

# **Bond Case Briefs**

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## **PUBLIC UTILITIES - CALIFORNIA**

### **Monterey Peninsula Water Management Dist. v. Public Utilities Com'n**

**Supreme Court of California - January 25, 2016 - P.3d - 2016 WL 299103**

Public Utilities Commission (PUC) approved privately owned water utility's request for a rate increase, but directed utility either to take over environmental mitigation work from the water management district or to meet and confer with the district to discuss the possibility of doing the mitigation work as a joint project. The Supreme Court granted district's petition for a writ of review.

The Supreme Court of California held that PUC lacked authority to review amount of environmental mitigation fee that district imposed on utility's customers.

Public Utilities Commission (PUC) lacked authority to review the amount of an environmental mitigation fee that a water management district imposed on a privately owned water utility's customers, even though the utility was under a legal obligation to take over the mitigation work from the district if the district ever stopped performing the mitigation work, absent evidence that the district had been acting as the utility's agent in performing the mitigation work.