

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

DOCKET NO. 03A-085W

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IN THE MATTER OF THE APPLICATION OF LAKE DURANGO WATER COMPANY FOR  
AN ORDER AUTHORIZING LAKE DURANGO WATER COMPANY CURTAILMENT OF  
WATER.

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**DECISION GRANTING APPLICATION**

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Mailed Date: April 18, 2003

Adopted Date: April 16, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of the Application by Lake Durango Water Company (Lake Durango) for an Order Authorizing Curtailment of Water. In the Application, Lake Durango requests permission to implement the following 4 Stage water curtailment program, with Stage 2 being implemented April 22, 2003. Now being duly advised in the premises, we will grant the Application consistent with the discussion below.

**B. Discussion**

2. Lake Durango submits this Application for a 4 Stage water curtailment program due to the lack of water resources, and due to the lack of snowfall and rain in the State of Colorado and continuing drought conditions. Water curtailment will entail limiting outside watering to the stages described below, with Stage 2 to be effective as of April 22, 2003. The complete 4 Stage water curtailment program is outlined in the Application.

3. Implementation of Stage 2 of the proposed 4 Stage water curtailment program would limit outside watering to one (1) day a week. Additionally, all of the restrictions contained

in Stage 1 would apply: Watering limited to Tuesday or Friday, 7:00 a.m. to 9:00 a.m. and 7:00 p.m. to 9:00 p.m.; hoses may be used but not left unattended without sprinkler head or control device (no running hoses unattended); no car/boat/recreation vehicle/etc. washing; no filling of tanks, ponds, etc. (except those used for livestock); no filling of swimming pools, koi ponds, waterfalls or any types of landscaping ponds; no excess water running down roads/ditches/driveways, etc. Watering potted plants with pails/buckets/water cans is allowed at any time.

4. Lake Durango has two other pending filings before the Commission, Docket No. 02A-629W (seeking Commission authorization to curtail service due to previous commitments/contracts) and Docket 03S-052W (seeking Commission authorization to increase rates). These two dockets have been consolidated. The water curtailment plan requested in this Application, including the request to initially implement the program at Stage 2 may be re-visited during proceedings related to these other two dockets and is subject to modification as existing drought conditions/water availability circumstances may warrant.

5. At this time, the Commission is granting the Application to implement the proposed water curtailment program, including implementation of Stage 2 effective April 22, 2003. In taking this action the Commission recognizes the drought conditions which necessitate the water curtailment program and find that those conditions constitute good cause to grant the Application. Any change in this program, including a change to Stage 3 or 4, will require application to, and approval by, the Commission.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The Application for authorization to implement the proposed 4 Stage water curtailment program, including Stage 2 restrictions effective April 22, 2003, is granted. Lake Durango is authorized to file with the Commission the tariffs attached to this order on not less than one day notice to the Commission.

2. Any deviation from the tariff restrictions can only be made after application to, and approval by, the Commission.

3. The twenty-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the Mailed Date of this decision.

4. This Order is effective immediately upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
APRIL 16, 2003.**

(S E A L)



**ATTEST: A TRUE COPY**

**Bruce N. Smith  
Director**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**GREGORY E. SOPKIN**

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Commissioners

COMMISSIONER JIM DYER  
RECUSED HIMSELF.