

RESPONSE TO
PUBLIC ADVOCATE’S INTERROGATORIES
AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
QUESTIONS 1-108

FEBRUARY 17, 2021: THESE RESPONSES ARE PROVIDED AFTER NEGOTIATIONS BETWEEN THE PHILADELPHIA WATER DEPARTMENT (“PWD” OR “DEPARTMENT”) AND THE PUBLIC ADVOCATE (“PA” OR “ADVOCATE”) WITH REGARD TO PWD OBJECTIONS TO THE ADVOCATE’S INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS (SET I DISCOVERY).

PWD AND THE ADVOCATE (“PARTIES”) HAVE REACHED THE AGREEMENT, AS SUMMARIZED BELOW, TO RESOLVE ALL SET I DISCOVERY DISPUTES.

THE PARTIES SPECIFICALLY AGREE TO PRESERVE THEIR RIGHTS TO OBJECT TO OR ANSWER OBJECTIONS REGARDING SET I DISCOVERY IN THIS RATE PROCEEDING. FURTHER, THE PARTIES AGREE TO TREAT ALL ANSWERS/ OBJECTIONS AND DOCUMENTS PROVIDED AS “RESPONSES” WHICH ARE SUFFICIENT, AS STATED, TO ANSWER THE ADVOCATE’S SET I DISCOVERY.

Dated: February 2021 (as revised on 2/17/2021)

Objections and Clarifications to Instructions/Definitions

The Department objects to the instructions and each interrogatory referring to “public-side lead service line” or “private-side lead service line” because the definitions provided in Set I by the Public Advocate are vague and confusing.

A lead service line may refer to (i) a lead pipe between the water main and the curb, (ii) a lead pipe between the water main and the premises, structure or meter, or (iii) both. EPA defines “lead service line” as a service line made of lead, which connects the water main to the building. However, the Philadelphia Plumbing Code defines “water service pipe” as the pipe from the water main to the curb stop. In Philadelphia, property owners having a connection to the City’s water system of 2 inches or less must maintain the connection in good repair at their own expense.

By way of further objection and clarification, customer-owned service lines are not part of the PWD system. This clarification applies to all responses concerning service lines. The Department’s regulations provide that PWD customers, with connections of 2 inches or less, are responsible for repairing the pipes and fixtures that carry water from the PWD water mains to their home (or business) and that carry wastewater (and/or stormwater) from their home (or business) to the PWD sewer main in the street. This means that there is no public-side versus private-side distinctions for connection pipes of 2 inches or less (e.g., service lines or laterals) on the water system or the wastewater system. It also means that once drinking water leaves the PWD water main in the street, its safe delivery becomes the customer's responsibility.

The Department’s responses to Set 1 (1) using the term “lead lines” do not distinguish between “public-side lead service line” or “private-side lead service line,” consistent with the foregoing objection; and, (2) are limited to residential customers only, since the instructions provide that Set I will explicitly state if information or documents regarding nonresidential customers/service lines is being requested and none of the interrogatories and requests make an such an explicit request.

1 **General Objections**

2 1. The Department objects to each interrogatory and request to the extent that it seeks information
3 that is not relevant to the proposed changes in PWD rates and charges as set forth in the rate
4 filing, and as such, is not reasonably calculated to lead to the discovery of admissible evidence for
5 purposes of rate setting.

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7 2. By answering any part of the interrogatories and requests and/or by providing any part of the
8 requested information, PWD does not concede the relevance, materiality or admissibility of any
9 of the information sought therein for use as evidence in any hearing. PWD expressly reserves the
10 right to object to further discovery on the subject matter and claims in any of these interrogatories
11 and requests.

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13 3. The Department objects to each interrogatory and request insofar as it seeks production or
14 disclosure of documents or information subject to any applicable privilege (including government
15 decision-making and deliberations; attorney-client privilege; and attorney work product), rule,
16 doctrine or immunity whether created by statute or common law.

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18 4. The Department objects to each interrogatory and request to the extent that it seeks
19 confidential, privileged, proprietary or other privileged information.

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21 5. The Department objects to each interrogatory and request identified herein to the extent that
22 they seek information that is not relevant and not material to the subject matter and claims of this
23 proceeding, and as such, are not reasonably calculated to lead to the discovery of admissible
24 evidence.

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26 6. The Department objects to each interrogatory and request to the extent it is duplicative and
27 cumulative.

1 7. The Department objects to each interrogatory and request to the extent that it seeks sensitive
2 and private information, the disclosure of which would violate federal, state or local law and/or
3 the privacy rights of persons not parties to this action.

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5 8. The Department objects to each interrogatory and request to the extent it seeks information not
6 in PWD's possession, custody and control, and to the extent it seeks documents which are already
7 in the possession of the Requestor or accessible to the Requestor or are a matter of public record.

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9 9. The applicable general objections, as stated above ("General Objections"), are incorporated
10 into each of the specific objections and responses that follow. Stating a specific objection or
11 response shall not be construed as a waiver of these General Objections.

1 **PA-I-1.** PLEASE INDICATE WHETHER PWD HAS A PROGRAM THROUGH
2 WHICH COMMUNITY MEMBERS CAN ACCESS ASSISTANCE TO
3 REPLACE PRIVATE LEAD LINES. IF AND TO THE EXTENT SUCH A
4 PROGRAM EXISTS, PLEASE PROVIDE:

5 A. THE POLICIES AND PROCEDURES FOR ELIGIBILITY AND
6 ENROLLMENT IN THAT PRIVATE LEAD LINE REPLACEMENT
7 PROGRAM; AND

8 B. A COPY OF PWD'S WRITTEN POLICIES, TRAINING MATERIALS, AND
9 OTHER WRITTEN DOCUMENTS WHICH DESCRIBE THE POLICIES AND
10 PROCEDURES FOR THE PRIVATE LEAD LINE REPLACEMENT
11 PROGRAM.

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13 **RESPONSE:**

14 Please note that consistent with the Department's objections and clarifications to the
15 instructions/definitions, which are incorporated herein by reference, the Department's
16 response to this interrogatory and request is limited to residential service lines.

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18 Notwithstanding the above objections and the Department's General Objections, and
19 without waiver thereof, the Department responds to this interrogatory and request as
20 follows:

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22 A. Yes. Please refer to PWD Regulations, Sections 200.0 to 200.6, and "Programs for Lead
23 Line Replacement" on the PWD webpage available at:

24 <https://www.phila.gov/water/wu/drinkingwater/lead/Pages/programs.aspx>

25 B. Please see the response to PA-I-1-A.
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28 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-2.** IF AND TO THE EXTENT PWD HAS A PRIVATE LEAD LINE
2 REPLACEMENT PROGRAM, PROVIDE AN ITEMIZED BUDGET FOR THE
3 PROGRAM FOR THE CURRENT FISCAL YEAR OR FOR THE
4 IMMEDIATELY SUBSEQUENT FISCAL YEAR. REFERENCE REVENUE
5 PROJECTIONS, ITEM 1(D). PLEASE EXPLAIN HOW THE
6 COMMONWEALTH OF PENNSYLVANIA'S EXTENDED SHUT OFF
7 MORATORIUM AFFECTS PWD'S USAGE PER ACCOUNT AND PROVIDE
8 SUPPORTING DOCUMENTATION.

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10 **RESPONSE:**

11 There are no separate line items in the budget for the Department's lead line replacement
12 programs. The expenditures for the lead line replacement programs are included in the
13 budget for HELP, which has an annual budget of \$7 million, or within the budget item
14 Conveyance Reconstruction for water main reconstruction projects.

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17 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-3.** IF AND TO THE EXTENT THAT PWD HAS A PRIVATE LEAD LINE
2 REPLACEMENT PROGRAM, PLEASE PROVIDE A DETAILED
3 DESCRIPTION OF HOW PWD PROMOTES THE PROGRAM. SEPARATELY
4 PROVIDE A COPY OF ALL WRITTEN CORRESPONDENCE AND/OR
5 MARKETING MATERIALS USED TO INFORM CONSUMERS ABOUT THE
6 AVAILABILITY OF THE PRIVATE LEAD LINE REPLACEMENT
7 PROGRAM.

8 **RESPONSE:**

9 Objection. The proper scope of this proceeding is limited to the rates and charges
10 proposed by the Department. The information and documents provided to customers are
11 not pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022
12 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered
13 to approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
14 Code. The Rate Board does not have oversight authority over the Department. This
15 interrogatory and request are not seeking information related to the prospective rates and
16 charges proposed for the Rate Period. The requested information will not assist the Rate
17 Board in determining the prospective rates and charges for the Rate Period. No nexus has
18 been established between the information provided to customers and the prospective rates
19 and charges proposed for the Rate Period.

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21 Notwithstanding the above objections and the Department's General Objections, and
22 without waiver thereof, the Department responds to this interrogatory and request as
23 follows:

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25 Please see the description and documents available on the PWD web page identified in the
26 response to PA-I-1.

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28 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-4.** BY MONTH, FOR EACH MONTH JANUARY 2018 TO PRESENT, PLEASE
2 PROVIDE THE NUMBER OF CUSTOMERS WHO HAVE ENROLLED IN
3 PWD'S PRIVATE LEAD LINE REPLACE PROGRAM, ALONG WITH THE
4 CUMULATIVE NUMBER OF CUSTOMERS WHO HAVE ENROLLED IN
5 THE PROGRAM.

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7 **RESPONSE:**

8 Objection. The proper scope of this proceeding is limited to the rates and charges
9 proposed by the Department. The prior and existing enrollment is not pertinent to the
10 prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023).
11 The Board has limited jurisdiction. The Rate Board is empowered to approve, modify or
12 reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The Rate
13 Board does not have oversight authority over the Department. This interrogatory and
14 request are not seeking information related to the prospective rates and charges proposed
15 for the Rate Period. The requested information will not assist the Rate Board in
16 determining the prospective rates and charges for the Rate Period. No nexus has been
17 established between prior and existing enrollment and the prospective rates and charges
18 proposed for the Rate Period.

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20 Notwithstanding the above objections and the Department's General Objections, and
21 without waiver thereof, the Department responds to this interrogatory and request as
22 follows:

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24 The following number of customers have obtained HELP loans for replacing lead lines in
25 the months indicated:

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Month	2018	2019	2020	2021
Jan	5	3	9	4

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PHILADELPHIA WATER DEPARTMENT
Response to PA Interrogatory

1	Feb	4	2	1	n/a
2	Mar	13	2	5	n/a
3	Apr	7	9	3	n/a
4	May	8	5	1	n/a
5	Jun	7	6	3	n/a
6	Jul	8	5	5	n/a
7	Aug	7	4	5	n/a
8	Sep	2	2	4	n/a
9	Oct	8	7	7	n/a
10	Nov	2	4	6	n/a
11	Dec	7	2	5	n/a

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14 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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1 **PA-I-5.** PLEASE IDENTIFY THE NUMBER OF LEAD SERVICE LINES IN PWD'S
2 SYSTEM.

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4 **RESPONSE:**

5 This interrogatory and request are based on the incorrect assumption that service lines are
6 part of the Department's water system. The Department's objections and clarifications to
7 the instructions/definitions are incorporated herein by reference. As explained, Lead lines
8 on either side of the curb stop are not considered as part of PWD's system.

9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:

12
13 Philadelphia's current inventory of approximately 480,000 service connections includes
14 approximately 25,000 properties estimated to have lead lines. Please refer to pages 25-26
15 of PWD's Submission of Comments Concerning National Primary Drinking Water
16 Regulations: Proposed Lead and Copper Rule Revisions – Docket No. EPA-HQ-OW-
17 2017-0300, attached as PA-I-5.pdf.

18
19 PWD has a record of 2,570 properties with a lead service pipe on either side of the curb
20 stop. The above number of lead service lines is based on available records.

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24 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-6.** PLEASE DESCRIBE HOW THE ESTIMATE IN THE IMMEDIATELY
2 PRECEDING RESPONSE WAS CALCULATED. PROVIDE ALL
3 DOCUMENTS RELIED ON IN PREPARING THE ESTIMATE, INCLUDING
4 ANY LEAD SERVICE LINE INVENTORIES.

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6 **RESPONSE:**

7 The Department objects to this interrogatory and request on the grounds that the discovery
8 sought will cause unreasonable annoyance, burden and expense to the Department.

9 Compilation of information and documents being requested would require a costly and
10 burdensome special investigation to produce. This interrogatory and request are
11 potentially seeking a large amount of information and documents, since they would
12 require the compilation of records on approximately 480,000 service connections. This
13 interrogatory and request are particularly burdensome given the shortened period allotted
14 to compile discovery responses in this proceeding. The Department objects to this
15 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
16 other privileged information.

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18 The proper scope of this proceeding is limited to the rates and charges proposed by the
19 Department. The information and documents relied upon on or otherwise used in
20 preparing the estimate are not pertinent to the prospective rates and charges for the Rate
21 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The
22 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
23 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
24 over the Department. This interrogatory and request are not seeking information related to
25 the prospective rates and charges proposed for the Rate Period. The requested information
26 will not assist the Rate Board in determining the prospective rates and charges for the Rate
27 Period. No nexus has been established between estimate and the prospective rates and
28 charges proposed for the Rate Period.

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Notwithstanding the above objections and the Department's General Objections, and without waiver thereof, the Department responds to this interrogatory and request as follows:

The number of lead service lines is based on available records.

RESPONSE PROVIDED BY: Philadelphia Water Department

1 **PA-I-7. IDENTIFY THE NUMBER OF GALVANIZED STEEL SERVICE LINES IN**
2 **PWD'S SYSTEM.**

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4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The existence of galvanized steel service lines is not
7 pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022 and
8 Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered to
9 approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
10 Code. The Rate Board does not have oversight authority over the Department. This
11 interrogatory and request are not seeking information related to the prospective rates and
12 charges proposed for the Rate Period. The requested information will not assist the Rate
13 Board in determining the prospective rates and charges for the Rate Period. No nexus has
14 been established between existing galvanized steel service lines and the prospective rates
15 and charges proposed for the Rate Period.

