

Dear Judge Chestnut,

I hope that you and your family are well and staying safe.

In response to your direction in the Suspension Order (dated April 22, 2020), I am writing to provide you with an update concerning the City of Philadelphia (City) and Commonwealth of Pennsylvania (Commonwealth) directives/policies concerning the COVID-19 pandemic.

As you know, the Commonwealth issued a Proclamation of Disaster Emergency (March 6, 2020) and the City issued a Declaration of Extraordinary Circumstance (March 11, 2020) followed by emergency orders prohibiting the operation of non-essential businesses, closing certain government offices (non-essential services) and limiting public gatherings to prevent the spread of COVID-19. At this time, state and local emergency orders¹ in response to the pandemic remain in effect for Philadelphia County.

In view of the foregoing, coupled with the uncertainty over the anticipated duration of continuing emergency measures, the Water Department (Department or PWD) has decided to withdraw its pending request for rate relief. This decision is intended to terminate all activities related to the general rate proceeding initiated on February 11, 2020 without any admission against or prejudice to any position which any Participant may adopt in the event of any subsequent litigation or any other rate proceedings before the Philadelphia Water, Sewer and Storm Water Rate Board. PWD requests that Your Honor enter a procedural order confirming the above and marking the proceeding closed (without prejudice).

Thank you for your attention to this matter.

-Andre

Andre Dasent
Counsel for Philadelphia Water Department

Centre Square - East Tower
1500 Market Street, 12th Floor
Philadelphia, PA 19102
(215) 519-8654

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¹ The Governor has announced plans for a phased reopening and gradual easing of public health and safety restrictions. Such plans include a three phase matrix (red, yellow and green phases) to determine when counties and/or regions can begin to ease restrictions on work, congregant settings and social interactions. State emergency orders have been extended to at least June 4, 2020 for Philadelphia and other counties under “stay at home orders” – red phase. Such orders are expected to be eased on June 5, 2020 (transitioning Philadelphia to yellow phase) allowing certain non-life sustaining businesses to reopen, subject to designated health and safety precautions.

Local emergency orders, in response to the pandemic, were initiated beginning on March 17, 2020 (Emergency Order #1) and were updated effective March 23, 2020 (Emergency Order #2) to align with parallel state directives. The directives set forth in Emergency Order #2 will remain in effect indefinitely, until rescinded, superseded or amended by further order.