

1 **PHILADELPHIA WATER DEPARTMENT RESPONSE TO TRANSCRIPT REQUEST**

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3 **TR-03.** WHAT IS MEANT BY THE REFERENCE TO CITY POLICIES ON
4 ARREARAGE FORGIVENESS IN PWD REBUTTAL STATEMENT 5 AND
5 ARE THESE POLICIES DIFFERENT FOR THE PHILADELPHIA GAS
6 WORKS THAN THEY WOULD BE FOR THE PHILADELPHIA WATER
7 DEPARTMENT WITH RESPECT TO ARREARAGE FORGIVENESS?
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9 **RESPONSE:**

10 The phrase “City policies” refers to City policies on the authority for arrearage forgiveness
11 pursuant to the Philadelphia Home Rule Charter. The authority for arrearage forgiveness lies
12 not with the Rate Board nor the Water or Revenue Departments, but with the Law
13 Department. *See* Philadelphia Home Rule Charter §§ 1-102(1), 4-100, 6-201, 4-400(b), and 8-
14 410. “Under the Charter, only the Law Department has authority to settle delinquent debts.”
15 *See* Memorandum to Bernie Brunwasser, Chairman, Water, Sewer, and Stormwater Rate
16 Board from Sozi Pedro Tulante, City Solicitor, dated June 6, 2016, page 6, attached hereto.

17 The Charter states:

18 *Whenever any officer, department, board or commission shall require legal advice*
19 *concerning his or its official business or whenever any legal question or dispute arises or*
20 *litigation is commenced or to be commenced in which any officer, department, board or*
21 *commission is officially concerned or whenever any taxes or other accounts of whatever*
22 *kind due the City remain overdue and unpaid for a period of ninety days it shall be the*
23 *duty of such officer, department, board or commission, to refer the same to the Law*
24 *Department.*

25 *See* Philadelphia Home Rule Charter §8-410 (emphasis added). The Philadelphia Water
26 Department and the Department of Revenue are City departments; the Philadelphia Gas
27 Works is not a City department, thus not subject to this provision of the Charter.
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1 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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