16
17 Notwithstanding the above objections and the Department's General Objections, and
18 without waiver thereof, the Department responds to this interrogatory and request as
19 follows:

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21 PWD has records of 262 properties that are serviced by a galvanized steel pipe on either
22 side of the curb stop.

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25 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-8.** PLEASE DESCRIBE HOW THE ESTIMATE IN THE IMMEDIATELY
2 PRECEDING RESPONSE WAS CALCULATED. PROVIDE ALL
3 DOCUMENTS RELIED ON IN PREPARING THE ESTIMATE, INCLUDING
4 ANY GALVANIZED STEEL SERVICE LINE INVENTORIES.

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6 **RESPONSE:**

7 The Department objects to this interrogatory and request on the grounds that the discovery
8 sought will cause unreasonable annoyance, burden and expense to the Department.

9 Compilation of information and documents being requested would require a costly and
10 burdensome special investigation to produce. This interrogatory and request are
11 potentially seeking a large amount of information and documents, since they would
12 require the compilation of records on approximately 480,000 service connections. This
13 interrogatory and request are particularly burdensome given the shortened period allotted
14 to compile discovery responses in this proceeding. The Department objects to this
15 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
16 other privileged information.

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18 The proper scope of this proceeding is limited to the rates and charges proposed by the
19 Department. The information and documents relied upon on or otherwise used in
20 preparing the estimate are not pertinent to the prospective rates and charges for the Rate
21 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The
22 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
23 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
24 over the Department. This interrogatory and request are not seeking information related to
25 the prospective rates and charges proposed for the Rate Period. The requested information
26 will not assist the Rate Board in determining the prospective rates and charges for the Rate
27 Period. No nexus has been established between estimate and the prospective rates and
28 charges proposed for the Rate Period.

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Notwithstanding the above objections and the Department's General Objections, and without waiver thereof, the Department responds to this interrogatory and request as follows:

The number of galvanized lines is based on available records.

RESPONSE PROVIDED BY: Philadelphia Water Department

1 **PA-I-9. IDENTIFY THE NUMBER OF COPPER SERVICE LINES IN PWD'S**
2 **SYSTEM.**

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4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The existence of copper service lines is not pertinent to the
7 prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023).
8 The Board has limited jurisdiction. The Rate Board is empowered to approve, modify or
9 reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The Rate
10 Board does not have oversight authority over the Department. This interrogatory and
11 request are not seeking information related to the prospective rates and charges proposed
12 for the Rate Period. The requested information will not assist the Rate Board in
13 determining the prospective rates and charges for the Rate Period. No nexus has been
14 established between existing copper service lines and the prospective rates and charges
15 proposed for the Rate Period.

16
17 This interrogatory and request are based on the incorrect assumption that service lines are
18 part of the Department's water system. The Department's General Objections and
19 clarifications to the instructions/definitions are incorporated herein by reference.

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21 Notwithstanding all of the above objections, and without waiver thereof, the Department
22 responds to this interrogatory and request as follows:

23
24 The Department has records of 136,544 properties that are serviced by a copper pipe on
25 either side of the curb stop.

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28 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-10.** PLEASE DESCRIBE HOW THE ESTIMATE IN THE IMMEDIATELY
2 PRECEDING RESPONSE WAS CALCULATED. PROVIDE ALL
3 DOCUMENTS RELIED ON IN PREPARING THE ESTIMATE, INCLUDING
4 ANY COPPER SERVICE LINE INVENTORIES.

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6 **RESPONSE:**

7 The Department objects to this interrogatory and request on the grounds that the discovery
8 sought will cause unreasonable annoyance, burden and expense to the Department.

9 Compilation of information and documents being requested would require a costly and
10 burdensome special investigation to produce. This interrogatory and request are
11 potentially seeking a large amount of information and documents, since they would
12 require the compilation of records on approximately 480,000 service connections. This
13 interrogatory and request are particularly burdensome given the shortened period allotted
14 to compile discovery responses in this proceeding. The Department objects to this
15 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
16 other privileged information.

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18 The proper scope of this proceeding is limited to the rates and charges proposed by the
19 Department. The information and documents relied upon on or otherwise used in
20 preparing the estimate are not pertinent to the prospective rates and charges for the Rate
21 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The
22 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
23 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
24 over the Department. This interrogatory and request are not seeking information related to
25 the prospective rates and charges proposed for the Rate Period. The requested information
26 will not assist the Rate Board in determining the prospective rates and charges for the Rate
27 Period. No nexus has been established between estimate and the prospective rates and
28 charges proposed for the Rate Period.

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Notwithstanding the above objections and the Department's General Objections, and without waiver thereof, the Department responds to this interrogatory and request as follows:

The estimate is based on available records.

RESPONSE PROVIDED BY: Philadelphia Water Department

1 **PA-I-11.** IDENTIFY THE NUMBER OF SERVICE LINES IN PWD'S SYSTEM OF
2 UNKNOWN COMPOSITION.
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4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The existence of service lines of unknown composition is
7 not pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022
8 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered
9 to approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
10 Code. The Rate Board does not have oversight authority over the Department. This
11 interrogatory and request are not seeking information related to the prospective rates and
12 charges proposed for the Rate Period. The requested information will not assist the Rate
13 Board in determining the prospective rates and charges for the Rate Period. No nexus has
14 been established between existing service lines of unknown composition and the
15 prospective rates and charges proposed for the Rate Period.
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17 This interrogatory and request are based on the incorrect assumption that service lines are
18 part of the Department's water system. The Department's General Objections and
19 clarifications to the instructions/definitions are incorporated herein by reference.
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21 Notwithstanding all of the above objections, and without waiver thereof, the Department
22 responds to this interrogatory and request as follows:
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24 This total number will vary depending on the parameters used to determine whether the
25 lines on either side of the curb stop are of unknown composition. Approximately 457,000
26 properties have a portion of the lines on either side of the curb stop of unknown composition.
27 However, various parameters may be used to determine whether a property is likely to have
28 a lead line, including age of the building, age of the water main, size of the line and dates

1 of changes in the plumbing practices and code changes. Using these parameters, PWD
2 estimates that for purposes of EPA's proposed lead and copper rule revision approximately
3 257,000 properties could be classified as unknowns (estimate includes lead and copper
4 services). See also pages 25-26 of PWD's Submission of Comments Concerning National
5 Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions – Docket
6 No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.

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9 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-12.** PLEASE DESCRIBE HOW THE ESTIMATE IN THE IMMEDIATELY
2 PRECEDING RESPONSE WAS CALCULATED. PROVIDE ALL
3 DOCUMENTS RELIED ON IN PREPARING THE ESTIMATE.
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5 **RESPONSE:**

6 The Department objects to this interrogatory and request on the grounds that the discovery
7 sought will cause unreasonable annoyance, burden and expense to the Department.

8 Compilation of information and documents being requested would require a costly and
9 burdensome special investigation to produce. This interrogatory and request are
10 potentially seeking a large amount of information and documents, since they would
11 require the compilation of records on approximately 480,000 service connections. This
12 interrogatory and request are particularly burdensome given the shortened period allotted
13 to compile discovery responses in this proceeding. The Department objects to this
14 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
15 other privileged information.
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17 The proper scope of this proceeding is limited to the rates and charges proposed by the
18 Department. The information and documents relied upon on or otherwise used in
19 preparing the estimate are not pertinent to the prospective rates and charges for the Rate
20 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The
21 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
22 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
23 over the Department. This interrogatory and request are not seeking information related to
24 the prospective rates and charges proposed for the Rate Period. The requested information
25 will not assist the Rate Board in determining the prospective rates and charges for the Rate
26 Period. No nexus has been established between estimate and the prospective rates and
27 charges proposed for the Rate Period.
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1 Notwithstanding the above objections and the Department's General Objections, and
2 without waiver thereof, the Department responds to this interrogatory and request as
3 follows:

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5 The estimate is based on available records.

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7 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-13.** HAS PWD COMPLETED A MATERIALS EVALUATION TO IDENTIFY THE
2 COMPOSITION OF CONSTRUCTION MATERIALS PRESENT IN PWD'S
3 DISTRIBUTION SYSTEM AS DESCRIBED IN 40 C.F.R. §§141.86(A)(1),
4 14L.42(D)? PLEASE PROVIDE THIS EVALUATION AND ALL
5 DOCUMENTS RELIED ON IN PREPARING THE EVALUATION.
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7 **RESPONSE:**

8 The Department objects to this interrogatory and request on the grounds that the discovery
9 sought will cause unreasonable annoyance, burden and expense to the Department.

10 Compilation of information and documents being requested would require a costly and
11 burdensome special investigation to produce. This interrogatory and request are
12 potentially seeking a large amount of information and documents, since they would
13 require the compilation of records on approximately 480,000 service connections. This
14 interrogatory and request are particularly burdensome given the shortened period allotted
15 to compile discovery responses in this proceeding. The Department objects to this
16 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
17 other privileged information.
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19 The proper scope of this proceeding is limited to the rates and charges proposed by the
20 Department. The information and documents relied upon on or otherwise used in
21 preparing the material evaluation are not pertinent to the prospective rates and charges for
22 the Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited
23 jurisdiction. The Rate Board is empowered to approve, modify or reject proposed rates
24 and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
25 oversight authority over the Department. This interrogatory and request are not seeking
26 information related to the prospective rates and charges proposed for the Rate Period. The
27 requested information will not assist the Rate Board in determining the prospective rates
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1 and charges for the Rate Period. No nexus has been established between the material
2 evaluation and the prospective rates and charges proposed for the Rate Period.

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4 Notwithstanding the above objections and the Department's General Objections, and
5 without waiver thereof, the Department responds to this interrogatory and request as
6 follows:

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8 In 1992, the Department conducted a materials survey that is described in the documents
9 attached to the letter dated April 26, 2016. The Department updates the inventory with every
10 triennial sampling in a format requested by the Pennsylvania Department of Environmental
11 Protection (PaDEP) for compliance monitoring under the lead and copper rule. These most
12 recent materials inventory submitted to PaDEP is attached to the memorandum dated
13 October 8, 2019. The letter, memorandum and documents referenced above are attached as
14 PA-I-13a (April 26, 2016 letter with attached documents) and PA-I-13b (October 1, 2019
15 memorandum with attached table).

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17 By way of further response, the Department notes that, in January 2021, the EPA finalized
18 revisions to the National Primary Drinking Water Regulations for lead and copper under the
19 Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the first
20 major revision of the Rule in nearly thirty years; and will require PWD to expand current
21 drinking water programs and cause the incurrence of additional expenses not accounted for
22 in the cost of service study to achieve compliance. Such additional expenses were not
23 estimated and included in the Cost of Service Report for the Rate Period, and are beyond
24 the scope of this proceeding. Detailed costs and implementation tasks related to compliance
25 with the LCR revisions are not available at this time.

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27 The Department notes that citations to the C.F.R. in this interrogatory and request are no
28 longer valid as of the publication of the revised LCR in the Federal Register on January

1 15, 2021.

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4 **RESPONSE PROVIDED BY:** Gary Burlingame

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1 **PA-I-14.** DESCRIBE HOW AND WHEN PWD PLANS TO SUPPLEMENT OR UPDATE
2 ITS MOST RECENTLY COMPLETED MATERIALS EVALUATION. PLEASE
3 PROVIDE ALL DOCUMENTS RELIED ON IN PREPARING ANY
4 SUPPLEMENTAL OR UPDATED MATERIALS EVALUATIONS.

5
6 **RESPONSE:**

7 The Department objects to this interrogatory and request on the grounds that the discovery
8 sought will cause unreasonable annoyance, burden and expense to the Department.

9 Compilation of information and documents being requested would require a costly and
10 burdensome special investigation to produce. This interrogatory and request are
11 potentially seeking a large amount of information and documents, since they would
12 require the compilation of records on approximately 480,000 service connections. This
13 interrogatory and request are particularly burdensome given the shortened period allotted
14 to compile discovery responses in this proceeding. The Department objects to this
15 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
16 other privileged information.

17
18 The proper scope of this proceeding is limited to the rates and charges proposed by the
19 Department. The information and documents relied upon on or otherwise used in
20 preparing the material evaluation are not pertinent to the prospective rates and charges for
21 the Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited
22 jurisdiction. The Rate Board is empowered to approve, modify or reject proposed rates
23 and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
24 oversight authority over the Department. This interrogatory and request are not seeking
25 information related to the prospective rates and charges proposed for the Rate Period. The
26 requested information will not assist the Rate Board in determining the prospective rates
27 and charges for the Rate Period. No nexus has been established between material
28 evaluation and the prospective rates and charges proposed for the Rate Period.

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Notwithstanding the above objections and the Department's General Objections, and without waiver thereof, the Department responds to this interrogatory and request as follows:

See the response to PA-I-13.

RESPONSE PROVIDED BY: Gary Burlingame

1 **PA-I-15.** PLEASE PROVIDE ALL MAPS AND DATA, INCLUDING GLOBAL
2 INFORMATION SYSTEM (GIS) DATA, RELATED TO THE LOCATIONS OF
3 SERVICE LINES IN PWD'S SYSTEM COMPOSED OF:

- 4 A. LEAD;
5 B. GALVANIZED STEEL;
6 C. COPPER; OR
7 D. UNKNOWN MATERIAL.

8
9 **RESPONSE:**

10 This interrogatory and request are based on the incorrect assumption that service lines are
11 part of the Department's water system. The Department's objections and clarifications to
12 the instructions/definitions are incorporated herein by reference.

