

Philadelphia Water Department Rate Board Hearing
March 3, 2016

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CITY OF PHILADELPHIA
PHILADELPHIA WATER DEPARTMENT PRESENTATION
RATE BOARD HEARING
THURSDAY, MARCH 3, 2016
7:16 P.M. - 7:38 P.M.
MINUTES OF FORMAL MEETING

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LOCATION: YMCA
1400 North Broad Street
Studio
Philadelphia, Pennsylvania

REPORTED BY: SUSAN A. HURREY, RPR

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HELD BEFORE:

NANCY BROCKWAY - HEARING OFFICER
BERNARD BRUNWASSER - CHAIR
SONNY POPOWSKY - BOARD MEMBER
LEE HUANG - BOARD MEMBER

ALSO PRESENT:

JOANNE DAHME
DEBRA A. McCARTY - PWD COMMISSIONER
MELISSA LaBUDA - PWD DEPUTY COMMISSIONER
ANDRE DASENT - Counsel for PWD

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1 MS. BROCKWAY: Thank you all for
2 being here tonight. My name is Nancy Brockway.
3 I am the Hearing Officer hired by the
4 Philadelphia Water Rate Board to conduct the
5 hearings for them. We do have with us here a
6 few members of the Board itself. We have the
7 chairman, Mr. Brunwasser; the consumer advocate
8 Mr. Sonny Popowsky. And Ed, I don't know what
9 --

10 MR. HUANG: Lee.

11 MS. BROCKWAY: I always call you
12 Lee. Ed Huang --

13 MR. HUANG: Lee. Lee Huang.

14 MS. BROCKWAY: Lee Huang who is a
15 computer expert. No? Management consultant.

16 MR. HUANG: Yes.

17 MS. BROCKWAY: Okay. As you all
18 know, the Philadelphia Water Department has
19 requested a rate increase and there is a
20 process that was put in by vote of the public
21 to have an independent board review the rate
22 increase and be the last say on whether or not
23 the increase would be granted or what amount.
24 None of the members of the Board are paid.

1 They are all volunteers.

2 I should do a little housekeeping.

3 You may not have been able to find them or see
4 them, but we have sign-in sheets and what we
5 were hoping is that you could sign in. But if
6 you wanted to come up and speak or speak from
7 where you're sitting, that you indicate that
8 and then I would go through the list. I don't
9 know -- could I have a show of hands how many
10 people think they're going to come up or speak
11 at some point? One, two. Okay. So we'll just
12 do it -- we'll do it ad lib.

13 The process we're going to have
14 tonight is that we have a presentation from the
15 Water Department about why they want a rate
16 increase and think they need it. And we're
17 going to have a presentation from the public
18 advocate who has chosen to represent the small
19 user, water users, which are predominantly
20 residential, but also some commercial.

21 So without further ado, I'm going
22 to turn it over to Joanne Dahme from the
23 Philadelphia Water Department.

24 MS. DAHME: Thank you, Nancy. Good

1 evening everybody. As Nancy mentioned, I'm
2 going to do sort of a brief PowerPoint. It's
3 really talking about, very quickly, what the
4 Water Department does, the services we provide,
5 the reason for the proposed rate increase, and
6 some of the driving factors behind that.

7 So as Nancy mentioned, this is a
8 new process for us. So 2012 voters voted in a
9 new rate hearing Board that's going to look at
10 our water, stormwater, and sewer issues, and
11 our proposed rates around that. The process is
12 different in a sense that we have an
13 independent Board now. In the past it was the
14 Water Department's water commissioner who would
15 work with the hearing officer, receive that
16 report at the end of a process and make a final
17 determination as to whether or not the
18 Department needed to move forward based on the
19 Hearing Officer's recommendation. So the
20 process is a little different in that sense,
21 but we still have a very robust public process.
22 The goal is to make sure we have a good
23 technical process, financial plans are
24 submitted, there's testimony. So there's a lot

1 of information that goes behind our request for
2 this proposed rate increase and you can find
3 all this information on the Water Department's
4 Website and the Rate Hearing Board Website.
5 There's also a public advocate and there's
6 always been a public advocate in the process
7 and that's Community Legal Services and Rob
8 will be speaking afterwards.

