

**BEFORE THE PHILADELPHIA WATER, SEWER AND STORM WATER  
RATE BOARD**

**In the Matter of a Proposed Rate Increase in** :  
**Water, Sewer and Storm Water Rates** : **FY 2022-2023 Rates**

**Public Advocate's Interrogatories & Requests for Production of Documents**

**SET II**

**INSTRUCTIONS**

For purposes of the following requests, “PWD” means and includes the Philadelphia Water Department, the Water Revenue Bureau, and any person, agency or corporation whom either of them has retained to provide the relevant customer service function.

- PA-II-1. When a customer applies for service at a residence, does PWD ask the applicant to identify if the service address will be exclusively occupied by the applicant or whether it may become occupied by tenants? Please provide a copy of any written documents, forms, or call scripts where this information is required or requested.
- PA-II-2. When a customer contacts PWD requesting a voluntary relinquishment of service to a residential property, does PWD inquire if the service address is occupied exclusively by the owner/ratepayer or by tenants? Please provide a copy of any written documents, letters, forms, or call scripts where this information is required or requested.
- PA-II-3. Does PWD required or provide an affidavit for use by a landlord ratepayer requesting voluntary relinquishment of service to a residential property certifying that no tenants occupy the property? Provide a copy of any affidavits or other written documents, letters, or forms used, currently in use and/or developed for possible use by PWD.
- PA-II-4. Please describe any and all legal action taken by PWD within the past five (5) years, to obtain from a landlord rate payer the names and addresses of tenants occupying residential property to which service is being discontinued?
- PA-II-5. Within the past five (5) years, how many requests for the names and addresses of tenants occupying a residential property have been made by PWD?
- a. What is the procedure for requesting that information?
  - b. Provide copies of any letters and forms used to obtain this information.
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- PA-II-6. Does PWD allow service to be established in the name of someone other than the property owner (i.e. a tenant)? If yes, what identification is required and/or procedure needs to be followed before service can be started in that person's name?
- PA-II-7. Provide a copy of the notice provided to landlord ratepayers prior to discontinuance of service to a property likely to be occupied by "USTRA Tenants."
- PA-II-8. Does PWD notify any municipal department regarding discontinuance of service to a residential property?
- a. Describe the circumstances and process by which PWD notifies a Department of the City of Philadelphia.
  - b. Within the past five (5) years, how many notifications were sent by PWD to a department of the City of Philadelphia regarding discontinuance of service to a residential property?
- PA-II-9. Provide a copy of any and all notice(s) provided to "USTRA Tenants" prior to a discontinuance of service to a property occupied or likely to be occupied to by "USTRA Tenants." Does this notice differ from the standard notice provided to residential units that are "reasonably likely to be occupied by an affected tenant of the proposed discontinuance"? If yes, please describe how the two differ.
- PA-II-10. How does PWD provide notice to "USTRA Tenants" and to properties occupied or likely to be occupied by "USTRA Tenants"?
- PA-II-11. What does PWD consider when determining whether it a residential property is "reasonably likely to be occupied" by an USTRA Tenant? Please explicitly identify any specific factors or indicators relied on by PWD to make such a determination, and provide a copy of any written document, training materials, letter, or memoranda describing this policy.
- PA-II-12. Does PWD make available information regarding the rights of an "USTRA Tenants" to continue or resume service other than by notice(s) sent to the tenant and/or property? Detail all other methods used to disseminate this information (i.e. posted on website, printed on flyer displayed at payment office, termination notice).
- PA-II-13. Describe the procedure taken by PWD when a person notifies PWD that he/she is a tenant and lives at a residence that is scheduled for discontinuance of service but was not provided notice of a tenant's rights to continue or resume service under USTRA.
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- PA-II-14. Describe the process “USTRA Tenants” must take to apply to have utility service continued or resumed to a property in which service was discontinued due to a landlord ratepayer’s failure to pay the bill?
- a. What documentation is required of “USTRA Tenants” to seek to have utility service continued or resumed?
  - b. Provide any affidavits used, currently in use and/or developed for possible use by PWD for “USTRA Tenants” seeking to apply for utility service to be continued or resumed to a premises in which service was discontinued due to a landlord ratepayer’s failure to pay the bill.
- PA-II-15. Does PWD require that “USTRA Tenants” put service into their name or otherwise assume financial responsibility for any portion of the bill to the residence? In answering this question, please specifically describe the financial liability which must be assumed by an USTRA Tenant.
- PA-II-16. Provide a copy of the notice or notices used by PWD to notify “USTRA Tenants” of the amount due for each succeeding period after they elect to continue or resume service and make an initial payment. How often is this notice issued?
- PA-II-17. Does PWD refund payments made by “USTRA Tenants” when the tenant has elected to continue or resume service under USTRA/Section 1521 et al. of the Public Utility Code and made some payment, but fails to satisfy the requirements of continued service leading to termination?
- a. In the past five (5) years, how many refunds has PWD issued under this type of circumstance?
  - b. Describe the procedures PWD uses to identify tenants that may be eligible for these refunds.
  - c. Describe the procedures PWD uses to issue these refunds.
- PA-II-18. Describe the training provided to customer service representatives regarding the rights of “USTRA Tenants.”
- PA-II-19. Provide any training material, handbooks or other written documents used in training staff on this subject.
- PA-II-20. Please provide a template copy of any and all collection notices sent to residential customers, including any termination notice or notices that PWD provides to “USTRA Tenants.”
