

1                   **RESPONSE TO PHILADELPHIA LAND BANK’S INTERROGATORIES**  
2                   **AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

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4 **LB-I-1.**       PLEASE DESCRIBE AND EXPLAIN IN DETAIL WHETHER, AND TO  
5                   WHAT EXTENT, ANY PHILADELPHIA WATER DEPARTMENT ("PWD")  
6                   CHARGES (INCLUDING, WITHOUT LIMITATION, WATER, SEWER, AND  
7                   STORM WATER) (COLLECTIVELY, "PWD CHARGES") ARE ABATED FOR  
8                   VACANT PROPERTIES OWNED BY THE CITY OF PHILADELPHIA OR  
9                   THE PHILADELPHIA DEPARTMENT OF PUBLIC PROPERTY  
10                  (COLLECTIVELY, "CITY"), PHILADELPHIA HOUSING DEVELOPMENT  
11                  CORPORATION ("PHDC"), THE PHILADELPHIA REDEVELOPMENT  
12                  AUTHORITY ("PRA"), OR THE PHILADELPHIA HOUSING AUTHORITY  
13                  ("PHA").

14 **RESPONSE:**

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16                  PWD charges are abated 100% for (i) vacant or unoccupied properties acquired by the  
17                  City; (ii) properties acquired by PHDC; and (iii) vacant properties acquired by PRA under  
18                  the provisions of Chapter 16-400 of The Philadelphia Code. Properties of PHA receive a  
19                  5% reduction of PWD Charges.

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27 **RESPONSE PROVIDED BY:** Philadelphia Water Department  
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- 1 **LB-I -2.** IF ANY PWD CHARGES ARE EITHER FULLY OR PARTIALLY ABATED  
2 FOR PROPERTIES OWNED BY THE CITY, PHDC, PRA, OR PHA, PLEASE  
3 A. INDICATE THE ORDINANCE, LAW, RULE, OR REGULATION  
4 APPLICABLE TO THE CITY, PHDC, PRA, AND PHA WHICH PROVIDES  
5 FOR AN ABATEMENT OF ANY PWD CHARGES (EACH "APPLICABLE  
6 LAW" AND COLLECTIVELY "APPLICABLE LAWS");  
7 B. EXPLAIN IN DETAIL IF AN ABATEMENT UNDER ANY APPLICABLE  
8 LAW APPLIES TO WATER, SEWER, STORMWATER, ALL, OR ANY OF  
9 THEM, AND WHETHER IT IS A FULL OR PARTIAL ABATEMENT;  
10 C. EXPLAIN IN DETAIL THE BASIS FOR AN ABATEMENT UNDER EACH  
11 APPLICABLE LAW;  
12 D. EXPLAIN IN DETAIL THOSE QUALIFICATIONS OR REQUIREMENTS,  
13 IF ANY, THAT MUST BE SATISFIED IN ORDER FOR THE CITY, PHDC,  
14 PRA, AND PHA TO RECEIVE AN ABATEMENT OF PWD CHARGES  
15 UNDER EACH APPLICABLE LAW (E.G., MUST THE PROPERTY BE  
16 VACANT OR UNOCCUPIED);  
17 E. EXPLAIN IN DETAIL WHAT REQUEST, PAPERWORK, OR  
18 SUBMISSION, IF ANY, IS REQUIRED FROM THE CITY, PHDC, PRA,  
19 OR PHA IN ORDER TO RECEIVE AN ABATEMENT OF ANY PWD  
20 CHARGES UNDER ANY APPLICABLE LAW AND ANY DEADLINES  
21 ASSOCIATED WITH SUCH REQUEST, PAPERWORK, OR  
22 SUBMISSION;  
23 F. PROVIDE FOR EACH OF THE LAST FIVE (5) FISCAL YEARS THE  
24 TOTAL NUMBER OF PROPERTIES AND THE TOTAL AMOUNT (IN  
25 DOLLARS) OF FOREGONE (ABATED) REVENUE BY (I) OWNER, (II)  
26 TYPE OF ABATEMENT (E.G., WATER, SEWER, STORMWATER), AND  
27 (III) FULL OR PARTIAL.  
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1 **RESPONSE:**

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3 A. Section 19-1602 of The Philadelphia Code for vacant property acquired by the City.  
4 Section 16-403 of The Philadelphia Code for property acquired by PRA under the  
5 provisions of Chapter 16-400 of The Philadelphia Code. Section 13-101(4)(f) of the  
6 Philadelphia Code for property of PHA. The ordinance approved October 2, 1968 for  
7 property acquired by PHDC. Please see response attachment LB-I-2.