13
14 The Department also objects to this interrogatory and request on the grounds that the
15 discovery sought will cause unreasonable annoyance, burden and expense to the
16 Department. Compilation of maps and GIS data would require a costly and burdensome
17 special investigation to produce. This interrogatory and request are potentially seeking a
18 large amount of information and documents, since they would require the compilation of
19 records on approximately 480,000 service connections. This interrogatory and request are
20 particularly burdensome given the shortened period allotted to compile discovery
21 responses in this proceeding. The Department objects to this interrogatory and request to
22 the extent that it seeks confidential, privileged, proprietary or other privileged information.
23 PWD does not make public the individual street addresses of sites due to privacy issues
24 and the concerns that doing so will discourage previous participants from continuing in the
25 program in future years.

26
27 The proper scope of this proceeding is limited to the rates and charges proposed by the
28 Department. The information and documents relied upon on or otherwise used in making

1 its decision on service lines are not pertinent to the prospective rates and charges for the
2 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
3 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
4 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
5 over the Department. This interrogatory and request are not seeking information related to
6 the prospective rates and charges proposed for the Rate Period. The requested information
7 will not assist the Rate Board in determining the prospective rates and charges for the Rate
8 Period. No nexus has been established between the Department's decision, if any, and the
9 prospective rates and charges proposed for the Rate Period.

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12 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-16.** IDENTIFY AND DESCRIBE ALL METHODS PWD HAS USED SINCE JUNE
2 30, 2018 TO DETERMINE THE COMPOSITION OF SERVICE LINES IN ITS
3 SYSTEM, INCLUDING BUT NOT LIMITED TO REVIEW OF
4 CONSTRUCTION RECORDS, CURB-BOX INSPECTIONS, AND
5 EXCAVATIONS.

6
7 **RESPONSE:**

8 This interrogatory and request are based on the incorrect assumption that service lines are
9 part of the Department's water system. The Department's objections and clarifications to
10 the instructions/definitions are incorporated herein by reference. As explained, Lead lines
11 on either side of the curb stop are not considered as part of PWD's system.

12
13 Notwithstanding the above objections and the Department's General Objections, and
14 without waiver thereof, the Department responds to this interrogatory and request as
15 follows:

16
17 The Department has used as available data plumbing permit records, construction records,
18 operational records, sampling records and HELP loan records to determine the
19 composition of lines on either side of the curb stop.

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22 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-17.** PLEASE IDENTIFY HOW MANY SERVICE LINES PWD HAS EXAMINED
2 USING EACH OF THE METHODS IDENTIFIED IN RESPONSE TO THE
3 IMMEDIATELY PRECEDING DATA REQUEST?
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. The number of service lines previously examined by the
8 Department is not pertinent to the prospective rates and charges for the Rate Period (Fiscal
9 Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is
10 empowered to approve, modify or reject proposed rates and charges. See, Section 13-101,
11 Philadelphia Code. The Rate Board does not have oversight authority over the
12 Department. This interrogatory and request are not seeking information related to the
13 prospective rates and charges proposed for the Rate Period. The requested information
14 will not assist the Rate Board in determining the prospective rates and charges for the Rate
15 Period. No nexus has been established between the number of service lines previously
16 examined by the Department and the prospective rates and charges proposed for the Rate
17 Period.
18

19 Notwithstanding the above objections and the Department's General Objections, and
20 without waiver thereof, the Department responds to this interrogatory and request as
21 follows:
22

23 Permit Records – 23,049; Construction Records – 26,768; Operation Records – 212,701;
24 Sampling Records – 1,484; HELP loans – 795
25
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27 **RESPONSE PROVIDED BY:** Philadelphia Water Department
28

1 **PA-I-18.** PLEASE DESCRIBE ANY “CONSTRUCTION RECORDS” PWD IS RELYING
2 ON TO IDENTIFY SERVICE LINE COMPOSITION, INCLUDING BUT NOT
3 LIMITED TO THE NUMBER OF CONSTRUCTION RECORDS PWD HAS
4 AND THE SOURCE OF THESE RECORDS. SEPARATELY PROVIDE ALL
5 DOCUMENTS RELATED TO THE ACCURACY OR RELIABILITY OF
6 THESE CONSTRUCTION RECORDS.

7
8 **RESPONSE:**

9 The Department objects to this interrogatory and request on the grounds that the discovery
10 sought will cause unreasonable annoyance, burden and expense to the Department.

11 Compilation of information and documents being requested would require a costly and
12 burdensome special investigation to produce. This interrogatory and request are
13 potentially seeking a large amount of information and documents, since they would
14 require the compilation of records on approximately 480,000 service connections. This
15 interrogatory and request are particularly burdensome given the shortened period allotted
16 to compile discovery responses in this proceeding. The Department objects to this
17 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
18 other privileged information.

19
20 The proper scope of this proceeding is limited to the rates and charges proposed by the
21 Department. The information and documents related to the accuracy or reliability of
22 construction records are not pertinent to the prospective rates and charges for the Rate
23 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The
24 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
25 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
26 over the Department. This interrogatory and request are not seeking information related to
27 the prospective rates and charges proposed for the Rate Period. The requested information
28 will not assist the Rate Board in determining the prospective rates and charges for the Rate

1 Period. No nexus has been established between construction records and the prospective
2 rates and charges proposed for the Rate Period.

3
4 Notwithstanding the above objections and the Department's General Objections, and
5 without waiver thereof, the Department responds to this interrogatory and request as
6 follows:

7
8 Pipe material is recorded when replacing water mains in the streets. Typical procedure in
9 water main replacement projects calls for the replacement of the street side of the water
10 pipes up to and including the curb stop. Construction inspectors will record the material on
11 the house side when installing the new curb stop. PWD currently has material records
12 from approximately 250 water main replacement projects.

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15 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-19.** DESCRIBE ANY PROCEDURES OR PROTOCOLS PWD FOLLOWS IF ITS
2 REVIEW OF CONSTRUCTION RECORDS INDICATES THAT A SERVICE
3 LINE IS MADE OF:

- 4 A. LEAD;
5 B. GALVANIZED STEEL;
6 C. COPPER; OR
7 D. UNKNOWN MATERIAL.

8
9 **RESPONSE:**

10 Objection. The proper scope of this proceeding is limited to the rates and charges
11 proposed by the Department. The procedures and protocols utilized in reviewing
12 construction records is not pertinent to the prospective rates and charges for the Rate
13 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The
14 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
15 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
16 over the Department. This interrogatory and request are not seeking information related to
17 the prospective rates and charges proposed for the Rate Period. The requested information
18 will not assist the Rate Board in determining the prospective rates and charges for the Rate
19 Period. No nexus has been established between the requested information and the
20 prospective rates and charges proposed for the Rate Period.

21
22 Notwithstanding the above objections and the Department's General Objections, and
23 without waiver thereof, the Department responds to this interrogatory and request as
24 follows:

25
26 PWD construction provides all homes with flushing construction after water main
27 replacement. If the water line contains lead or galvanized steel, the Department will
28 provide a second set of instructions which detail a more intensive flushing schedule. The

1 Department also makes multiple attempts with homeowners to replace lead and galvanized
2 lines once found during construction.

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4 The flushing instruction documents are included in attachment PA-I-19.

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7 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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1 **PA-I-20.** PLEASE IDENTIFY HOW MANY CURB-BOX INSPECTIONS PWD HAS
2 COMPLETED SINCE JUNE 30, 2018 (BY MONTH)?
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The number of curb box inspections previously completed
7 by the Department is not pertinent to the prospective rates and charges for the Rate Period
8 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
9 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
10 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
11 Department. This interrogatory and request are not seeking information related to the
12 prospective rates and charges proposed for the Rate Period. The requested information
13 will not assist the Rate Board in determining the prospective rates and charges for the Rate
14 Period. No nexus has been established between the number of curb box inspections
15 previously completed by the Department and the prospective rates and charges proposed
16 for the Rate Period.
17

18 Notwithstanding the above objections and the Department's General Objections, and
19 without waiver thereof, the Department responds to this interrogatory and request as
20 follows:
21

22 PWD does not use curb-box inspections to determine the composition of water service
23 pipes.
24

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26 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-21.** PLEASE PROVIDE ALL DOCUMENTS REGARDING THE ACCURACY OR
2 RELIABILITY OF CURB-BOX INSPECTIONS IN IDENTIFYING THE
3 COMPOSITION OF SERVICE LINES.
4

5 **RESPONSE:**

6 The Department objects to this interrogatory and request on the grounds that the discovery
7 sought will cause unreasonable annoyance, burden and expense to the Department.

8 Compilation of information and documents being requested would require a costly and
9 burdensome special investigation to produce. This interrogatory and request are
10 potentially seeking a large amount of information and documents, since they would
11 require the compilation of records on approximately 480,000 service connections. This
12 interrogatory and request are particularly burdensome given the shortened period allotted
13 to compile discovery responses in this proceeding. The Department objects to this
14 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
15 other privileged information.
16

17 The proper scope of this proceeding is limited to the rates and charges proposed by the
18 Department. The information and documents related to the accuracy or reliability of
19 inspections are not pertinent to the prospective rates and charges for the Rate Period
20 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
21 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
22 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
23 Department. This interrogatory and request are not seeking information related to the
24 prospective rates and charges proposed for the Rate Period. The requested information
25 will not assist the Rate Board in determining the prospective rates and charges for the Rate
26 Period. No nexus has been established between inspections and the prospective rates and
27 charges proposed for the Rate Period.
28

1 Notwithstanding the above objections and the Department's General Objections, and
2 without waiver thereof, the Department responds to this interrogatory and request as
3 follows:

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5 Please see the response to PA-I-20.
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8 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-22.** PLEASE PROVIDE ALL MAPS AND DATA, INCLUDING GIS DATA,
2 RELATED TO THE LOCATIONS OF CURB-BOX INSPECTIONS
3 COMPLETED SINCE JUNE 30, 2018.
4

5 **RESPONSE:**

6 The Department objects to this interrogatory and request on the grounds that the discovery
7 sought will cause unreasonable annoyance, burden and expense to the Department.
8 Compilation of maps and GIS data would require a costly and burdensome special
9 investigation to produce. This interrogatory and request are potentially seeking a large
10 amount of information and documents, since they would require the compilation of
11 records on approximately 480,000 service connections. This interrogatory and request are
12 particularly burdensome given the shortened period allotted to compile discovery
13 responses in this proceeding. The Department objects to this interrogatory and request to
14 the extent that it seeks confidential, privileged, proprietary or other privileged information.
15 PWD does not make public the individual street addresses of sites due to privacy issues
16 and the concerns that doing so will discourage previous participants from continuing in the
17 program in future years.
18

19 The proper scope of this proceeding is limited to the rates and charges proposed by the
20 Department. The information and documents relied upon on or otherwise used in making
21 its decision on service lines are not pertinent to the prospective rates and charges for the
22 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
23 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
24 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
25 over the Department. This interrogatory and request are not seeking information related to
26 the prospective rates and charges proposed for the Rate Period. The requested information
27 will not assist the Rate Board in determining the prospective rates and charges for the Rate
28

1 Period. No nexus has been established between the Department's decision, if any, and the
2 prospective rates and charges proposed for the Rate Period.

3
4 Notwithstanding the above objections and the Department's General Objections, and
5 without waiver thereof, the Department responds to this interrogatory and request as
6 follows:

7
8 Please see the response to PA-I-20.

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11 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-23.** PLEASE PROVIDE A DETAILED DESCRIPTION, ALONG WITH ALL
2 WRITTEN DOCUMENTATION, OF HOW PWD SELECTS THE ADDRESSES
3 WHERE IT CONDUCTS CURB-BOX INSPECTIONS?
4

5 **RESPONSE:**

6 The Department objects to this interrogatory and request in that they seeks information
7 and documents that are privileged. This interrogatory and request are seeking to learn
8 about the Department's decision-making process, which is protected from disclosure by
9 the deliberative process privilege. The Department further objects to this interrogatory and
10 request to the extent that it seeks information and documents protected by attorney-client
11 privilege.
12

13 The Department objects to this interrogatory and request on the grounds that the discovery
14 sought will cause unreasonable annoyance, burden and expense to the Department.
15 Compilation of information and documents being requested would require a costly and
16 burdensome special investigation to produce. This interrogatory and request are
17 particularly burdensome given the shortened period allotted to compile discovery
18 responses in this proceeding. The Department objects to this interrogatory and request to
19 the extent that it seeks confidential, privileged, proprietary or other privileged information.
20

21 The proper scope of this proceeding is limited to the rates and charges proposed by the
22 Department. The information and documents relied upon on or otherwise used in making
23 its decision are not pertinent to the prospective rates and charges for the Rate Period
24 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
25 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
26 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
27 Department. This interrogatory and request are not seeking information related to the
28 prospective rates and charges proposed for the Rate Period. The requested information

1 will not assist the Rate Board in determining the prospective rates and charges for the Rate
2 Period. No nexus has been established between the Department's decision, if any, and the
3 prospective rates and charges proposed for the Rate Period.

4
5 Notwithstanding the above objections and the Department's General Objections, and
6 without waiver thereof, the Department responds to this interrogatory and request as
7 follows:

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9 Please see the response to PA-I-20.

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11
12 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-24.** PLEASE PROVIDE A DETAILED DESCRIPTION OF HOW PWD DECIDES
2 THE ORDER OR PRIORITY OF ADDRESSES WHERE IT CONDUCTS
3 CURB-BOX INSPECTIONS? PLEASE PROVIDE ALL DOCUMENTS
4 RELATING TO HOW PWD ORDERS OR PRIORITIZES ADDRESSES FOR
5 INSPECTION.