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- PA-II-21. What steps does PWD take to determine whether a dwelling unit is tenant occupied prior to terminating service?
- PA-II-22. When a “USTRA Tenant” has exercised their right to continued service:
- a. What is the initial amount they need to pay to continue service?
  - b. How does PWD determine the future monthly payments required to continue service?
  - c. How is the tenant notified of the monthly amount they must pay?
- PA-II-23. How often does PWD perform actual meter readings?
- PA-II-24. How often does PWD perform estimated meter readings? If estimated meter readings are not performed on a predetermined periodic basis, please explain the circumstances in which PWD performs an estimated meter reading instead of an actual meter reading, and the maximum number of months it will continue to perform an estimated reading.
- PA-II-25. Has PWD or any third party on behalf of PWD analyzed or otherwise studied available Census data to determine language preferences in its service territory?
- PA-II-26. In what order does PWD apply customer payments, including but not limited to current water and/or wastewater charges, payment arrangements, past-due water and/or wastewater charges, late fees, collections fees, turn-on fees, etc.? Please describe PWD’s payment posting policy in detail, and provide a copy of any written documents or workpapers which describe or outline its payment posting policy.
- PA-II-27. If a customer pays for water and wastewater charges with a single check, and that check is returned, is the customer assessed a return check charge under both the water and wastewater tariffs? If yes, please provide a justification for the duplicate fees?
- PA-II-28. If a customer’s nonpayment of both water and wastewater service results in collections and/or enforcement actions is the customer charged for related fees under both the water and wastewater tariffs? If yes, please provide a justification for the duplication of costs.
- PA-II-29. If a customer requests historical billing or is set a final bill for water and wastewater service, are they charged the associated charges and fees under both the water and wastewater tariffs? If yes, please provide a justification for the duplication of costs.
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- PA-II-30. For each fiscal year 2017 to present inclusive (2020 year to date), please provide both the number and percentage of payments received from residential customers via the following payment channels: mail, online, auto debit, credit/debit card, payment agents, other.
- PA-II-31. Please provide the same data as presented immediately above except in dollar terms rather than in terms of number of payments.
- PA-II-32. For each fiscal year, 2017 to present inclusive (2020 year to date), please provide both the number and percentage of payments received from residential customers via the following payment mechanisms: cash, check, debit card, credit card, ACH credit, ACH debit, prepaid EBT cards, mobile app.
- PA-II-33. Please provide the same data as presented immediately above except in dollar terms rather than in terms of number of payments.
- PA-II-34. For each fiscal year 2017 to present inclusive (2020 year to date), please provide the dollars of revenue generated from residential customers through the \$3.95 fee for debit/credit card transactions.
- PA-II-35. If the response to the Question immediately above is not the product of the number of payments identified above times \$3.95, please provide an explanation of why not.
- PA-II-36. Please provide a detailed explanation of the ratemaking treatment of the revenue reported in question #5 above.
- PA-II-37. Please provide a detailed cost basis for the \$3.95 residential fee for credit and debit card transactions.
- PA-II-38. Please provide, by year for Fiscal Years 2020, 2021 and 2022, a projection or estimate of the lost revenue that would be experienced should PWD not charge the \$3.95 fee per credit/debit card transaction.
- PA-II-39. Please provide a comprehensive list of municipal water utilities that do not charge a fee for credit/debit card transactions.
- PA-II-40. Please provide a comprehensive list of regulated Pennsylvania utilities that do not charge a fee for credit/debit card transactions.
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- PA-II-41. Please provide a comprehensive list of Philadelphia municipal offices/programs that do not charge a fee for debit/credit card transactions with that office.
- PA-II-42. Please provide a single copy of the Language Access Plan submitted by PWD to the City of Philadelphia.
- PA-II-43. If PWD asserts that it is exempt from, or not subject to, Philadelphia’s local ordinance requiring the preparation and submission of a language access plan, please provide a detailed explanation of the basis for that assertion.
- PA-II-44. Please identify any clusters of English as a Second Language (“ESL”) customers that exist in the PWD service territory by community, zip code, Census Tract, or other geographic region or area by which ESL is tracked. Separately provide a detailed explanation of how clusters of ESL customers are identified.
- PA-II-45. Please provide a detailed description of:
- a. The translation services available when a person contacts PWD through an automated or interactive telephone system.
  - b. The translation services available when a person contacts PWD through a human interaction.
  - c. The translation services available when a person contacts PWD through a web-based system.
  - d. How a person accesses the translation service when a person contacts PWD through an automated or interactive telephone system.
  - e. How a person accesses the translation service when a person contacts PWD through a human interaction.
  - f. How a person accesses the translations service when a person contacts PWD through a web-based system.
- PA-II-46. Please provide a detailed description of how translations of written documents provided to customers are provided for:
- a. Credit and collection activities (including but not limited to shutoff notices).
  - b. TAP outreach.
  - c. Deferred payment plans.
- Included within these explanations, provide a detailed explanation of the languages provided, how the choice of languages is made, and how the written documents in different languages are distributed.
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PA-II-47. Please identify all ways, if any, in which identified low-income customers are treated differently from residential customers who are not identified as low-income, with respect to:

- a. The imposition, calculation, refund or other treatment of cash security deposits;
- b. Shutoffs for nonpayment (other than seasonal protections);
- c. Shutoff notices (e.g., number of, timing of, content of, etc.);
- d. Seasonal nonpayment shutoff protections;
- e. Late payment charges;
- f. Deferred payment arrangements (“DPAs”), including downpayments, monthly installments, terms (in months) or other DPA components or procedures;
- g. Reconnection fees;
- h. Collection fees (if any) (distinguish by type of fee if distinctions arise for more than one fee);
- i. Levelized budget billing (including not only the monthly budget billing but also any annual true-up or other budget billing process or component).

PA-II-48. For each item in the Data Request immediately above, for which differences are identified between the treatment of identified low-income customers and residential customers not identified as low-income, provide a detailed description of:

- a. The definition of “low-income”;
- b. The means by which a “low-income” customer is identified;
- c. The means by which a customer’s low-income status is seen or accessed by a customer service representative.

PA-II-49. Please provide, dated within the past five years, a copy of all reports, evaluations, memos, analyses or other written documents of any nature containing any PWD methodology, procedure or process designed to systematically review, study or assess PWD residential billing and/or payment records in an effort to:

- a. Characterize patterns of nonpayment;
- b. Identify the characteristics of nonpayers;
- c. Identify predictors of nonpayment;
- d. Identify strategies to reduce nonpayment;
- e. Identify early indicators of nonpayment.

PA-II-50. Please provide a single copy of any report, evaluation, study or other written document of any nature, within the custody or control of PWD, whether or not prepared by or for PWD, dated within the past five years, identifying, evaluating or otherwise discussing why nonpaying residential customers do not make contact with the utility when, in response to bill nonpayment, those nonpaying customers receive a request or notice to contact a utility to avoid the disconnection of service.

