

AMENDED IN SENATE APRIL 30, 2002

SENATE BILL

No. 1755

Introduced by Senator Soto

(Principal coauthor: Assembly Member Negrete McLeod)

(Coauthors: Senators Costa and Vincent)

(Coauthors: Assembly Members Calderon, Correa, Frommer, and Oropeza)

February 21, 2002

An act to add Sections 31149.7 and 71663.5 to the Water Code, relating to electric power.

LEGISLATIVE COUNSEL'S DIGEST

SB 1755, as amended, Soto. County water districts and municipal water districts: electric power.

The County Water District Law and the Municipal Water District Law of 1911 grant to county water districts and municipal water districts, respectively, prescribed powers relating to water and other services.

This bill would authorize those districts to provide, generate, and deliver electric power, and to construct, operate, and maintain works, facilities, improvements, and property for that generation and delivery. The bill would prohibit those districts from acquiring property employed in the generation or delivery of electric power, except by mutual agreement between the district and the property owner.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 31149.7 is added to the Water Code, to read:

31149.7. (a) A district may provide, generate, and deliver electric power, and may construct, operate, and maintain any and all works, facilities, improvements, and property, or portion thereof, necessary or convenient for that generation and delivery.

(b) The electric powerplant or plants and transmission lines constructed pursuant to this section may be leased for operation, or the power generated may be used, by the district for its own purposes or be sold to any public or private entity that is engaged in the distribution or sale of electricity.

(c) Nothing in this section grants to a district the authority to provide, sell, or deliver electric power at retail.

(d) A district may not acquire property employed in the generation or delivery of electric power for public or private utility purposes, except by mutual agreement between the district and the owner of that property.

(e) The electricity load that departs from an electrical corporation pursuant to subdivision (b), shall be subject to a surcharge, exit fees or other charges related to energy procurement, if a surcharge, exit fees or other charges are established by the Public Utilities Commission for self-generation customers.

SEC. 2. Section 71663.5 is added to the Water Code, to read:

71663.5. (a) A district may provide, generate, and deliver electric power, and may construct, operate, and maintain any and all works, facilities, improvements, and property, or portion thereof, necessary or convenient for that generation and delivery.

(b) The electric powerplant or plants and transmission lines constructed pursuant to this section may be leased for operation, or the power generated may be used, by the district for its own purposes or be sold to any public or private entity that is engaged in the distribution or sale of electricity.

(c) Nothing in this section grants to a district the authority to provide, sell, or deliver electric power at retail.

(d) A district may not acquire property employed in the generation or delivery of electric power for public or private utility

1 purposes, except by mutual agreement between the district and the
2 owner of that property.

3 *(e) The electricity load that departs from an electrical*
4 *corporation pursuant to subdivision (b), shall be subject to a*
5 *surcharge, exit fees or other charges related to energy*
6 *procurement, if a surcharge, exit fees or other charges are*
7 *established by the Public Utilities Commission for self-generation*
8 *customers.*

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