

Philadelphia Water, Sewer and Storm Water Rate Board

In Re: Philadelphia Water Department :
Proposed FY2017-2018 : **Advance Notice Filed January 8, 2016**
Rate Increase :

HEARING OFFICER SUMMARY OF MARCH 28, 2016 CONFERENCE OF PARTIES

On March 28, 2016, I met by teleconference with interested participants to discuss procedural issues concerning the hearings process. The following were decisions taken by me or by consensus on the conference:

1. Hearing Schedule
 - a. See attached
 - b. Hours – 10 AM to 4 PM, with option to go late if need be.
 - c. Locations – 1515 Arch except certain days to be announced.
2. Responsive pleadings
 - a. PWD's rebuttal as to the non-PWD witnesses scheduled for April 5-7 is due April 4 (by noon)
 - b. PWD's rebuttal as to non-PWD witnesses scheduled for April 11-13 is due April 8 (by noon).
 - c. Further responsive documents or witness information to be permitted at the discretion of the Hearing Officer, and will be limited to matters raised in the most recent information statement filed by the participant to whose information the participant wishes to respond.
 - d. Material that is suitable for written argument (e.g. briefing) should not be brought up in responsive testimonies except where essential to correct the record.
 - e. The PWD will have the last opportunity to present such information, as it is the agency asking for a rate increase.
 - f. Rebuttal is not required to be a bullet-point list but is expected to be short/concise.
3. All materials prefiled are automatically part of the record. Exhibits and other documents referred to in the hearings will not be put in the record unless a participant requests. A witness may be shown a document to refresh her memory without the document automatically becoming part of the record.
4. Courtroom rules of evidence will not be enforced.
 - a. The Board will base its decision on evidence rising to the standard required by law, and ignore the rest. Therefore it is expected that there will be few reasons to exclude exhibits/testimony. Most objections will go to the weight of the objectionable information.

- b. Authentication of evidence is not necessary unless the proffering participant's attorney is unable or unwilling to represent that the document is authentic.
5. Parties to bring errata sheets if wish to correct typos, mistakes.
6. Parties to bring 13 copies¹ of proposed exhibits/documents to hearings:
 - a. 1 for Court Reporter – for record
 - b. 4 for Commissioners
 - c. 2 for HO and Expert
 - d. Remainder for others at hearing.
 - e. Parties to number documents seriatim by party.
7. Transcripts have been arranged for next day delivery to Board Counsel
 - a. Every effort will be made to post to web site on day of delivery, and in any event, as soon as possible.
 - b. Every effort will be made to circulate posting notice at same time as posting.
 - c. If a party notices that a document has not been posted as expected, contact Frances Beckley.
8. Once begun, hearings will go through until finished to the extent possible, so parties must be prepared for event that a witness comes on earlier than per preliminary schedule.
9. No provision will be made for participation by telephone except for witnesses who are otherwise unavailable, and for whom arrangements have been made.

¹ Note, this is one more than specified orally during the conference.