6
7 **RESPONSE:**

8 The Department objects to this interrogatory and request in that they seeks information
9 and documents that are privileged. This interrogatory and request are seeking to learn
10 about the Department's decision-making process, which is protected from disclosure by
11 the deliberative process privilege. The Department further objects to this interrogatory and
12 request to the extent that it seeks information and documents protected by attorney-client
13 privilege.

14
15 The Department objects to this interrogatory and request on the grounds that the discovery
16 sought will cause unreasonable annoyance, burden and expense to the Department.
17 Compilation of information and documents being requested would require a costly and
18 burdensome special investigation to produce. This interrogatory and request are
19 potentially seeking a large amount of information and documents, since they would
20 require the compilation of records on approximately 480,000 service connections. This
21 interrogatory and request are particularly burdensome given the shortened period allotted
22 to compile discovery responses in this proceeding. The Department objects to this
23 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
24 other privileged information.

25
26 The proper scope of this proceeding is limited to the rates and charges proposed by the
27 Department. The information and documents relied upon on or otherwise used in making
28 its decisions on curb box inspections are not pertinent to the prospective rates and charges

1 for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited
2 jurisdiction. The Rate Board is empowered to approve, modify or reject proposed rates
3 and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
4 oversight authority over the Department. This interrogatory and request are not seeking
5 information related to the prospective rates and charges proposed for the Rate Period. The
6 requested information will not assist the Rate Board in determining the prospective rates
7 and charges for the Rate Period. No nexus has been established between the Department's
8 decision, if any, and the prospective rates and charges proposed for the Rate Period.

9
10 Notwithstanding the above objections and the Department's General Objections, and
11 without waiver thereof, the Department responds to this interrogatory and request as
12 follows:

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14 Please see the response to PA-I-20.

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17 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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- 1 **PA-I-25.** FOR CURB-BOX INSPECTIONS COMPLETED SINCE JUNE 30, 2018:
- 2 A. IDENTIFY HOW MANY WERE COMPLETED USING PWD-EMPLOYEE
- 3 WORK CREWS;
- 4 B. PROVIDE THE AVERAGE COST PER INSPECTION FOR INSPECTIONS
- 5 CONDUCTED BY PWDEMPLOYED WORK CREWS;
- 6 C. PLEASE DESCRIBE HOW THE AVERAGE COST IN (B) WAS
- 7 CALCULATED AND PROVIDE ANY DOCUMENTS USED IN PREPARING
- 8 THE CALCULATION;
- 9 D. IDENTIFY HOW MANY INSPECTIONS WERE COMPLETED BY
- 10 CONTRACTORS;
- 11 E. PLEASE IDENTIFY EACH CONTRACTOR USED BY PWD FOR
- 12 INSPECTIONS;
- 13 F. FOR EACH CONTRACTOR IN (D) PROVIDE THE NUMBER OF
- 14 INSPECTIONS AND THE AVERAGE COST PER INSPECTION;
- 15 G. PLEASE DESCRIBE HOW THE AVERAGE COSTS IN (F) WERE
- 16 CALCULATED AND PROVIDE ANY DOCUMENTS USED IN PREPARING
- 17 THE CALCULATIONS.
- 18

19 **RESPONSE:**

20 Objection. The proper scope of this proceeding is limited to the rates and charges
21 proposed by the Department. The number of curb box inspections previously completed
22 by the Department is not pertinent to the prospective rates and charges for the Rate Period
23 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
24 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
25 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
26 Department. This interrogatory and request are not seeking information related to the
27 prospective rates and charges proposed for the Rate Period. The requested information
28 will not assist the Rate Board in determining the prospective rates and charges for the Rate

1 Period. No nexus has been established between the number of curb box inspections
2 previously completed by the Department and the prospective rates and charges proposed
3 for the Rate Period.

4
5 Notwithstanding the above objections and the Department's General Objections, and
6 without waiver thereof, the Department responds to this interrogatory and request as
7 follows:

8
9 Please see the response to PA-I-20.

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12 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-26.** FOR CURB-BOX INSPECTIONS COMPLETED SINCE JUNE 30, 2018,
2 PLEASE PROVIDE:

- 3 A. THE NUMBER OF LEAD SERVICE LINES IDENTIFIED;
4 B. THE NUMBER OF GALVANIZED STEEL SERVICE LINES IDENTIFIED;
5 C. THE NUMBER OF COPPER SERVICE LINES IDENTIFIED;
6 D. THE NUMBER OF SERVICE LINES COMPOSED OF ANY OTHER
7 MATERIAL IDENTIFIED;
8 E. THE NUMBER OF SERVICE LINES FOR WHICH INSPECTIONS WERE
9 INCONCLUSIVE.

10
11 **RESPONSE:**

12 Objection. The proper scope of this proceeding is limited to the rates and charges
13 proposed by the Department. The number of curb box inspections previously completed
14 by the Department is not pertinent to the prospective rates and charges for the Rate Period
15 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
16 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
17 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
18 Department. This interrogatory and request are not seeking information related to the
19 prospective rates and charges proposed for the Rate Period. The requested information
20 will not assist the Rate Board in determining the prospective rates and charges for the Rate
21 Period. No nexus has been established between the number of curb box inspections
22 previously completed by the Department and the prospective rates and charges proposed
23 for the Rate Period.

24
25 Notwithstanding the above objections and the Department's General Objections, and
26 without waiver thereof, the Department responds to this interrogatory and request as
27 follows:
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Please see the response to PA-I-20.

RESPONSE PROVIDED BY: Philadelphia Water Department

1 **PA-I-27.** DESCRIBE THE PROCEDURES OR PROTOCOLS FOLLOWED BY PWD IF
2 THE CURB-BOX INSPECTION:

- 3 A. IDENTIFIES A LEAD SERVICE LINE;
4 B. IDENTIFIES A GALVANIZED STEEL SERVICE LINE;
5 C. IDENTIFIES A COPPER SERVICE LINE; OR
6 D. IS INCONCLUSIVE.

7
8 **RESPONSE:**

9 Objection. The proper scope of this proceeding is limited to the rates and charges
10 proposed by the Department. The number of curb box inspections previously completed
11 by the Department is not pertinent to the prospective rates and charges for the Rate Period
12 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
13 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
14 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
15 Department. This interrogatory and request are not seeking information related to the
16 prospective rates and charges proposed for the Rate Period. The requested information
17 will not assist the Rate Board in determining the prospective rates and charges for the Rate
18 Period. No nexus has been established between the number of curb box inspections
19 previously completed by the Department and the prospective rates and charges proposed
20 for the Rate Period.

21
22 Notwithstanding the above objections and the Department's General Objections, and
23 without waiver thereof, the Department responds to this interrogatory and request as
24 follows:

25
26 Please see the response to PA-I-20.

27
28 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-28.** HOW MANY CURB-BOX INSPECTIONS DOES PWD PLAN TO CONDUCT
2 AFTER JULY 1, 2020 (BY MONTH)?
3

4 **RESPONSE:**

5 Please see the response to PA-I-20.
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8 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-29.** FOR CURB-BOX INSPECTIONS PWD EXPECTS TO COMPLETE AFTER
2 JANUARY 1, 2020:

3 A. IDENTIFY HOW MANY PWD EXPECTS TO COMPLETE USING PWD-
4 EMPLOYEE WORK CREWS.

5 B. PROVIDE THE EXPECTED AVERAGE COST PER INSPECTION FOR
6 INSPECTIONS CONDUCTED BY PWD-EMPLOYEE WORK CREWS.

7 PLEASE DESCRIBE HOW THE AVERAGE COST WAS CALCULATED AND
8 PROVIDE ANY DOCUMENTS USED IN PREPARING THE CALCULATION.

9 C. IDENTIFY HOW MANY INSPECTIONS PWD EXPECTS TO COMPLETE
10 USING CONTRACTORS.

11 D. IDENTIFY EACH CONTRACTOR PWD INTENDS TO USE.

12 E. FOR EACH CONTRACTOR IN (D), PROVIDE THE NUMBER OF LEAD
13 SERVICE LINES PWD EXPECTS THE CONTRACTOR TO INSPECT, AND
14 THE EXPECTED AVERAGE COST PER INSPECTION. PLEASE DESCRIBE
15 HOW THE AVERAGE COST WAS CALCULATED AND PROVIDE ANY
16 DOCUMENTS USED IN PREPARING THE CALCULATION.

17 F. PROVIDE ANY REQUESTS FOR PROPOSAL OR CONTRACTS RELATING
18 TO ALL INSPECTIONS TO BE CONDUCTED AFTER JANUARY 1, 2020.

19
20 **RESPONSE:**

21 Please see the response to PA-I-20.
22
23

24 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-30.** DOES PWD NOTIFY A CUSTOMER BEFORE IT CONDUCTS A CURB-BOX
2 INSPECTION? IF SO, PLEASE DESCRIBE HOW.
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. Methods of prior notification is not pertinent to the
7 prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023).
8 The Board has limited jurisdiction. The Rate Board is empowered to approve, modify or
9 reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The Rate
10 Board does not have oversight authority over the Department. This interrogatory and
11 request are not seeking information related to the prospective rates and charges proposed
12 for the Rate Period. The requested information will not assist the Rate Board in
13 determining the prospective rates and charges for the Rate Period. No nexus has been
14 established between the prior notification and the prospective rates and charges proposed
15 for the Rate Period.
16

17 Notwithstanding the above objections and the Department's General Objections, and
18 without waiver thereof, the Department responds to this interrogatory and request as
19 follows:
20

21 Please see the response to PA-I-20.
22
23

24 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-31.** PLEASE PROVIDE ALL NOTIFICATION MATERIALS PWD DISTRIBUTES
2 TO CUSTOMERS PRIOR TO A CURB-BOX INSPECTION.
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The information and documents provided to customers are
7 not pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022
8 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered
9 to approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
10 Code. The Rate Board does not have oversight authority over the Department. This
11 interrogatory and request are not seeking information related to the prospective rates and
12 charges proposed for the Rate Period. The requested information will not assist the Rate
13 Board in determining the prospective rates and charges for the Rate Period. No nexus has
14 been established between the information provided to customers and the prospective rates
15 and charges proposed for the Rate Period.
16

17 Notwithstanding the above objections and the Department's General Objections, and
18 without waiver thereof, the Department responds to this interrogatory and request as
19 follows:
20

21 Please see the responses to PA-I-20 and PA-I-30.
22
23

24 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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28

1 **PA-I-32.** DOES PWD NOTIFY A CUSTOMER OF THE RESULTS OF A CURB-BOX
2 INSPECTION OF A SERVICE LINE? IF SO, PLEASE DESCRIBE HOW.
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The information and documents provided to customers are
7 not pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022
8 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered
9 to approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
10 Code. The Rate Board does not have oversight authority over the Department. This
11 interrogatory and request are not seeking information related to the prospective rates and
12 charges proposed for the Rate Period. The requested information will not assist the Rate
13 Board in determining the prospective rates and charges for the Rate Period. No nexus has
14 been established between the information provided to customers and the prospective rates
15 and charges proposed for the Rate Period.
16

17 Notwithstanding the above objections and the Department's General Objections, and
18 without waiver thereof, the Department responds to this interrogatory and request as
19 follows:
20

21 Please see the responses to PA-I-20, PA-I-30 and PA-I-31.
22
23

24 **RESPONSE PROVIDED BY:** Philadelphia Water Department
25
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28

1 **PA-I-33.** PLEASE PROVIDE ALL NOTIFICATION MATERIALS PWD DISTRIBUTES
2 TO CUSTOMERS AFTER COMPLETION OF A CURB-BOX INSPECTION.
3

4 **RESPONSE:**

5 The Department objects to this interrogatory and request are duplicative and cumulative of
6 PA-I-31.
7

8 The proper scope of this proceeding is limited to the rates and charges proposed by the
9 Department. The information and documents provided to customers are not pertinent to
10 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
11 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
12 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
13 Rate Board does not have oversight authority over the Department. This interrogatory and
14 request are not seeking information related to the prospective rates and charges proposed
15 for the Rate Period. The requested information will not assist the Rate Board in
16 determining the prospective rates and charges for the Rate Period. No nexus has been
17 established between the information provided to customers and the prospective rates and
18 charges proposed for the Rate Period.
19

20 Notwithstanding the above objections and the Department's General Objections, and
21 without waiver thereof, the Department responds to this interrogatory and request as
22 follows:
23

24 Please see the responses to PA-I-20, PA-I-30 and PA-I-31.
25
26

27 **RESPONSE PROVIDED BY:** Philadelphia Water Department
28

1 **PA-I-34.** IDENTIFY HOW MANY EXCAVATIONS PWD HAS CONDUCTED TO
2 DETERMINE THE COMPOSITION OF A SERVICE LINE SINCE JUNE 30,
3 2018.
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. The excavations conducted by the Department is not
8 pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022 and
9 Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered to
10 approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
11 Code. The Rate Board does not have oversight authority over the Department. This
12 interrogatory and request are not seeking information related to the prospective rates and
13 charges proposed for the Rate Period. The requested information will not assist the Rate
14 Board in determining the prospective rates and charges for the Rate Period. No nexus has
15 been established between excavations conducted by the Department and the prospective
16 rates and charges proposed for the Rate Period.
17

18 Notwithstanding the above objections and the Department's General Objections, and
19 without waiver thereof, the Department responds to this interrogatory and request as
20 follows:
21

22 The Department does not conduct exploratory excavations to determine composition of
23 lines on either side of the curb stop.
24

25
26 **RESPONSE PROVIDED BY:** Philadelphia Water Department
27
28

1 **PA-I-35.** DOES PWD HAVE MAPS OR DATA ON THE LOCATIONS OF
2 EXCAVATIONS CONDUCTED TO DETERMINE THE COMPOSITION OF A
3 SERVICE LINE COMPLETED SINCE JUNE 30, 2018? PLEASE PROVIDE
4 ALL MAPS AND DATA, INCLUDING GIS DATA, RELATED TO THE
5 LOCATIONS OF SUCH INSPECTIONS.
6

7 **RESPONSE:**

8 The Department objects to this interrogatory and request on the grounds that the discovery
9 sought will cause unreasonable annoyance, burden and expense to the Department.