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9 B. Abatements described above apply to water and wastewater charges, including charges for  
10 stormwater. Please refer to LB-I-1 for whether these abatements are full or partial  
11 abatements.

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13 C. Please refer to LB-I-2(A) for the basis for the abatement.

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15 D. For City-owned properties, Section 19-1602 of The Philadelphia Code requires that the  
16 premises be vacant or unoccupied. For PRA properties, Section 16-402 of The  
17 Philadelphia Code defines when a property is deemed vacant under the provisions of  
18 Chapter 16-400. For PHA properties, Section 13-101(4)(f) of The Philadelphia Code and  
19 Section 5.2 of the Department's Rates and Charges require that the property be a public  
20 housing property of PHA, but do not require that the property be vacant or unoccupied.  
21 For PHDC properties, the Ordinance requires that the property be acquired or held by  
22 PHDC, but does not specifically require that the property be vacant or unoccupied.

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24 E. Abatements for City-owned vacant properties and properties of PRA and PHDC generally  
25 are processed based on requests from such agencies and/or a review of property records to  
26 establish ownership. PWD and PHA have begun to meet on a regular basis to review  
27 PHA accounts and metering issues.

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1 F. PHA has approximately 7,400 accounts. The amount of PHA’s 5% discount, as reported  
2 in the last base rate proceeding, was approximately \$591,000 in FY2013, \$632,000 in  
3 FY2014, and \$698,000 in FY2015. The 5% discount amount totaled approximately  
4 \$652,000 for the FY2016 billing period and \$664,000 for the FY2017 billing period.

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6 PWD is unable to compile information on the amount of abatements for City-owned  
7 vacant properties and properties owned by PRA and PHDC in the time allotted to respond  
8 to discovery in this proceeding.

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11 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **LB-I -3.** ONCE A PROPERTY OWNED BY THE CITY, PHDC, PRA, OR PHA IS  
2 CONVEYED TO THE PHILADELPHIA LAND BANK ("LAND BANK"),  
3 PLEASE DESCRIBE AND EXPLAIN IN DETAIL WHEN PWD BEGINS  
4 BILLING THE LAND BANK FOR (I) WATER, (II) SEWER, (III)  
5 STORMWATER; AND (IV) ANY OTHER CHARGES.

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7 **RESPONSE:**

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9 WRB begins billing the Land Bank for all charges upon being notified of the transfer via the  
10 recorded deed. WRB generally receives notice of the recorded deed through its electronic data  
11 feed from the Department of Records, but the recorded deed may also be provided by the new  
12 owner.

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27 **RESPONSE PROVIDED BY:** Michelle Bethel, Water Revenue Bureau  
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**LB-I-4.** PLEASE PROVIDE ANY FINANCIAL STUDIES OR ANALYSIS  
PERTAINING TO FOREGONE REVENUE DUE TO ABATEMENT OF ANY  
PWD CHARGES FOR PROPERTIES OWNED BY THE CITY, PHDC, PRA, OR  
PHA.

**RESPONSE:**

Please refer to LB-I-2(F).

**RESPONSE PROVIDED BY:** Philadelphia Water Department

**LB-I-5.**

PLEASE PROVIDE IN AN MS EXCEL WORKSHEET A DETAILED TABLE CONTAINING FOR THE PAST FIVE (5) FISCAL YEARS:

A. THE TOTAL NUMBER OF PROPERTIES BILLED FOR STORMWATER LOCATED IN PHILADELPHIA COUNTY, WHICH DO NOT RECEIVE ANY ABATEMENT OF STORMWATER CHARGES.