9 So the public's role. It's very
10 important that we have public participation.
11 So we thank the people who are here this
12 evening spending your time to hear about this
13 proposed rate increase. There's many ways for
14 the public to be involved. You can attend, as
15 you are tonight, you can write a letter to the
16 Rate Board and the information is there in the
17 bottom of the slide. You also can file to
18 participate in our more technical hearing. So
19 there's lots of avenues and, as I mentioned,
20 there's information on our Website. We do want
21 the public to be very much informed as to the
22 reason we are looking for this proposed rate
23 increase. We want you to understand what
24 you're paying for and the reasons why.

1 So what does the Water Department
2 do. So this is sort of the entire urban water
3 cycle that we walk you through. So we do
4 provide drinking water, wastewater, stormwater
5 services.

6 Drinking water. We essentially
7 pull the drinking water from our Delaware and
8 Schuylkill rivers. They are our water sources.
9 We pump that, take that through some pipes,
10 take that to one of our three water treatment
11 facilities where we clean that water and make
12 it good, safe, and healthy. Meet all the Safe
13 Drinking Water Act requirements.

14 After it is piped to people's
15 properties, homes and businesses, that water is
16 used. It goes down the drain. That water then
17 goes to our sewer system. Goes to one of our
18 three wastewater treatment facilities where it
19 is cleaned. The majority of the pollutants are
20 removed and returned back to the Delaware River
21 in a quality that is better than the quality
22 that we removed that. So the complete urban
23 water cycle there.

24 With a large system like that, so

1 six major facilities, over 6,000 miles of water
2 and sewer infrastructure, and there's lots of
3 components like pumping stations and tanks,
4 hydrants and valves that go along with that
5 system, you have to replace that system or you
6 have to rehab that system. So very important.
7 You want to make sure you have a really good
8 foundation, a good infrastructure that's
9 working and meeting all the stringent
10 requirements at all times.

11 So why do we need a rate increase.
12 So there's five major factors. The first one
13 being the reinvestment in our aging
14 infrastructure. So Philadelphia is an older
15 city. We are one of the oldest water suppliers
16 in the country. The average age in our piping
17 system is about 70 years. Our facilities are
18 about the same age also. Anything that ages
19 needs to be replaced, needs to be upgraded.
20 Last year, fiscal year '17, we had about 900
21 water main breaks. Water main breaks are often
22 related also to the weather. You have more
23 breaks. But it's also related to the material
24 and the age of that system. So our goal is to

1 make sure we always are upgrading that so we
2 have reliable, good service. And the
3 facilities also need to be invested in. The
4 facilities also need to have the tanks
5 remodeled, sometimes enlarged. So you always
6 have to also do the same sort of things for the
7 related facilities to that.

8 Our environment regulations. So we
9 have to adhere to the Safe Drinking Water Act
10 and the Clean Water Act. One of our major
11 programs is our Green City, Clean Waters
12 program which is a 2.4-billion-dollar program
13 that we're implementing over the next 25 years.
14 That program is really designed to stop sewage
15 flooding into our waterways. We don't want
16 sewage in our creeks or in our rivers. Very
17 important. It's our drinking water sources.
18 But also where we have -- where the public
19 enjoys and where we have aquatic life. So we
20 need to check that.

21 We see a change in water use. So
22 reduced consumption. More people are drinking
23 bottled water. We don't like to see that,
24 especially because it's not necessary. We get

1 it from the tap. It's top quality. But we
2 also see more efficient appliances and that's
3 just sort of the nature. The technology has
4 evolved. People are using conservation devices
5 on their showerheads, on their faucets, their
6 toilets. There's more efficiency in your
7 dishwashers and other appliances like that. We
8 see water usage going down. But the
9 infrastructure that is built is certainly built
10 to supply -- we have more capacity now, so we
11 still have to maintain and rehab that
12 infrastructure that was built for a much larger
13 capacity. And we have recently lost a
14 wholesale customer. So we have extra water
15 that we can sell to municipalities and
16 authorities around us. We recently lost one of
17 the municipal wholesale customers and that's a
18 shame, because when you have wholesale
19 customers that helps spread the cost for our
20 retail.

21 Customer assistance program. So we
22 have a number of programs that provide
23 discounts and grants and I have another slide
24 that goes into that in a little more detail.