10 Compilation of maps and GIS data would require a costly and burdensome special
11 investigation to produce. This interrogatory and request are potentially seeking a large
12 amount of information and documents, since they would require the compilation of
13 records on approximately 480,000 service connections. This interrogatory and request are
14 particularly burdensome given the shortened period allotted to compile discovery
15 responses in this proceeding. The Department objects to this interrogatory and request to
16 the extent that it seeks confidential, privileged, proprietary or other privileged information.
17 PWD does not make public the individual street addresses of sites due to privacy issues
18 and the concerns that doing so will discourage previous participants from continuing in the
19 program in future years.
20

21 The proper scope of this proceeding is limited to the rates and charges proposed by the
22 Department. The information and documents relied upon on or otherwise used in making
23 its decision on service lines are not pertinent to the prospective rates and charges for the
24 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
25 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
26 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
27 over the Department. This interrogatory and request are not seeking information related to
28 the prospective rates and charges proposed for the Rate Period. The requested information

1 will not assist the Rate Board in determining the prospective rates and charges for the Rate
2 Period. No nexus has been established between the Department's decision, if any, and the
3 prospective rates and charges proposed for the Rate Period.

4
5 Notwithstanding the above objections and the Department's General Objections, and
6 without waiver thereof, the Department responds to this interrogatory and request as
7 follows:

8
9 See the response to PA-I-34.

10
11
12 **RESPONSE PROVIDED BY:** Philadelphia Water Department

- 1 **PA-I-36.** FOR THE EXCAVATIONS TO DETERMINE THE COMPOSITION OF A
2 SERVICE LINE COMPLETED SINCE JUNE 30, 2018, PLEASE IDENTIFY:
3 A. THE NUMBER OF LEAD SERVICE LINES IDENTIFIED;
4 B. THE NUMBER OF GALVANIZED STEEL SERVICE LINES IDENTIFIED;
5 C. THE NUMBER OF COPPER SERVICE LINES IDENTIFIED;
6 D. THE NUMBER OF SERVICE LINES COMPOSED OF ANY OTHER
7 MATERIAL IDENTIFIED;
8 E. THE NUMBER OF SERVICE LINES FOR WHICH EXCAVATIONS WERE
9 INCONCLUSIVE.

10
11 **RESPONSE:**

12 Objection. The proper scope of this proceeding is limited to the rates and charges
13 proposed by the Department. The excavations conducted by the Department is not
14 pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022 and
15 Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered to
16 approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
17 Code. The Rate Board does not have oversight authority over the Department. This
18 interrogatory and request are not seeking information related to the prospective rates and
19 charges proposed for the Rate Period. The requested information will not assist the Rate
20 Board in determining the prospective rates and charges for the Rate Period. No nexus has
21 been established between excavations conducted by the Department and the prospective
22 rates and charges proposed for the Rate Period.

23
24 Notwithstanding the above objections and the Department's General Objections, and
25 without waiver thereof, the Department responds to this interrogatory and request as
26 follows:

27
28 See the response to PA-I-34.

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RESPONSE PROVIDED BY: Philadelphia Water Department

1 **PA-I-37.** DESCRIBE THE PROCEDURES FOLLOWED BY PWD IF AN EXCAVATION
2 TO DETERMINE THE COMPOSITION OF A SERVICE LINE:

- 3 A. IDENTIFIES A LEAD SERVICE LINE;
4 B. IDENTIFIES A GALVANIZED STEEL SERVICE LINE;
5 C. IDENTIFIES A COPPER SERVICE LINE; OR
6 D. IS INCONCLUSIVE.

7
8 **RESPONSE:**

9 Objection. The proper scope of this proceeding is limited to the rates and charges
10 proposed by the Department. The procedures for excavations conducted by the
11 Department is not pertinent to the prospective rates and charges for the Rate Period (Fiscal
12 Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is
13 empowered to approve, modify or reject proposed rates and charges. See, Section 13-101,
14 Philadelphia Code. The Rate Board does not have oversight authority over the
15 Department. This interrogatory and request are not seeking information related to the
16 prospective rates and charges proposed for the Rate Period. The requested information
17 will not assist the Rate Board in determining the prospective rates and charges for the Rate
18 Period. No nexus has been established between the procedures for excavations conducted
19 by the Department and the prospective rates and charges proposed for the Rate Period.

20
21 Notwithstanding the above objections and the Department's General Objections, and
22 without waiver thereof, the Department responds to this interrogatory and request as
23 follows:

24
25 See the response to PA-I-34.

26
27 **RESPONSE PROVIDED BY:** Philadelphia Water Department
28

- 1 **PA-I-38.** OF THE EXCAVATIONS TO DETERMINE THE COMPOSITION OF A
2 SERVICE LINE COMPLETED SINCE JUNE 30, 2018:
3 A. IDENTIFY HOW MANY WERE COMPLETED USING PWD-EMPLOYEE
4 WORK CREWS.
5 B. PROVIDE THE AVERAGE COST PER EXCAVATION USING PWD-
6 EMPLOYEE WORK CREWS.
7 C. IDENTIFY HOW MANY WERE COMPLETED BY CONTRACTORS.
8 D. IDENTIFY EACH CONTRACTOR PWD USED.
9 E. FOR EACH CONTRACTOR IN (D), PROVIDE THE NUMBER OF
10 EXCAVATIONS AND THE AVERAGE COST PER EXCAVATION.
11 F. PROVIDE ANY REQUESTS FOR PROPOSAL OR CONTRACTS RELATING
12 TO ALL EXCAVATIONS COMPLETED SINCE JUNE 30, 2018.

13
14 **RESPONSE:**

15 Objection. The proper scope of this proceeding is limited to the rates and charges
16 proposed by the Department. The number prior excavations is not pertinent to the
17 prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023).
18 The Board has limited jurisdiction. The Rate Board is empowered to approve, modify or
19 reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The Rate
20 Board does not have oversight authority over the Department. This interrogatory and
21 request are not seeking information related to the prospective rates and charges proposed
22 for the Rate Period. The requested information will not assist the Rate Board in
23 determining the prospective rates and charges for the Rate Period. No nexus has been
24 established between the number of prior excavations and the prospective rates and charges
25 proposed for the Rate Period.
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1 Notwithstanding the above objections and the Department's General Objections, and
2 without waiver thereof, the Department responds to this interrogatory and request as
3 follows:

4
5 See the response to PA-I-34.

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8 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-39.** IDENTIFY THE NUMBER OF PUBLIC-SIDE LEAD SERVICE LINE
2 REPLACEMENTS PWD COMPLETED SINCE JUNE 30, 2018 (BY MONTH).
3

4 **RESPONSE:**

5 Please note that consistent with the Department's objections and clarifications to the
6 instructions/definitions, which are incorporated herein by reference, the Department's
7 response to this interrogatory and request is limited to residential service lines.
8

9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:
12

13 The Department has completed or arranged to complete the replacement of 2,138 lead or
14 galvanized pipes from the main to the curb stop since the inception of its two lead line
15 replacement programs.
16
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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-40.** IDENTIFY THE NUMBER OF PRIVATE-SIDE LEAD SERVICE LINE
2 REPLACEMENTS PWD COMPLETED SINCE JUNE 30, 2018 (BY MONTH).
3

4 **RESPONSE:**

5 Please note that consistent with the Department's objections and clarifications to the
6 instructions/definitions, which are incorporated herein by reference, the Department's
7 response to this interrogatory and request is limited to residential service lines.
8

9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:
12

13 The Department has completed or arranged to complete the replacement of 1,573 lead or
14 galvanized pipes on the premises side of the curb stop since the inception of its two lead
15 line replacement programs.
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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-41.** WHEN PWD REPLACES BOTH THE PRIVATE-SIDE AND PUBLIC-SIDE
2 LEAD SERVICE LINE AT AN ADDRESS, IS THAT COUNTED BY PWD AS
3 TWO SERVICE LINE REPLACEMENTS?
4

5 **RESPONSE:**

6 Please note that consistent with the Department's objections and clarifications to the
7 instructions/definitions, which are incorporated herein by reference, the Department's
8 response to this interrogatory and request is limited to residential service lines.
9

10 Notwithstanding the above objections and the Department's General Objections, and
11 without waiver thereof, the Department responds to this interrogatory and request as
12 follows:
13

14 In response to the previous question, PWD counts two lines as being replaced during full
15 replacement of lines on both sides of the curb stop.
16
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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-42.** IDENTIFY THE NUMBER OF ADDRESSES FOR WHICH PWD HAS
2 REPLACED BOTH THE PRIVATESIDE AND PUBLIC-SIDE LEAD SERVICE
3 LINE SINCE JUNE 30, 2018.
4

5 **RESPONSE:**

6 Please note that consistent with the Department's objections and clarifications to the
7 instructions/definitions, which are incorporated herein by reference, the Department's
8 response to this interrogatory and request is limited to residential service lines.
9

10 Notwithstanding the above objections and the Department's General Objections, and
11 without waiver thereof, the Department responds to this interrogatory and request as
12 follows:
13

14 The Department has completed or arranged to complete the replacement of 1,334 lead or
15 galvanized pipes on both sides of the curb stop since the inception of its two lead line
16 replacement programs.
17
18

19 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-43.** DOES PWD CONDUCT PARTIAL LEAD SERVICE LINE REPLACEMENTS?
2

3 **RESPONSE:**

4 Please note that consistent with the Department's objections and clarifications to the
5 instructions/definitions, which are incorporated herein by reference, the Department's
6 response to this interrogatory and request is limited to residential service lines.
7

8 Notwithstanding the above objections and the Department's General Objections, and
9 without waiver thereof, the Department responds to this interrogatory and request as
10 follows:
11

12 Yes. By way of further response, PWD has been using non-lead connectors for partial
13 connections. These connectors contain non-metallic materials that separate dissimilar
14 metals, thus preventing galvanic corrosion which is considered a cause of elevated lead
15 following partial connection. See pages 64 of PWD's Submission of Comments
16 Concerning National Primary Drinking Water Regulations: Proposed Lead and Copper
17 Rule Revisions – Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.
18
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20 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-44.** IDENTIFY THE NUMBER OF PARTIAL LEAD SERVICE LINE
2 REPLACEMENTS PWD COMPLETED SINCE JUNE 30, 2018 (BY MONTH).
3

4 **RESPONSE:**

5 Please note that consistent with the Department's objections and clarifications to the
6 instructions/definitions, which are incorporated herein by reference, the Department's
7 response to this interrogatory and request is limited to residential service lines.
8

9 Notwithstanding the above objections and the Department's General Objections and
10 clarifications, and without waiver thereof, the Department responds to this interrogatory
11 and request as follows:
12

13 216 properties have had a reconnection of a lead line from the inception of the
14 Department's lead line replacement programs.
15

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17 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-45.** DOES PWD HAVE MAPS OR DATA ON THE LOCATIONS OF LEAD
2 SERVICE LINE REPLACEMENTS COMPLETED SINCE JUNE 30, 2018?
3 PLEASE PROVIDE ALL MAPS AND DATA, INCLUDING GIS DATA,
4 RELATED TO THE LOCATIONS OF SUCH REPLACEMENTS.

5
6 **RESPONSE:**

7 The Department objects to this interrogatory and request on the grounds that the discovery
8 sought will cause unreasonable annoyance, burden and expense to the Department.

9 Compilation of maps and GIS data would require a costly and burdensome special
10 investigation to produce. This interrogatory and request are potentially seeking a large
11 amount of information and documents, since they would require the compilation of
12 records on approximately 480,000 service connections. This interrogatory and request are
13 particularly burdensome given the shortened period allotted to compile discovery
14 responses in this proceeding. The Department objects to this interrogatory and request to
15 the extent that it seeks confidential, privileged, proprietary or other privileged information.
16 PWD does not make public the individual street addresses of sites due to privacy issues
17 and the concerns that doing so will discourage previous participants from continuing in the
18 program in future years.

19
20 The proper scope of this proceeding is limited to the rates and charges proposed by the
21 Department. The information and documents relied upon on or otherwise used in making
22 its decision on service lines are not pertinent to the prospective rates and charges for the
23 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
24 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
25 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
26 over the Department. This interrogatory and request are not seeking information related to
27 the prospective rates and charges proposed for the Rate Period. The requested information
28 will not assist the Rate Board in determining the prospective rates and charges for the Rate

1 Period. No nexus has been established between the Department's decision, if any, and the
2 prospective rates and charges proposed for the Rate Period.

3
4 The Department's General Objections are incorporated herein by reference.
5

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7 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-46.** HOW DOES PWD SELECT THE ADDRESSES WHERE IT CONDUCTS
2 SERVICE LINE REPLACEMENTS? PLEASE PROVIDE ALL DOCUMENTS
3 RELATING TO HOW PWD SELECTS LOCATIONS FOR THESE
4 REPLACEMENTS.

5
6 **RESPONSE:**

7 The Department objects to this interrogatory and request in that they seeks information
8 and documents that are privileged. This interrogatory and request are seeking to learn
9 about the Department's decision-making process, which is protected from disclosure by
10 the deliberative process privilege. The Department further objects to this interrogatory and
11 request to the extent that it seeks information and documents protected by attorney-client
12 privilege.

