

MARKETING OF POWER. NOTHING HEREIN SHALL BE CONSTRUED TO AUTHORIZE THE COMMISSION TO ENGAGE IN THE BUSINESS OF DIRECT SALE TO RETAIL CUSTOMERS, OR TO LIMIT THE JURISDICTION OF ANY OTHER AGENCY, LAWFULLY EMPOWERED, TO PRESCRIBE OR APPROVE THE LOCATION AND STRUCTURAL CHARACTERISTICS OF TRANSMISSION LINES AND THEIR APPURTENANCES.

ARTICLE 11

WATER SHORTAGES AND EMERGENCIES

11.01. AREAS OF POTENTIAL WATER SHORTAGE. —THE COMMISSION SHALL CONDUCT CONTINUING STUDIES OF THE RELATIONSHIP OF DEMAND TO AVAILABLE SUPPLY OF WATER, AND WHENEVER IT DETERMINES THAT THE DEMANDS UPON SUPPLY IN ANY PART OR PARTS OF THE BASIN HAVE DEVELOPED OR THREATEN TO DEVELOP TO SUCH A DEGREE AS TO CREATE A POTENTIAL WATER SHORTAGE OR IMPAIR OR CONFLICT WITH THE REQUIREMENTS OR EFFECTUATION OF THE COMPREHENSIVE WATER RESOURCES PLAN IT SHALL DELINEATE EACH AREA INVOLVED AS AN AREA OF POTENTIAL WATER SHORTAGE. THEREUPON IT SHALL BE THE DUTY OF THE COMMISSION TO PUBLICIZE EACH SUCH DELINEATION AND TO REEXAMINE THE COMPREHENSIVE WATER RESOURCES PLAN IN THE LIGHT THEREOF.

11.02. PROTECTED AREAS. —WHENEVER, AFTER PUBLIC HEARING, THE COMMISSION FINDS THAT CONTROL OF WATER WITHDRAWAL, DIVERSION OR USE IS REQUIRED IN AN AREA OF POTENTIAL WATER SHORTAGE, WHICH HAS BEEN DELINEATED UNDER SECTION 11.01, IT MAY DESIGNATE SUCH AREA AS A PROTECTED AREA.

11.03. EMERGENCY AREAS. —WHENEVER THE COMMISSION FINDS THAT A DROUGHT OR OTHER CONDITION HAS CAUSED OR MAY CAUSE AN ACTUAL AND IMMEDIATE SHORTAGE OF THE AVAILABLE SUPPLY OF WATER WITHIN THE BASIN, OR WITHIN ANY PART THEREOF, IT MAY DELINEATE THE AREA OF SUCH SHORTAGE AND DESIGNATE THE AREA DELINEATED AS AN EMERGENCY AREA, WHICH DELINEATION AND DESIGNATION SHALL NOT EXTEND BEYOND THIRTY (30) DAYS EXCEPT TO THE EXTENT THAT, AFTER PUBLIC HEARING, SUCH DELINEATION AND DESIGNATION ARE CONFIRMED BY THE COMMISSION.

11.04. PROTECTED AREA AND EMERGENCY AREA CONTROLS. —UPON THE DESIGNATION OF A PROTECTED OR EMERGENCY AREA BY THE COMMISSION, AND UNTIL SUCH DESIGNATION IS CHANGED OR TERMINATED, NO PERSON OR GOVERNMENTAL AGENCY SHALL DIVERT, WITHDRAW OR USE WATER FROM THE SOURCES SUPPLYING SUCH PROTECTED OR