1 And the last factor is general
2 inflation. So anybody who runs a home, anyone
3 who runs a business recognizes that every year
4 when you're buying products, when you're
5 purchasing services, those costs go up based on
6 the rate of inflation and the cost of that
7 across -- that we buy chemicals as part of our
8 treatment process. We see the cost of those
9 chemicals going up every year. Just like the
10 utilities that you need to supply your house,
11 supply your business are also going up. So we
12 as a business are impacted the same way that
13 other rate payers and businesses are.

14 So the infrastructure, again, that
15 we just keep sort of driving home, this is
16 really major for us. So an aging
17 infrastructure. It's essentially in good
18 repair because we certainly monitor those 6,000
19 miles, make sure that that system is working,
20 we repair when breaks happen, we check for
21 leaks. But he also need to be replacing that
22 infrastructure because you don't want that
23 infrastructure getting older and older. Our
24 goal is really to ramp up that program. So in

1 the past we were replacing about 22 miles of
2 water main a year. We have ramped that up to
3 28 miles of water main per year. Every time
4 you do a mile of water main, that's about 1.5
5 million dollars. So it's not cheap, but it's
6 something that we need to do because we want to
7 make sure that our system doesn't continue to
8 age and continue to be less efficient and not
9 reliable. Every city in the country, an older
10 city like Philadelphia is facing this. So
11 we're not the only one in this position, but we
12 recognize how important it is. And we're not
13 doing more miles a year because we also have to
14 ensure that it's affordable. If we did 50
15 miles, rates would significantly increase. So
16 we try to balance our replacement rate with
17 what our rate payors can afford.

18 City environment regulations.
19 Certainly a big part of that. So we have the
20 Safe Drinking Water Act which requires us to
21 monitor over a hundred potential contaminants
22 that are in our drinking water sources, the
23 rivers. We need to monitor those. If they're
24 in there, we need to remove those. And there's

1 always new Safe Drinking Water Act requirements
2 on the horizon. Very important. We always
3 want to ensure that we have safe, top quality
4 water.

5 We mentioned the Clean Water Act
6 program. So our Green City, Clean Waters
7 program, the 2.4-billion-dollar program. We're
8 looking to do that in ways that provide sort of
9 green storm infrastructure on the surface where
10 we capture stormwater and provide additional
11 capacity in our water system. You may see tree
12 trenches, rain gardens, green roofs happening
13 throughout these communities. But we're also
14 looking to ensure that our -- what we call our
15 gray infrastructure, the waste water treatment
16 facilities and the pipes that, you know, take
17 that stormwater, that combined sewage are also
18 being upgraded and able to provide additional
19 capacity. So a very large program, something
20 that's important that's happening throughout
21 the country.

22 Customer assistance programs. So
23 we recognize that, you know, water service is
24 an important service to everyone. But we also

1 recognize there are many people who struggle to
2 pay or who have other issues with the
3 components of the system that they own. So we
4 have senior citizen discounts for those senior
5 citizens who are eligible. We provide 25
6 percent discounts to nonprofit organizations.
7 Our Water Revenue Bureau has a grant program
8 for low-income customers who struggle to meet
9 that monthly bill. We have other services for
10 people whose water services are leaking or
11 their sewer level is affected. We don't own
12 those components so we have zero-interest
13 loans. They put together a number of programs
14 like that that are really looking to sort of
15 boost our ability to provide good customer
16 service, but also make our programs more
17 affordable.

18 Over the past year we have been
19 working with Community Legal Services and
20 Councilwoman Sanchez on a new affordable rates
21 program. That program is a component of this
22 increase. Looking to implement this over the
23 next two years. But this program is a
24 low-income based program with a number of tiers

1 and so that customer will be paying a bill that
2 they can afford without becoming delinquent.
3 So it's much more proactive than that. So
4 we're looking forward to the implementation of
5 that program.

6 So this is the nitty-gritty. How
7 will the rate increase impact your water bill.
8 We are proposing an 11.7 percent increase over
9 our next two fiscal years. In fiscal year '17
10 which begins July 1, you would see a 6.2
11 percent increase, which would result in an
12 additional \$4.20 on a monthly average bill
13 which is currently \$67.40. At the second phase
14 of that rate increase, that would be a 5.5
15 percent rate increase at \$3.90, which would
16 take the average typical bill which is about
17 600 cubic feet of usage over that month period
18 to \$75.50. So, again, it's about \$8.00 over a
19 two year period and that's an 11.7 percent
20 increase over that two year period. So that is
21 what the proposal is.