13
14 The Department objects to this interrogatory and request on the grounds that the discovery
15 sought will cause unreasonable annoyance, burden and expense to the Department.
16 Compilation of information and documents being requested would require a costly and
17 burdensome special investigation to produce. This interrogatory and request are
18 particularly burdensome given the shortened period allotted to compile discovery
19 responses in this proceeding. The Department objects to this interrogatory and request to
20 the extent that it seeks confidential, privileged, proprietary or other privileged information.

21
22 The proper scope of this proceeding is limited to the rates and charges proposed by the
23 Department. The information and documents relied upon on or otherwise used in making
24 its decision are not pertinent to the prospective rates and charges for the Rate Period
25 (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate
26 Board is empowered to approve, modify or reject proposed rates and charges. See, Section
27 13-101, Philadelphia Code. The Rate Board does not have oversight authority over the
28 Department. This interrogatory and request are not seeking information related to the

1 prospective rates and charges proposed for the Rate Period. The requested information
2 will not assist the Rate Board in determining the prospective rates and charges for the Rate
3 Period. No nexus has been established between the Department's decision, if any, and the
4 prospective rates and charges proposed for the Rate Period.

5
6 The Department's General Objections are incorporated herein by reference.

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9 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-47.** HOW DOES PWD DECIDE THE ORDER OR PRIORITY OF LEAD SERVICE
2 LINE REPLACEMENTS? PLEASE PROVIDE ALL DOCUMENTS RELATING
3 TO HOW PWD ORDERED OR PRIORITIZED LOCATIONS FOR THESE
4 REPLACEMENTS.

5
6 **RESPONSE:**

7 The Department objects to this interrogatory and request in that they seeks information
8 and documents that are privileged. This interrogatory and request are seeking to learn
9 about the Department's decision-making process, which is protected from disclosure by
10 the deliberative process privilege. The Department further objects to this interrogatory and
11 request to the extent that it seeks information and documents protected by attorney-client
12 privilege.

13
14 The Department objects to this interrogatory and request on the grounds that the discovery
15 sought will cause unreasonable annoyance, burden and expense to the Department.
16 Compilation of information and documents being requested would require a costly and
17 burdensome special investigation to produce. This interrogatory and request are
18 potentially seeking a large amount of information and documents, since they would
19 require the compilation of records on approximately 480,000 service connections. This
20 interrogatory and request are particularly burdensome given the shortened period allotted
21 to compile discovery responses in this proceeding. The Department objects to this
22 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
23 other privileged information.

24
25 The proper scope of this proceeding is limited to the rates and charges proposed by the
26 Department. The information and documents relied upon on or otherwise used in making
27 its decision on service lines are not pertinent to the prospective rates and charges for the
28 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.

1 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
2 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
3 over the Department. This interrogatory and request are not seeking information related to
4 the prospective rates and charges proposed for the Rate Period. The requested information
5 will not assist the Rate Board in determining the prospective rates and charges for the Rate
6 Period. No nexus has been established between the Department's decision, if any, and the
7 prospective rates and charges proposed for the Rate Period.

8
9 The Department's General Objections are incorporated herein by reference.

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11 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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- 1 **PA-I-48.** FOR LEAD SERVICE LINE REPLACEMENTS SINCE JUNE 30, 2018:
- 2 A. IDENTIFY THE NUMBER OF LEAD SERVICE LINES REPLACED BY PWD-
- 3 EMPLOYEE WORK CREWS.
- 4 B. PROVIDE THE AVERAGE COST PER REPLACEMENT FOR LEAD
- 5 SERVICE LINES REPLACED BY PWDEMPLOYEE WORK CREWS.
- 6 C. PLEASE DESCRIBE HOW THE AVERAGE COST IN (B) WAS
- 7 CALCULATED AND PROVIDE ANY DOCUMENTS USED IN PREPARING
- 8 THE CALCULATION.
- 9 D. IDENTIFY THE NUMBER OF LEAD SERVICE LINES REPLACED BY
- 10 CONTRACTORS.
- 11 E. IDENTIFY EACH CONTRACTOR USED BY PWD TO REPLACE LEAD
- 12 SERVICE LINES
- 13 F. FOR EACH CONTRACTOR IN (D), PROVIDE THE NUMBER OF LEAD
- 14 SERVICE LINES REPLACED AND THE AVERAGE COST PER
- 15 REPLACEMENT.
- 16 G. PLEASE DESCRIBE HOW THE AVERAGE COSTS IN (F) WERE
- 17 CALCULATED AND PROVIDE ANY DOCUMENTS USED IN PREPARING
- 18 THE CALCULATIONS.
- 19 H. PROVIDE ANY REQUESTS FOR PROPOSAL OR CONTRACTS RELATING
- 20 TO REPLACEMENTS COMPLETED SINCE JUNE 30, 2018.
- 21

22 **RESPONSE:**

23 The Department objects to this interrogatory and request on the grounds that the discovery
24 sought will cause unreasonable annoyance, burden and expense to the Department.
25 Compilation of information and documents being requested would require a costly and
26 burdensome special investigation to produce. This interrogatory and request are
27 potentially seeking a large amount of information and documents, since they would
28 require the compilation of records on approximately 480,000 service connections. This

1 interrogatory and request are particularly burdensome given the shortened period allotted
2 to compile discovery responses in this proceeding. The Department objects to this
3 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
4 other privileged information.

5
6 The proper scope of this proceeding is limited to the rates and charges proposed by the
7 Department. The completed replacements are not pertinent to the prospective rates and
8 charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has
9 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
10 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
11 oversight authority over the Department. This interrogatory and request are not seeking
12 information related to the prospective rates and charges proposed for the Rate Period. The
13 requested information will not assist the Rate Board in determining the prospective rates
14 and charges for the Rate Period. No nexus has been established between completed
15 replacements and the prospective rates and charges proposed for the Rate Period.

16
17 The Department's General Objections are incorporated herein by reference.

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19 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-49.** PLEASE DESCRIBE ALL FINANCIAL ASSISTANCE PROVIDED TO
2 CUSTOMERS FOR PRIVATE-SIDE LEAD SERVICE LINE REPLACEMENTS
3 CONDUCTED SINCE JUNE 30, 2018.
4

5 **RESPONSE:**

6 This interrogatory and request are based on the incorrect assumption that service lines are
7 part of the Department's water system. The Department's objections and clarifications to
8 the instructions/definitions are incorporated herein by reference. As explained in the
9 aforesaid objections and clarifications, lead lines on either side of the curb stop are not
10 considered as part of PWD's system.
11

12 The Department further objects to this interrogatory in that it seeks information that is a
13 matter of public record and otherwise available to the Public Advocate. This interrogatory
14 and request seek information and documents that are available to the Public Advocate
15 through the Public Advocate's own efforts. It follows that this request imposes an
16 unreasonable burden or expense on the Department to obtain such information or
17 documents and to provide same to the Public Advocate.
18

19 The Department's General Objections are incorporated herein by reference.
20

21 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-50.** FOR ALL PRIVATE-SIDE LEAD SERVICE LINE REPLACEMENTS
2 PERFORMED SINCE JUNE 30, 2018, PLEASE IDENTIFY:
3 A. HOW MANY WERE PROVIDED AT NO CHARGE TO THE HOMEOWNER
4 UNDER THE REPLACEMENT PROGRAM;
5 B. PLEASE PROVIDE A LIST OF HOW MANY WERE FUNDED THROUGH
6 EACH PROGRAM OR FUNDING SOURCES USED.

7
8 **RESPONSE:**

9 Objection. The proper scope of this proceeding is limited to the rates and charges
10 proposed by the Department. The procedures used by the Department is not pertinent to
11 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
12 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
13 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
14 Rate Board does not have oversight authority over the Department. This interrogatory and
15 request are not seeking information related to the prospective rates and charges proposed
16 for the Rate Period. The requested information will not assist the Rate Board in
17 determining the prospective rates and charges for the Rate Period. No nexus has been
18 established between the Department's existing procedures and the prospective rates and
19 charges proposed for the Rate Period.
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21
22 The Department's General Objections are incorporated herein by reference.
23

24 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-51.** PLEASE DESCRIBE HOW PWD NOTIFIES CUSTOMERS OF THEIR
2 ELIGIBILITY FOR PRIVATE-SIDE SERVICE LINE REPLACEMENT?
3 PLEASE PROVIDE ALL NOTIFICATION DOCUMENTS DISTRIBUTED TO
4 CUSTOMERS.

5
6 **RESPONSE:**

7 Objection. The proper scope of this proceeding is limited to the rates and charges
8 proposed by the Department. The procedures used by the Department is not pertinent to
9 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
10 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
11 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
12 Rate Board does not have oversight authority over the Department. This interrogatory and
13 request are not seeking information related to the prospective rates and charges proposed
14 for the Rate Period. The requested information will not assist the Rate Board in
15 determining the prospective rates and charges for the Rate Period. No nexus has been
16 established between the Department's existing procedures and the prospective rates and
17 charges proposed for the Rate Period.
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19
20 The Department's General Objections are incorporated herein by reference.
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23 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-52.** PLEASE DESCRIBE PWD'S EFFORTS TO OBTAIN A CUSTOMER'S
2 PERMISSION OR CONSENT FOR PRIVATE-SIDE SERVICE LINE
3 REPLACEMENT. PLEASE PROVIDE ALL PERMISSION OR CONSENT
4 DOCUMENTS DISTRIBUTED TO CUSTOMERS.

5
6 **RESPONSE:**

7 Objection. The proper scope of this proceeding is limited to the rates and charges
8 proposed by the Department. The procedures used by the Department is not pertinent to
9 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
10 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
11 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
12 Rate Board does not have oversight authority over the Department. This interrogatory and
13 request are not seeking information related to the prospective rates and charges proposed
14 for the Rate Period. The requested information will not assist the Rate Board in
15 determining the prospective rates and charges for the Rate Period. No nexus has been
16 established between the Department's existing procedures and the prospective rates and
17 charges proposed for the Rate Period.
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19
20 The Department's General Objections are incorporated herein by reference.
21

22 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-53.** PLEASE DESCRIBE ALL INFORMATION PWD PROVIDES TO
2 CUSTOMERS AFTER A SERVICE LINE REPLACEMENT IS COMPLETE.
3 PLEASE PROVIDE ALL DOCUMENTS GIVEN TO CUSTOMERS
4 FOLLOWING SERVICE LINE REPLACEMENT, INCLUDING BUT NOT
5 LIMITED TO ANY INFORMATION ON WATER FLUSHING AND TAP
6 WATER TESTING FOR LEAD.

7
8 **RESPONSE:**

9 Objection. The proper scope of this proceeding is limited to the rates and charges
10 proposed by the Department. The information and documents provided to customers are
11 not pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022
12 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered
13 to approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
14 Code. The Rate Board does not have oversight authority over the Department. This
15 interrogatory and request are not seeking information related to the prospective rates and
16 charges proposed for the Rate Period. The requested information will not assist the Rate
17 Board in determining the prospective rates and charges for the Rate Period. No nexus has
18 been established between the information provided to customers and the prospective rates
19 and charges proposed for the Rate Period.

20
21 The Department's General Objections are incorporated herein by reference.

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23 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-54.** DOES PWD PROVIDE FILTERS TO CUSTOMERS AFTER SERVICE LINE
2 REPLACEMENT?
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The procedures used by the Department is not pertinent to
7 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
8 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
9 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
10 Rate Board does not have oversight authority over the Department. This interrogatory and
11 request are not seeking information related to the prospective rates and charges proposed
12 for the Rate Period. The requested information will not assist the Rate Board in
13 determining the prospective rates and charges for the Rate Period. No nexus has been
14 established between the Department's existing procedures and the prospective rates and
15 charges proposed for the Rate Period.
16

17 The Department's General Objections are incorporated herein by reference.
18

19 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-55.** DOES PWD PROVIDE REPLACEMENT FILTER CARTRIDGES TO
2 CUSTOMERS AFTER SERVICE LINE REPLACEMENT?
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. The procedures used by the Department is not pertinent to
7 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
8 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
9 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
10 Rate Board does not have oversight authority over the Department. This interrogatory and
11 request are not seeking information related to the prospective rates and charges proposed
12 for the Rate Period. The requested information will not assist the Rate Board in
13 determining the prospective rates and charges for the Rate Period. No nexus has been
14 established between the Department's existing procedures and the prospective rates and
15 charges proposed for the Rate Period.
16

17 The Department's General Objections are incorporated herein by reference.
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19 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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- 1 **PA-I-56.** IF, FOLLOWING LEAD SERVICE LINE REPLACEMENT, PWD PROVIDES
2 CUSTOMERS WITH FILTERS, REPLACEMENT CARTRIDGES, OR BOTH:
3 A. IDENTIFY HOW MANY FILTERS ARE PROVIDED TO EACH CUSTOMER;
4 B. IDENTIFY HOW MANY REPLACEMENT CARTRIDGES ARE PROVIDED
5 TO EACH CUSTOMER;
6 C. IDENTIFY HOW THE FILTER AND REPLACEMENT CARTRIDGE(S) ARE
7 GIVEN TO THE CUSTOMER (E.G. IN PERSON, LEFT AT THE DOOR);
8 D. IDENTIFY WHETHER THE FILTERS AND REPLACEMENT CARTRIDGES
9 ARE PROVIDED TO CUSTOMERS FREE-OF-CHARGE;
10 E. IDENTIFY WHETHER PWD PROVIDES ANY INSTRUCTIONS,
11 RECOMMENDATIONS, OR ASSISTANCE FOR FILTER INSTALLATION
12 AND USE AFTER SERVICE LINE REPLACEMENT AND, IF SO, PLEASE
13 PROVIDE ALL RELATED DOCUMENTS;
14 F. IDENTIFY WHETHER PWD ATTEMPTS TO VERIFY THAT THE
15 CUSTOMER HAS INSTALLED OR IS USING THE FILTER AS DIRECTED
16 BY THE MANUFACTURER, AND IF SO, HOW;
17 G. IDENTIFY WHETHER A CUSTOMER WHO HAS HAD A SERVICE LINE
18 REPLACED MAY REQUEST ADDITIONAL REPLACEMENT
19 CARTRIDGE(S) OR FILTER(S) FROM PWD AND, IF SO, HOW AND FOR
20 HOW LONG AFTER REPLACEMENT.
21 H. HOW MUCH DOES EACH FILTER COST?
22 I. HOW MUCH DOES EACH CARTRIDGE COST?