B. THE TOTAL BILLABLE GROSS AREA (SQ. FT.) FOR THE PROPERTIES IDENTIFIED IN LB-I-5.A;

C. THE TOTAL BILLABLE IMPERVIOUS AREA (SQ. FT.) FOR THE PROPERTIES IDENTIFIED IN LB-I-5.A;

D. THE TOTAL STORMWATER REVENUE (IN DOLLARS) FOR THE PROPERTIES IDENTIFIED IN LB-I-5.A.

E. THE TOTAL NUMBER OF PROPERTIES LOCATED IN PHILADELPHIA COUNTY THAT RECEIVE A FULL ABATEMENT OF STORMWATER CHARGES.

F. THE TOTAL BILLABLE GROSS AREA (SQ. FT.) OF THOSE PROPERTIES IDENTIFIED IN LB-I-5.E.

G. THE TOTAL BILLABLE IMPERVIOUS AREA (SQ. FT.) OF THOSE PROPERTIES IDENTIFIED IN LB-I-5.E.

H. THE TOTAL AMOUNT (IN DOLLARS) OF FOREGONE (ABATED) STORMWATER REVENUE FOR THOSE PROPERTIES IDENTIFIED IN LB-I-5.E.

I. THE TOTAL NUMBER OF PROPERTIES LOCATED IN PHILADELPHIA COUNTY THAT RECEIVE A PARTIAL ABATEMENT OF STORMWATER CHARGES;

J. THE TOTAL BILLABLE GROSS AREA (SQ. FT.) OF THOSE PROPERTIES IDENTIFIED IN LB-I-5.I.

K. THE TOTAL BILLABLE IMPERVIOUS AREA (SQ. FT.) OF THOSE PROPERTIES IDENTIFIED IN LB-I-5.I.

1 L. THE TOTAL AMOUNT (IN DOLLARS) OF FOREGONE (ABATED)  
2 STORMWATER REVENUE FROM THOSE PROPERTIES IDENTIFIED IN  
3 LB-I-5.I.

4 **RESPONSE:**

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6 PWD is unable to compile information in the time allotted to respond to discovery in this  
7 proceeding.  
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13 **RESPONSE PROVIDED BY:** Philadelphia Water Department  
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1 **LB-I-6.** PLEASE DESCRIBE AND EXPLAIN IN DETAIL HOW PWD DETERMINES  
2 ANY DIRECT COSTS (OTHER THAN ACTUAL USAGE) FOR THOSE  
3 PROPERTIES OWNED BY THE CITY, PHDC, PRA, OR PHA THAT  
4 RECEIVE A FULL OR PARTIAL ABATEMENT OF ANY PWD CHARGES.

5 **RESPONSE:**

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7 Direct Costs in context of the cost of service analysis refers to all operating and capital costs,  
8 excluding indirect costs for support service provided by the General Fund. PWD holistically  
9 apportions the total cost of service (including direct and indirect costs) to property types based  
10 on a detailed technical analysis. The cost of service analysis allocates costs to various customer  
11 types based upon the associated units of services (service demand) as they relate to the water,  
12 sewer and stormwater services for each customer class.

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24 **RESPONSE PROVIDED BY:** Black & Veatch Management Consulting, LLC  
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**LB-I-7.** PLEASE PROVIDE IN AN MS EXCEL WORKSHEET A DETAILED TABLE CONTAINING THE AMOUNT OF THE DIRECT COSTS IDENTIFIED IN LB-I-6 FOR THE PAST FIVE (5) FISCAL YEARS.

**RESPONSE:**

Please see response to LB-I-6.

**RESPONSE PROVIDED BY:** Black & Veatch Management Consulting, LLC

1 **LB-I-8.** PLEASE PROVIDE IN AN MS EXCEL WORKSHEET A DETAILED TABLE  
2 CONTAINING FOR THE PAST FIVE (5) FISCAL YEARS:

3 A. THE TOTAL NUMBER OF PROPERTIES OWNED BY THE  
4 PHILADELPHIA LAND BANK AND BILLED FOR STORMWATER  
5 CHARGES.

6 B. THE TOTAL BILLABLE GROSS AREA (SQ. FT.) FOR THE PROPERTIES  
7 IDENTIFIED IN LB-I-8.A;

8 C. THE TOTAL BILLABLE IMPERVIOUS AREA (SQ. FT.) FOR THE  
9 PROPERTIES IDENTIFIED IN LB-I-8.A;

10 D. THE TOTAL STORMWATER REVENUE (IN DOLLARS) FOR THE  
11 PROPERTIES IDENTIFIED IN LB-I-8.A.

12 **RESPONSE:**

13 A. A review of deeds indicates that the Philadelphia Land Bank did not own property and  
14 record any deeds prior to Fiscal Year 2016. As March 31, 2018 there are 694  
15 properties owned by the Land Bank and billed for stormwater.