22 For eligible senior citizens -- so
23 the increase amount remains the same, the 6.2
24 percent and the 5.5 percent. But with that 25

1 percent discount, that discount also adheres to
2 that bill. So you see the July 1, 2016 is now
3 a \$3.00 increase and July 1, 2017 is another
4 \$3.00 increase. So about a \$6.00 increase for
5 senior citizens who are eligible for that 25
6 percent discount.

7 We also look to see how we compare
8 regionally. And when we look at the water
9 utilities and water authorities in the region,
10 people like Cherry Hill, Doylestown, you see
11 we're still somewhat in the middle. And that's
12 even after we impose the first phase of our
13 proposed rate increase. On the sewer side of
14 things, again, Doylestown, Cherry Hill, City of
15 Trenton, we look at those who are providing
16 similar services. We're still on the lower end
17 of the sewer service fee and the sewer usage
18 fee. And we aim to do that. I think one of
19 the reasons we can do that is we're a public
20 utility. We're a nonprofit utility. We're not
21 investor owned, so we're not pressured in the
22 same way to make additional money. We just
23 need to recover the revenues we need to operate
24 efficiently.

1 When we look nationally, you can
2 see we're somewhat in the middle, leaning more
3 towards the low end of the scale. You have
4 cities like Portland, Oregon who are at the
5 highest, and then you have Chicago who looks to
6 be at the lowest, but all of these cities at
7 this time are going through similar processes
8 that we are. Everyone is looking at their
9 rates. Everyone is feeling pressure because
10 there's regulatory requirements. All these
11 cities are struggling with aging infrastructure
12 that they need to replace. So we're sort of
13 all in the same situation.

14 When you look at your monthly bill,
15 so what you pay for on a monthly basis. So
16 about \$25.00 of that bill is based on your
17 water service and your water usage. So it
18 takes into account taking the water from the
19 river, treating it, delivering it to your home
20 and based on how much water you use during that
21 month. The sewer side, it's about \$18.60.
22 That's every time you flush the toilet that
23 water goes down the drain, goes to a wastewater
24 treatment facility. So it's based on the

1 services related to that, the sewer component,
2 but also to the usage, how much you use and how
3 much goes back down the drain.

4 The stormwater fee, \$14.17. That's
5 really based on the cost of service of us
6 managing the stormwater from properties but
7 also managing stormwater from the street. So
8 the larger public impact. But also the cost
9 for some of these programs and plans that are
10 really related to the reduction of stormwater
11 and our Clean Water Act goals.

12 And then the final component is the
13 service fee, \$13.84. That's for the cost for
14 our billing and collections and our metering
15 operations.

16 So when we look at it big picture
17 overall, you're paying about \$2.40 every day
18 for about 150 million gallons of water. This
19 is what the average customer uses. This
20 includes everything, again, the water, sewer,
21 stormwater and the service fee. And we're
22 hoping that our customers feel like it's a good
23 value for that \$2.40. When you think of that,
24 you could buy a cup of coffee at Dunkin Donuts

1 or get the New York Times Sunday paper. But
2 the water, wastewater, stormwater service we
3 see like a life -- it's really the foundation
4 for civilization in a sense. So we're hoping
5 people feel like there's a good value to that.

6 So that's the presentation and I
7 think I'm handing it off to Rob.

8 MS. BROCKWAY: While Rob comes up,
9 I should mention that the Water Department has
10 also brought the commissioner, Debra McCarty,
11 and others from the Water Department who can
12 answer specific questions that you might have.

13 MR. BALLENGER: Thank you. My name
14 is Robert Ballenger. I'm an attorney at
15 Community Legal Services, Philadelphia. We
16 have been appointed to serve as the public
17 advocate as Hearing Officer Brockway mentioned.
18 We have been doing this work serving as public
19 advocate on behalf of the largest group of
20 customers of the Water Department for about 30
21 years. And we're doing it with the benefit of
22 not only that experience, because every rate
23 case we do look at with fresh eyes, but also
24 with the benefit of the expertise of our

1 contractors.

2 So we have hired a team of experts
3 who are going to look at the Department's
4 requests and look at them very carefully. It's
5 not always quite as simple as sort of looking
6 at what the costs are and projecting them out
7 into the future. There's a series of
8 assumptions underlying any rate case and that's
9 the role of the public advocate in this case is
10 to look at those assumptions and try to figure
11 out what's really reasonable. Because what the
12 Department is asking for is a two-step rate
13 increase in fiscal year 2017 and fiscal year
14 2018. And fiscal year 2018 is a ways away, so
15 I don't know about you, but I certainly can't
16 predict what my costs are going to be like in
17 April of 2018. I don't know what my monthly
18 bill is going to be. So we have to try to
19 figure out what's reasonable for the Department
20 to expect along that timeframe.

