNTY WATER AUTHORITY

Petitioner and Plaintiff,

v.

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

Respondents and Defendant.

Lead Case No. CPF-10-510830  
Consolidated with Case No. CPF-12-512466

**PEREMPTORY WRIT OF MANDATE**

TO RESPONDENT METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
("Metropolitan"):

Final judgment having been entered on the first cause of action in the 2010 and 2012 Actions, for writ of mandate, **METROPOLITAN is HEREBY COMMANDED** to enact only legal wheeling and transportation rates in the future, and, specifically, not to do the things that Division Three of the First Appellate District of the Court of Appeal held were unlawful in its Opinion dated June 21, 2017. *San Diego Cty. Water Auth. v. Metropolitan Water Dist. of S. Cal.*, 12 Cal. App. 5th 1124, 1166 (2017), *as modified on denial of reh'g* (July 18, 2017), *review denied* (Sep. 27, 2017). The Opinion is incorporated here by reference.

1           **METROPOLITAN IS FURTHER HEREBY SPECIFICALLY COMMANDED** to henceforth  
2 exclude the costs of conservation programs and other demand management programs, enacted in the above-  
3 named cases as the Water Stewardship Rate, from Metropolitan's wheeling rate published in Section 4405  
4 of Metropolitan's Administrative Code and from the transportation rates charged under the October 10,  
5 2003 Exchange Agreement between Metropolitan and the San Diego County Water Authority.

6  
7  
8 Dated: August 12, 2020



9 Anne-Christine Massullo  
10 Judge of the Superior Court