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17 B. 914,500 square feet

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19 C. 390,500 square feet

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21 D. Approximately \$10,000 per month.  
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26 **RESPONSE PROVIDED BY:** Michelle Bethel, Water Revenue Bureau and Erin Williams,  
27 Philadelphia Water Department  
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1 **LB-I-9.** PLEASE PROVIDE IN AN MS EXCEL WORKSHEET A DETAILED TABLE  
2 CONTAINING FOR THE PAST FIVE (5) FISCAL YEARS:  
3 A. THE TOTAL NUMBER OF PROPERTIES OWNED BY EACH OF THE  
4 CITY, PHDC, PRA, AND PHA WHICH RECEIVE A FULL OR PARTIAL  
5 ABATEMENT OF STORMWATER CHARGES.  
6 B. THE TOTAL BILLABLE GROSS AREA (SQ. FT.) OF THOSE  
7 PROPERTIES IDENTIFIED IN LB-I-9.A FOR EACH OWNER.  
8 C. THE TOTAL BILLABLE IMPERVIOUS AREA (SQ. FT.) OF THOSE  
9 PROPERTIES IDENTIFIED IN LB-I-9.A FOR EACH OWNER.  
10 D. THE TOTAL AMOUNT (IN DOLLARS) OF FOREGONE (ABATED)  
11 STORMWATER REVENUE FOR THOSE PROPERTIES IDENTIFIED IN  
12 LB-I-9.A FOR EACH OWNER.

13 **RESPONSE:**

14 PWD is unable to compile information in the time allotted to respond to discovery in this  
15 proceeding.  
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28 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **LB-I-10.** PLEASE DESCRIBE AND EXPLAIN IN DETAIL THOSE ONE-TIME AND  
2 RECURRING PWD CHARGES, IF ANY, A CUSTOMER IS REQUIRED TO  
3 PAY AFTER THAT CUSTOMER HAS REQUESTED TO HAVE THEIR  
4 WATER AND SEWER SERVICE SUSPENDED OR TURNED-OFF.

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6 **RESPONSE:**

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8 A customer cannot request to have their water and sewer service suspended. However, if a  
9 customer requests to have their water and sewer service “turned-off” they must (1) obtain a  
10 discontinuance permit from the Department of Licenses and Inspections, (2) secure such permit  
11 as may be required for any breaking and paving of the street, and (3) pay a fee of \$100.00,  
12 \$30.00 to be allocated for the use of the Water Department and \$70.00 to be allocated to the  
13 general fund. See the Philadelphia Code § 19-1601(1). Once the appropriate licenses and  
14 permits have been obtained and fee paid, the customer must hire a licensed plumber, at their  
15 own cost, to disconnect the property’s pipes from the City’s infrastructure.

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28 **RESPONSE PROVIDED BY:** Michelle Bethel, Water Revenue Bureau

1 **LB-I-11.** PLEASE DESCRIBE AND EXPLAIN IN DETAIL WHEN A CUSTOMER  
2 WOULD NO LONGER BE LIABLE FOR PWD CHARGES EXCEPT FOR  
3 STORMWATER.  
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5 **RESPONSE:**  
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7 See response to LB-I-10 generally. Once a customer has disconnected the property's pipes  
8 from the City's infrastructure, the customer would no longer be liable for new PWD water and  
9 sewer usage charges and water and sewer service charges. The customer would be liable for  
10 new stormwater charges, any existing delinquent charges on the account (including water and  
11 sewer usage charges, water and sewer service charges, stormwater charges, agency charges,  
12 and HELP loan balances), and any new agency charges.  
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27 **RESPONSE PROVIDED BY:** Michelle Bethel, Water Revenue Bureau  
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