

PHILADELPHIA WATER, SEWER AND STORMWATER RATE BOARD

Hearing Officer Memorandum

February 28, 2018

By this memorandum I seek further information from Mr. Skiendzielewski, to whose discovery requests dated PWD objected by letter dated February 27, 2018. I find I cannot meaningfully rule on the requests or the objection without further information.

In its objections, PWD recites in a footnote its understanding of the factual background of the dispute that Mr. Skiendzielewski may be pursuing before the Rate Board:

By way of background, Mr. Skiendzielewski . . . has been trying for years to get the Water Department to pay for a defective water or sewer lateral at his home (which apparently was improperly installed when his house was built over twenty years ago). It bears emphasis that the homeowner (rather than the City) is always responsible for service lateral repairs. The Department, however, does assist customers with HELP loans to help finance such repairs – up to \$12,000. Mr. Skiendzielewski secured such a HELP loan a few years ago. After receiving loan proceeds to effect a lateral repair (roughly \$12,000), he disputed his obligation to fully repay the loan. In this context, he filed a petition with the Tax Review Board (“TRB”) seeking a partial abatement in settlement of his obligation. The TRB rejected his petition as unsupported by substantial evidence on or about March 3, 2016. The TRB also granted a re-hearing whereupon it again rejected his petition on the same grounds (decision dated January 18, 2017). Mr. Skiendzielewski failed or refused to timely appeal the above TRB decisions to the Philadelphia County Court of Common Pleas within 30 days of the final administrative decision. . . .

I have directed Mr. Skiendzielewski by email to file any response he chooses to make to these objections by Friday, March 9, 2018. By this memorandum, I direct that any response to the objections should include Mr. Skiendzielewski’s representation on the following matters:

- a) What is the relief Mr. Skiendzielewski seeks from the Board in this general rate proceeding?
- b) How is it within the Board’s power to grant such relief? Please make reference to the legal basis for Board action, found within the Board regulations, the Ordinance, and the Charter.
- c) Does Mr. Skiendzielewski dispute any of the factual assertions made by the PWD in its objection to his questions, as quoted above? If so, please state the accurate facts or additional necessary facts from Mr. Skiendzielewski’s perspective on the assertion(s).

These clarifications are to be included in any response Mr. Skiendzielewski has to the PWD objections.