23
24 **RESPONSE:**

25 Objection. The proper scope of this proceeding is limited to the rates and charges
26 proposed by the Department. The procedures used by the Department is not pertinent to
27 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
28 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,

1 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
2 Rate Board does not have oversight authority over the Department. This interrogatory and
3 request are not seeking information related to the prospective rates and charges proposed
4 for the Rate Period. The requested information will not assist the Rate Board in
5 determining the prospective rates and charges for the Rate Period. No nexus has been
6 established between the Department's existing procedures and the prospective rates and
7 charges proposed for the Rate Period.

8
9 The Department's General Objections are incorporated herein by reference.

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11 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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- 1 **PA-I-57.** IF, FOLLOWING LEAD SERVICE LINE REPLACEMENT, PWD PROVIDES
2 CUSTOMERS WITH FILTERS, REPLACEMENT CARTRIDGES, OR BOTH:
3 A. HOW MANY CUSTOMERS RECEIVED FILTERS SINCE JUNE 30, 2018,
4 DISAGGREGATED BY MONTH?
5 B. HOW MANY CUSTOMERS RECEIVED REPLACEMENT CARTRIDGES
6 SINCE JUNE 30, 2018, DISAGGREGATED BY MONTH?
7 C. HOW MUCH HAS PWD SPENT ON SUCH FILTERS AND CARTRIDGES
8 SINCE JUNE 30, 2018, DISAGGREGATED BY MONTH?
9

10 **RESPONSE:**

11 Objection. The proper scope of this proceeding is limited to the rates and charges
12 proposed by the Department. The procedures used by the Department is not pertinent to
13 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
14 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
15 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
16 Rate Board does not have oversight authority over the Department. This interrogatory and
17 request are not seeking information related to the prospective rates and charges proposed
18 for the Rate Period. The requested information will not assist the Rate Board in
19 determining the prospective rates and charges for the Rate Period. No nexus has been
20 established between the Department's existing procedures and the prospective rates and
21 charges proposed for the Rate Period.
22

23 The Department's General Objections are incorporated herein by reference.
24

25 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-58.** DESCRIBE ALL MEASURES PWD TAKES TO RESTORE PRIVATE
2 PROPERTY DISTURBED OR DAMAGED DURING SERVICE LINE
3 REPLACEMENT, INCLUDING BUT NOT LIMITED TO LAWNS,
4 DRIVEWAYS, STEPS, OR WALLS.
5

6 **RESPONSE:**

7 Objection. The proper scope of this proceeding is limited to the rates and charges
8 proposed by the Department. The procedures used by the Department is not pertinent to
9 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
10 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
11 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
12 Rate Board does not have oversight authority over the Department. This interrogatory and
13 request are not seeking information related to the prospective rates and charges proposed
14 for the Rate Period. The requested information will not assist the Rate Board in
15 determining the prospective rates and charges for the Rate Period. No nexus has been
16 established between the Department's existing procedures and the prospective rates and
17 charges proposed for the Rate Period.
18

19 The Department's General Objections are incorporated herein by reference.
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21 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-59.** WHAT IS THE AVERAGE COST PER REPLACEMENT OF THE
2 RESTORATION MEASURES DESCRIBED IN RESPONSE TO THE
3 IMMEDIATELY PRECEDING REQUEST?
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. The procedures used by the Department is not pertinent to
8 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
9 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
10 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
11 Rate Board does not have oversight authority over the Department. This interrogatory and
12 request are not seeking information related to the prospective rates and charges proposed
13 for the Rate Period. The requested information will not assist the Rate Board in
14 determining the prospective rates and charges for the Rate Period. No nexus has been
15 established between the Department's existing procedures and the prospective rates and
16 charges proposed for the Rate Period.

17
18 The Department's General Objections are incorporated herein by reference.
19

20 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-60.** DOES PWD REPLACE GALVANIZED STEEL SERVICE LINES AS PART OF
2 ITS SERVICE LINE REPLACEMENT PROGRAM? IF NO, PLEASE EXPLAIN
3 WHY.

4
5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. The Rate Board does not have oversight authority over the
8 Department. Rather, it has limited jurisdiction in connection with this proceeding. The
9 Department's General Objections are incorporated herein by reference.

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12 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-61.** IF THE ANSWER TO THE IMMEDIATELY PRECEDING REQUEST IS NO,
2 DID PWD CONSIDER REPLACING GALVANIZED STEEL SERVICE LINES
3 THROUGH ITS SERVICE LINE REPLACEMENT PROGRAM? IF SO,
4 PLEASE PROVIDE ALL DOCUMENTS PWD CONSIDERED IN DECIDING
5 WHETHER TO INCLUDE GALVANIZED STEEL SERVICE LINES IN ITS
6 SERVICE LINE REPLACEMENT PROGRAM.

7
8 **RESPONSE:**

9 The Department objects to this interrogatory and request in that they seeks information
10 and documents that are privileged. This interrogatory and request are seeking to learn
11 about the Department's decision-making process, which is protected from disclosure by
12 the deliberative process privilege. The Department further objects to this interrogatory and
13 request to the extent that it seeks information and documents protected by attorney-client
14 privilege.

15
16 The Department objects to this interrogatory and request on the grounds that the discovery
17 sought will cause unreasonable annoyance, burden and expense to the Department.
18 Compilation of information and documents being requested would require a costly and
19 burdensome special investigation to produce. This interrogatory and request are
20 potentially seeking a large amount of information and documents, since they would
21 require the compilation of records on approximately 480,000 service connections. This
22 interrogatory and request are particularly burdensome given the shortened period allotted
23 to compile discovery responses in this proceeding. The Department objects to this
24 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
25 other privileged information.

26
27 The proper scope of this proceeding is limited to the rates and charges proposed by the
28 Department. The information and documents relied upon on or otherwise used in making

1 its decision on galvanized steel service lines are not pertinent to the prospective rates and
2 charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has
3 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
4 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
5 oversight authority over the Department. This interrogatory and request are not seeking
6 information related to the prospective rates and charges proposed for the Rate Period. The
7 requested information will not assist the Rate Board in determining the prospective rates
8 and charges for the Rate Period. No nexus has been established between the Department's
9 decision, if any, and the prospective rates and charges proposed for the Rate Period.

10
11 The Department's General Objections are incorporated herein by reference.

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13 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-62.** PLEASE DESCRIBE PWD'S PLANS TO REPLACE LEAD SERVICE LINES
2 AFTER JULY 1, 2020, INCLUDING THE EXPECTED NUMBER OF SERVICE
3 LINES TO BE REPLACED AND PWD'S EXPECTED SCHEDULE FOR
4 REPLACEMENTS.

5
6 **RESPONSE:**

7 Objection. The proper scope of this proceeding is limited to the rates and charges
8 proposed by the Department. The Rate Board does not have oversight authority over the
9 Department. Rather, it has limited jurisdiction in connection with this proceeding. The
10 Department's General Objections are incorporated herein by reference.

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14 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-63.** HAS PWD SELECTED THE ADDRESSES WHERE IT WILL REPLACE
2 SERVICE LINES AFTER JULY 1, 2020?
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4 **RESPONSE:**

5 The Department objects to this interrogatory and request in that they seeks information
6 and documents that are privileged. This interrogatory and request are seeking to learn
7 about the Department's decision-making process, which is protected from disclosure by
8 the deliberative process privilege. The Department further objects to this interrogatory and
9 request to the extent that it seeks information and documents protected by attorney-client
10 privilege.
11

12 The Department objects to this interrogatory and request on the grounds that the discovery
13 sought will cause unreasonable annoyance, burden and expense to the Department.
14 Compilation of information and documents being requested would require a costly and
15 burdensome special investigation to produce. This interrogatory and request are
16 particularly burdensome given the shortened period allotted to compile discovery
17 responses in this proceeding. The Department objects to this interrogatory and request to
18 the extent that it seeks confidential, privileged, proprietary or other privileged information.
19 PWD does not make public the individual street addresses of sites due to privacy issues
20 and the concerns that doing so will discourage previous participants from continuing in the
21 program in future years.
22

23 The Department's General Objections are incorporated herein by reference.
24

25 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-64.** DOES PWD HAVE MAPS OR DATA ON THE LOCATIONS OF LEAD
2 SERVICE LINE REPLACEMENTS SCHEDULED FOR REPLACEMENT
3 AFTER JULY 1, 2018? PLEASE PROVIDE ALL MAPS AND DATA,
4 INCLUDING GIS DATA, RELATED TO THE LOCATIONS OF SERVICE
5 LINES SCHEDULED FOR REPLACEMENT.
6

7 **RESPONSE:**

8 The Department objects to this interrogatory and request on the grounds that the discovery
9 sought will cause unreasonable annoyance, burden and expense to the Department.

10 Compilation of maps and GIS data would require a costly and burdensome special
11 investigation to produce. This interrogatory and request are potentially seeking a large
12 amount of information and documents, since they would require the compilation of
13 records on approximately 480,000 service connections. This interrogatory and request are
14 particularly burdensome given the shortened period allotted to compile discovery
15 responses in this proceeding. The Department objects to this interrogatory and request to
16 the extent that it seeks confidential, privileged, proprietary or other privileged information.
17 PWD does not make public the individual street addresses of sites due to privacy issues
18 and the concerns that doing so will discourage previous participants from continuing in the
19 program in future years.
20

21 The proper scope of this proceeding is limited to the rates and charges proposed by the
22 Department. The information and documents relied upon on or otherwise used in making
23 its decision on service lines are not pertinent to the prospective rates and charges for the
24 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
25 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
26 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
27 over the Department. This interrogatory and request are not seeking information related to
28 the prospective rates and charges proposed for the Rate Period. The requested information

1 will not assist the Rate Board in determining the prospective rates and charges for the Rate
2 Period. No nexus has been established between the Department's decision, if any, and the
3 prospective rates and charges proposed for the Rate Period.

4
5 The Department's General Objections are incorporated herein by reference.

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7 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-65.** DOES PWD INTEND TO PROVIDE ANY FINANCIAL ASSISTANCE TO
2 CUSTOMERS FOR PRIVATESIDE LEAD SERVICE LINE REPLACEMENTS
3 TO BE CONDUCTED AFTER JULY 1, 2020? PLEASE PROVIDE A
4 DESCRIPTION OF THIS ASSISTANCE, INCLUDING ANY FUNDS THAT
5 PWD HAS ALLOCATED OR EXPECTS TO ALLOCATE FOR THIS
6 ASSISTANCE.

7
8 **RESPONSE:**

9 Please note that consistent with the Department's objections and clarifications to the
10 instructions/definitions, which are incorporated herein by reference, the Department's
11 response to this interrogatory and request is limited to residential service lines.

12
13 Notwithstanding the above objections and the Department's General Objections, and
14 without waiver thereof, the Department responds to this interrogatory and request as
15 follows:

16
17 See the Definitions and the responses to PA-I-1 and PA-I-2.

18
19
20 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-66.** FOR HOW LONG DOES PWD INTEND TO PROVIDE FINANCIAL
2 ASSISTANCE FOR PRIVATE-SIDE LEAD SERVICE LINE REPLACEMENT?
3

4 **RESPONSE:**

5 Please note that consistent with the Department's objections and clarifications to the
6 instructions/definitions, which are incorporated herein by reference, the Department's
7 response to this interrogatory and request is limited to residential service lines.
8

9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:
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13 PWD intends to provide assistance as long as funding is available to support the program.
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16 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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- 1 **PA-I-67.** FOR LEAD SERVICE LINES TO BE REPLACED AFTER JULY 1, 2020:
- 2 A. IDENTIFY THE NUMBER OF LEAD SERVICE LINES PWD EXPECTS TO
- 3 REPLACE USING PWDEMPLOYEE WORK CREWS.
- 4 B. PROVIDE THE EXPECTED AVERAGE COST PER REPLACEMENT FOR
- 5 LEAD SERVICE LINES REPLACED BY PWD-EMPLOYEE WORK CREWS.
- 6 C. PLEASE DESCRIBE HOW THE AVERAGE COST IN (B) WAS
- 7 CALCULATED AND PROVIDE ANY DOCUMENTS USED IN PREPARING
- 8 THE CALCULATION.
- 9 D. IDENTIFY THE NUMBER OF LEAD SERVICE LINES PWD EXPECTS TO
- 10 REPLACE USING CONTRACTORS.
- 11 E. IDENTIFY EACH CONTRACTOR PWD EXPECTS TO USE TO REPLACE
- 12 SERVICE LINES.
- 13 F. FOR EACH CONTRACTOR IN (D), PROVIDE THE NUMBER OF LEAD
- 14 SERVICE LINES PWD EXPECTS THE CONTRACTOR TO REPLACE AND
- 15 THE EXPECTED AVERAGE COST PER REPLACEMENT.
- 16 G. PLEASE DESCRIBE HOW THE AVERAGE COSTS IN (F) WERE
- 17 CALCULATED AND PROVIDE ANY DOCUMENTS USED IN PREPARING
- 18 THE CALCULATIONS.
- 19 H. PROVIDE ANY REQUESTS FOR PROPOSAL OR CONTRACTS RELATING
- 20 TO REPLACEMENTS EXPECTED AFTER JULY 1, 2020.
- 21

22 **RESPONSE:**

23 The Department objects to this interrogatory and request on the grounds that the discovery
24 sought will cause unreasonable annoyance, burden and expense to the Department.
25 Compilation of information and documents being requested would require a costly and
26 burdensome special investigation to produce. This interrogatory and request are
27 particularly burdensome given the shortened period allotted to compile discovery
28

1 responses in this proceeding. The Department objects to this interrogatory and request to
2 the extent that it seeks confidential, privileged, proprietary or other privileged information.
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6 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-68.** DOES PWD INTEND TO CONTINUE REPLACING LEAD SERVICE LINES
2 IF TAP-WATER MONITORING CONDUCTED PURSUANT TO THE LEAD
3 AND COPPER RULE, 40 C.F.R. § 141.80 ET SEQ., SHOWS LEAD
4 CONCENTRATIONS BELOW 15 PARTS PER BILLION AT THE 90TH
5 PERCENTILE FOR TWO CONSECUTIVE SIXMONTH MONITORING
6 PERIODS? PLEASE DESCRIBE THESE PLANS.