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PA-II-51. Please provide a single copy of any report, evaluation, study or other written document of any nature, within the custody or control of PWD, whether or not prepared by or for PWD, dated within the past five years, identifying, evaluating or otherwise discussing why residential customers do not successfully complete deferred payment plans (sometimes known as payment agreements or other similar terms) in order to avoid the disconnection of service for nonpayment.

PA-II-52. Please provide by month since July 2017:

- a. The number of TAP customers whose arrears pre-existing as of the date they applied for TAP were sufficient to qualify them for a municipal lien;
- b. The number of TAP customers identified immediately above for whom PWD perfected a lien for those preexisting arrears;
- c. The aggregate dollars of unpaid bills underlying the liens identified immediately above;
- d. The number of TAP customers identified immediately above for whom the lien based on pre-existing arrears was later satisfied by the customer paying the underlying debt;
- e. The aggregate dollars of unpaid bills for which the lien was removed as having been paid in full subsequent to the perfection of the lien;
- f. The dollars of fees charged to customers with those pre-existing debts which charge reflected the cost of perfecting the lien;
- g. The cost basis for any/all charges imposed on customer accounts associated with the perfection of the lien;
- h. The number of TAP customers for whom the liens identified in sub-paragraph “b” above was subsequently cancelled or otherwise removed for reasons other than the payment of the underlying debt.

PA-II-53. Please provide by month since July 2017:

- a. The number of TAP customers whose arrears incurred subsequent to the date they applied for TAP would *not* have been sufficient to qualify them for a municipal lien, but whose in-program arrears in combination with pre-existing arrears would have been sufficient to qualify them for a municipal lien;
  - b. The number of TAP customers identified immediately above for whom PWD (including WRB) perfected a lien for those combined in-program and pre-existing arrears;
  - c. The aggregate dollars of unpaid water bills underlying the liens identified immediately above;
  - d. The aggregate dollars of unpaid water bills for which the lien was removed as having been paid in full subsequent to the perfection of the lien;
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- e. The number of TAP customers identified immediately above for whom the lien based on combined in-program and pre-existing arrears was later satisfied by the customer paying the underlying debt;
- f. The dollars of fees charged to customers with those combined in-program and pre-existing debts which charge was based on the perfection of the lien;
- g. The basis for any/all charges imposed on customer accounts associated with the perfection of the lien;
- h. The number of TAP customers for whom the liens identified in sub-paragraph “b” above was subsequently cancelled or otherwise removed for reasons other than the payment of the underlying debt.

PA-II-54. Please provide a detailed description of the policy of PWD (including WRB) on whether or not to perfect a lien on the unpaid water bills of a TAP participant as of:

- a. July 1, 2016;
- b. July 1, 2017;
- c. July 1, 2018
- d. July 1, 2019
- e. July 1, 2020.

PA-II-55. If there was a change in policy from one date to the next as identified above, please identify the date on which the policy was changed, identify the person or entity making final approval of the change in policy, and provide a detailed description of the basis for the change in policy.

PA-II-56. Please provide a single copy of all communications from July 1, 2017 to present to all or any single member of the Philadelphia City Council regarding the PWD policy on whether to impose a lien on TAP accounts:

- a. For arrears that were pre-existing at the time a customer became a TAP participant;
- b. For arrears that were incurred by a TAP participant subsequent to their enrollment in TAP;
- c. For a combination of arrears that were pre-existing and those that were incurred subsequent to TAP enrollment.

PA-II-57. Please provide, in an active Excel spreadsheet with all formulae intact, current for the most recent date possible, a list of all current TAP participants who, subsequent to July 1, 2017, had a lien filed for an unpaid water bill, identifying the following data for each customer:

- a. The total number of liens, along with the date on which they were filed, for unpaid water bills;
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- b. For each separate lien, the amount of unpaid water bill made subject to the lien;
- c. Whether each separate lien was for a pre-existing arrearage (i.e., arrears existing at the time the customer became a TAP participant);
- d. Whether each separate lien was for an in-program arrearages (i.e., arrears incurred subsequent to becoming a TAP participant);
- e. Whether the lien was subsequently removed or otherwise cancelled because of a payment-in-full of the lien amount;
- f. The dollar amount of the lien that was removed or otherwise cancelled due to a payment-in-full of the lien amount;
- g. Whether the lien was subsequently removed or otherwise cancelled for reasons other than full payment of the lien amount;
- h. The dollar amount of the lien that was removed or otherwise cancelled for reasons other than full payment of the lien amount;
- i. Whether the customer is currently an active TAP participant;
- j. Whether the customer is currently an active PWD customer, but not currently an active TAP participant;
- k. Whether the customer was disconnected for nonpayment subsequent to the date on which a lien was placed.