21 I won't take up a whole lot of
22 time. I think it would be really helpful to
23 hear from those members of the public that have
24 come out today. Part of what we try to do in

1 this case, again, is to look at those
2 reasonable assumptions, but we don't have the
3 full range of customer experience to bring to
4 bear. CLS, we represent a small number of
5 customers, predominantly low-income utility
6 customers, and we know a fair amount about
7 their experiences and what they go through.
8 The purpose of this is really for members of
9 the public to tell the Department, tell us, and
10 to tell everyone who is willing to listen, what
11 they would like to see happen with the Water
12 Department in the context of a rate increase
13 because in our view, there is a federal
14 principal that applies, that service proceeds
15 rates. So it is important to understand
16 whether you, members of the public, that there
17 are service issues, there are issues that you
18 have encountered in your dealings with the
19 Department that we can try to work on. So as
20 the Department is trying to increase rates, are
21 there things that the Department should be
22 doing that maybe it hasn't. Are there things
23 that the Department has done really well that,
24 in your view, you want to give them those

1 accolades they deserve for doing what they do
2 well. But we need to hear that from members of
3 the public and that helps us all, I think, to
4 prepare to present our views as to what really
5 is reasonable and the standard is just and
6 reasonable. A just and reasonable rate request
7 to impose on customers that allows the
8 Department to operate, but doesn't overly
9 burden the public with costs that may not be
10 known and measurable in the future.

11 So I'm here, obviously, for the
12 duration of the hearing. If there's any issues
13 that any members of the public would like to
14 raise privately to me, I'm here to hear them.
15 I will take them down. But with that, I would
16 really like to turn it over to all of you who
17 have come out this evening to speak with us.

18 MS. BROCKWAY: Thank you, Rob. And
19 so we will open to the floor. If you want to
20 address the Board with any comment, please
21 raise your hand, and if you have a specific
22 question or a question about how the rate
23 increase proposal is put together, we'll
24 probably direct it over to the Department

1 itself and they have folks here who can answer
2 those questions. Don't everybody start at
3 once.

4 I think the gentleman here had his
5 hand up before. Would you like to say
6 something? Can you give us your name, sir?

7 MR. CLARK: My name is Croy Clark.
8 My water has been off for almost two years and
9 last year they said they were going to come and
10 turn it back on. They sent somebody out and
11 then next thing you know, they told me they had
12 turned it on that same day or the next day and
13 they end up not turning it on. So I end up
14 paying a hundred dollars every month for the
15 last six months and they still didn't turn it
16 on.

17 MS. MCCARTY: Sir, do you want to
18 share your address? We can look into this. We
19 have folks that can, you know --

20 MR. CLARK: My address is 543
21 West Butler.

22 MS. MCCARTY: 543 West Butler. Do
23 you have any internal plumbing issues at your
24 property?

1 MR. CLARK: Excuse me?

2 MS. MCCARTY: Is there an internal
3 plumbing issue?

4 MR. CLARK: No.

5 MS. MCCARTY: So if we turn the
6 water on then everything will work fine and
7 there wouldn't be any leaks?

8 MR. CLARK: Yes.

9 MS. MCCARTY: You have a water
10 meter?

11 MR. CLARK: Yeah. Because they
12 sent somebody out to check all that. And then
13 they said they were going to turn it on that
14 day so -- they say that day or the next day.
15 So I waited. So I waited. So then I called
16 them. Then I called.

17 MS. MCCARTY: Okay. So we'll look
18 that up and then once we have an answer we can
19 speak -- if you don't mind staying around and
20 we'll get you an answer tonight and figure out
21 how we can move forward.

22 MR. CLARK: Thank you.

23 MS. BROCKWAY: Anybody else?
24 Doesn't have to be earthshaking.

1 Well, you are a very quiet group.
2 It doesn't look to me as if anybody else wants
3 to talk. So without further ado, I'll close
4 the hearing. Thank you.

5 (Hearing concluded 7:38 p.m.)

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Philadelphia Water Department Rate Board Hearing
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