PA-II-58. For charges imposed on TAP participants reflecting the cost of perfecting a lien for unpaid arrears pre-existing as of the date they applied for TAP, please explain whether those charges:

- a. Are added to the arrearage balance subject to arrearage forgiveness;
- b. Are added to the bill for current service over and above the bill for current service;
- c. Are treated in some other fashion (please provide a detailed explanation of that treatment).

PA-II-59. Please provide a detailed description of the statutory interest charged, if at all, on dollars of unpaid bills pre-existing as of the date a TAP participant applied for TAP subject to a lien.

PA-II-60. For the dollars of statutory interest charged, if at all, on dollars of unpaid bills pre-existing as of the date a TAP participant applied for TAP, please explain whether those charges:

- a. Are added to the arrearage balance subject to forgiveness;
  - b. Are added to the bill for current service over and above the bill for current service;
  - c. Are treated in some other fashion (please provide a detailed explanation of that treatment).
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- PA-II-61. Please provide a detailed description of the extent to which charges associated with a PWD lien for unpaid arrears pre-existing as of the date the TAP participant applied for TAP, would be recovered through PWD's universal service rider:
- a. If the charges are comprised of the cost of filing or perfecting the lien;
  - b. If the charges are comprised of statutory interest charged on the arrears subject to the lien.
- PA-II-62. Please provide by month since July 2017:
- a. The number of TAP customers whose arrears incurred subsequent to the date they applied for TAP were sufficient to qualify them for a municipal lien;
  - b. The number of TAP customers identified immediately above for whom PWD perfected a lien for those in-program arrears;
  - c. The aggregate dollars of unpaid bills underlying the liens identified immediately above;
  - d. The aggregate dollars of unpaid bills for which the lien was removed as having been paid in full subsequent to the perfection of the lien;
  - e. The number of TAP customers identified immediately above for whom the lien based on in-program arrears was later satisfied by the customer paying the underlying debt;
  - f. The dollars of fees charged to customers with those pre-existing debts which charge reflected the cost of perfecting of the lien;
  - g. The cost basis for any/all charges imposed on customer accounts associated with the perfection of the lien;
  - h. The number of TAP customers for whom the liens identified in sub-paragraph "b" above was subsequently cancelled or otherwise removed for reasons other than the payment of the underlying debt.
- PA-II-63. Please provide a detailed description of any current policy of PWD on whether or not to perfect a lien on the unpaid bills of a TAP participant:
- a. For arrears pre-existing at the time of TAP enrollment;
  - b. For in-program TAP arrears.
- PA-II-64. Please provide a detailed explanation of:
- a. Whether PWD accepts payments to retire liens that have been placed based on arrears that have been frozen as being pre-program arrears for TAP participants but that have not yet been forgiven.
  - b. If such payments are received, provide an additional detailed explanation of how those payments are treated once forgiveness has been earned. For example, are those payments refunded, or are the arrears subject to forgiveness reduced by the amount of the payment, or are those revenues treated in some other fashion?
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- PA-II-65. Please provided a detailed explanation of:
- a. Whether PWD places a lien on unpaid arrears of active TAP participants when those arrears are subject to potential future forgiveness;
  - b. If PWD does place a lien on unpaid arrears of active TAP participants when those arrears are subject to forgiveness, the treatment of those liens when and to the extent that arrearage forgiveness of the arrears subject to the lien is earned.

- PA-II-66. By month for each month July 2017 to present, please provide:
- a. The number of residential accounts that were charged both a statutory interest charge on a lien for an outstanding arrears and a late fee pursuant to PWD tariff;
  - b. The aggregated dollars charged to residential accounts that were charged both an interest charge on a lien for an outstanding arrears and a late fee pursuant to PWD tariff.
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