7
8 **RESPONSE:**

9 Objection. The proper scope of this proceeding is limited to the rates and charges
10 proposed by the Department. This interrogatory and request are seeking information
11 related to the Department's compliance with regulatory requirements. The Board has
12 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
13 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
14 oversight authority over the Department. This interrogatory and request are not seeking
15 information related to the prospective rates and charges proposed for the Rate Period
16 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
17 Rate Board in determining the prospective rates and charges for the Rate Period.

18
19 Notwithstanding the above objections and the Department's General Objections, and
20 without waiver thereof, the Department responds to this interrogatory and request as
21 follows:

22
23 PWD intends to continue to offer to replace lead lines from the City's water main to the
24 customer's meter when replacing the water main on the customer's block, regardless of
25 the results of tap water monitoring conducted pursuant to the lead and copper rule.

26
27 By way of further response, the Department notes that, in January 2021, the EPA finalized
28 revisions to the National Primary Drinking Water Regulations for lead and copper under

1 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the
2 first major revision of the Rule in nearly thirty years; and will require PWD to expand
3 current drinking water programs and cause the incurrence of additional expenses not
4 accounted for in the cost of service study to achieve compliance. Such additional expenses
5 were not estimated and included in the Cost of Service Report for the Rate Period, and are
6 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
7 compliance with the LCR revisions are not available at this time.
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11 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-69.** PLEASE INDICATE WHETHER PWD HAS BEEN DIRECTED PURSUANT
2 TO ANY ORDER, OR HAS ENTERED INTO ANY AGREEMENT, WITHIN
3 THE PAST FIVE YEARS, TO REPLACE A PRESCRIBED NUMBER OF
4 LEAD SERVICE LINES IN TOTAL OR PER TIME PERIOD.

5 A. IF SO, PROVIDE ALL SUCH ORDERS AND/OR AGREEMENTS
6 CONTAINING SUCH AN OBLIGATION.

7 B. IF SO, PLEASE PROVIDE THE NUMBER OF LEAD SERVICES LINES BY
8 MONTH (OR OTHER PERIOD IF OTHER THAN MONTHS) PWD IS
9 OBLIGATED TO REPLACE PURSUANT TO THE ORDER AND/OR
10 AGREEMENT.

11 C. IF SO, PLEASE PROVIDE THE NUMBER OF LEAD SERVICE LINES
12 REPLACED BY MONTH DURING THE PERIOD WHICH SUCH ORDER
13 AND/OR AGREEMENT HAS BEEN IN EFFECT.

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15 **RESPONSE:**

16 No.

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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-70.** PROVIDE AN ITEMIZED BUDGET FOR ANY ALLOCATION OF PWD'S
2 CURRENT FISCAL YEAR CONSTRUCTION BUDGET TO A LEAD-LINE
3 PROGRAM.
4

5 **RESPONSE:**

6 The lead line replacement budget for construction is contained within the budget item
7 Conveyance Reconstruction. Lead line replacement is not specifically allocated within this
8 funding.
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11 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-71.** PLEASE INDICATE HOW MUCH OF PWD'S BUDGET FOR LEAD SERVICE
2 LINE REPLACEMENT IN THE CURRENT FISCAL YEAR HAS BEEN SPENT
3 AS OF MARCH 1, 2020.
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5 **RESPONSE:**

6 Please see the response to PA-I-70.
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9 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-72.** HOW MUCH OF PWD'S BUDGET FOR LEAD SERVICE LINE
2 REPLACEMENT IN THE CURRENT FISCAL YEAR REMAINS AVAILABLE
3 FOR REPLACEMENTS CONDUCTED AFTER MARCH 1, 2020?
4

5 **RESPONSE:**

6 Please see the response to PA-I-70.
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9 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-73.** PROVIDE AN ITEMIZED BUDGET FOR PWD'S LEAD SERVICE LINE
2 REPLACEMENT PROGRAM FOR THE IMMEDIATELY UPCOMING
3 FISCAL YEAR.

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5 **RESPONSE:**

6 Please see the response to PA-I-70.

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9 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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1 **PA-I-74.** PROVIDE AN ITEMIZED BUDGET FOR PWD'S CURB-BOX INSPECTIONS
2 IN THE CURRENT FISCAL YEAR.

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4 **RESPONSE:**

5 Please see the response to PA-I-20.

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8 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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1 **PA-I-75.** PROVIDE AN ITEMIZED BUDGET FOR PWD'S CURB-BOX INSPECTIONS
2 IN THE IMMEDIATELY UPCOMING FISCAL YEAR.

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4 **RESPONSE:**

5 Please see the response to PA-I-20.

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8 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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1 **PA-I-76.** PLEASE PROVIDE ITEMIZED BUDGETS FOR PWD'S LEAD AND COPPER
2 MONITORING PROGRAMS FOR 2020 AND 2021.
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. This interrogatory and request are seeking information
7 related to the Department's compliance with regulatory requirements. The Board has
8 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
9 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
10 oversight authority over the Department. This interrogatory and request are not seeking
11 information related to the prospective rates and charges proposed for the Rate Period
12 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
13 Rate Board in determining the prospective rates and charges for the Rate Period.
14

15 Notwithstanding the above objections and the Department's General Objections, and
16 without waiver thereof, the Department responds to this interrogatory and request as
17 follows:
18

19 PWD completed lead and copper compliance monitoring under the lead and copper rule in
20 2019 and is not required to conduct additional lead and copper compliance monitoring in
21 2020 or 2021 pursuant to 40 CFR 141.86.
22

23 By way of further response, the Department notes that, in January 2021, the EPA finalized
24 revisions to the National Primary Drinking Water Regulations for lead and copper under
25 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the
26 first major revision of the Rule in nearly thirty years; and will require PWD to expand
27 current drinking water programs and cause the incurrence of additional expenses not
28 accounted for in the cost of service study to achieve compliance. Such additional expenses

1 were not estimated and included in the Cost of Service Report for the Rate Period, and are
2 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
3 compliance with the LCR revisions are not available at this time.
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6 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-77.** PLEASE PROVIDE THE RESULTS OF ALL PWD LEAD AND COPPER
2 MONITORING CONDUCTED BETWEEN JANUARY 1, 2016 AND THE
3 PRESENT. FOR EACH MONITORING PERIOD, PLEASE INCLUDE A
4 BREAKDOWN OF THE TOTAL NUMBER OF SITES TESTED, THE
5 LOCATION OF EACH SITE, AND THE MONITORING RESULT FOR EACH
6 SITE.

7
8 **RESPONSE:**

9 The Department objects to this interrogatory and request on the grounds that the discovery
10 sought will cause unreasonable annoyance, burden and expense to the Department.

11 Compilation of maps and GIS data would require a costly and burdensome special
12 investigation to produce. This interrogatory and request are potentially seeking a large
13 amount of information and documents, since they would require the compilation of
14 records on approximately 480,000 service connections. This interrogatory and request are
15 particularly burdensome given the shortened period allotted to compile discovery
16 responses in this proceeding. The Department objects to this interrogatory and request to
17 the extent that it seeks confidential, privileged, proprietary or other privileged information.
18 PWD does not make public the individual street addresses of sites due to privacy issues
19 and the concerns that doing so will discourage previous participants from continuing in the
20 program in future years.

21
22 The proper scope of this proceeding is limited to the rates and charges proposed by the
23 Department. The information and documents relied upon on or otherwise used in making
24 its decision on service lines are not pertinent to the prospective rates and charges for the
25 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
26 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
27 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
28 over the Department. This interrogatory and request are not seeking information related to

1 the prospective rates and charges proposed for the Rate Period. The requested information
2 will not assist the Rate Board in determining the prospective rates and charges for the Rate
3 Period. No nexus has been established between the Department's decision, if any, and the
4 prospective rates and charges proposed for the Rate Period.

5
6 Notwithstanding the above objections and the Department's General Objections, and
7 without waiver thereof, the Department responds to this interrogatory and request as
8 follows:

9
10 For a breakdown of the total number of sites sampled and a discussion of the monitoring
11 results, please see pages 6, 39-40 and 73-74 of PWD's Submission of Comments
12 Concerning National Primary Drinking Water Regulations: Proposed Lead and Copper
13 Rule Revisions – Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf. See also
14 attachment PA-I-13b.

15
16 By way of further response, the Department notes that, in January 2021, the EPA finalized
17 revisions to the National Primary Drinking Water Regulations for lead and copper under
18 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the
19 first major revision of the Rule in nearly thirty years; and will require PWD to expand
20 current drinking water programs and cause the incurrence of additional expenses not
21 accounted for in the cost of service study to achieve compliance. Such additional expenses
22 were not estimated and included in the Cost of Service Report for the Rate Period, and are
23 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
24 compliance with the LCR revisions are not available at this time.

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27 **RESPONSE PROVIDED BY:** Gary Burlingame
28

1 **PA-I-78.** PLEASE DESCRIBE PWD'S PLANS FOR LEAD AND COPPER
2 MONITORING FOR THE JULY 1, 2020 THROUGH DECEMBER 31, 2021
3 PERIODS. PLEASE INCLUDE A BREAKDOWN OF THE TOTAL NUMBER
4 OF SITES TO BE TESTED, THE LOCATION OF EACH SITE, ANY
5 SAMPLING SCHEDULES.
6

7 **RESPONSE:**

8 The Department objects to this interrogatory and request on the grounds that the discovery
9 sought will cause unreasonable annoyance, burden and expense to the Department.

10 Compilation of maps and GIS data would require a costly and burdensome special
11 investigation to produce. This interrogatory and request are potentially seeking a large
12 amount of information and documents, since they would require the compilation of
13 records on approximately 480,000 service connections. This interrogatory and request are
14 particularly burdensome given the shortened period allotted to compile discovery
15 responses in this proceeding. The Department objects to this interrogatory and request to
16 the extent that it seeks confidential, privileged, proprietary or other privileged information.
17 PWD does not make public the individual street addresses of sites due to privacy issues
18 and the concerns that doing so will discourage previous participants from continuing in the
19 program in future years.
20

21 The proper scope of this proceeding is limited to the rates and charges proposed by the
22 Department. This interrogatory and request are seeking information related to the
23 Department's compliance with regulatory requirements. The Board has limited
24 jurisdiction. The Rate Board is empowered to approve, modify or reject proposed rates
25 and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
26 oversight authority over the Department. This interrogatory and request are not seeking
27 information related to the prospective rates and charges proposed for the Rate Period
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1 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
2 Rate Board in determining the prospective rates and charges for the Rate Period.

3
4 This interrogatory and request are seeking to learn about the Department's decision-
5 making process, which is protected from disclosure by the deliberative process privilege.
6 The Department further objects to this interrogatory and request to the extent that it seeks
7 information and documents protected by attorney-client privilege.

8
9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:

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13 Please refer to the response to PA-I-76.

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15 By way of further response, the Department notes that the next regulatory sampling round
16 will occur during CY 2022.

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20 **RESPONSE PROVIDED BY:** Gary Burlingame

1 **PA-I-79.** DESCRIBE THE SAMPLE COLLECTION METHODS PWD USES TO
2 CONDUCT LEAD AND COPPER MONITORING. (SEE 40 C.F.R. § 141.86(B).)
3 PLEASE PROVIDE COPIES OF ALL WRITTEN INSTRUCTIONS PWD
4 DISTRIBUTES TO CUSTOMERS THAT COLLECT SAMPLES FOR PWD'S
5 LEAD AND COPPER MONITORING PROGRAM.
6

7 **RESPONSE:**

8 Objection. The proper scope of this proceeding is limited to the rates and charges
9 proposed by the Department. This interrogatory and request are seeking information
10 related to the Department's compliance with regulatory requirements. The Board has
11 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
12 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
13 oversight authority over the Department. This interrogatory and request are not seeking
14 information related to the prospective rates and charges proposed for the Rate Period
15 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
16 Rate Board in determining the prospective rates and charges for the Rate Period.
17

18 Notwithstanding the above objections and the Department's General Objections, and
19 without waiver thereof, the Department responds to this interrogatory and request as
20 follows:
21

22 Please refer to pages 68-78 of PWD's Submission of Comments Concerning National
23 Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions –
24 Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.
25

26 By way of further response, the Department notes that, in January 2021, the EPA finalized
27 revisions to the National Primary Drinking Water Regulations for lead and copper under
28 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the

1 first major revision of the Rule in nearly thirty years; and will require PWD to expand
2 current drinking water programs and cause the incurrence of additional expenses not
3 accounted for in the cost of service study to achieve compliance. Such additional expenses
4 were not estimated and included in the Cost of Service Report for the Rate Period, and are
5 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
6 compliance with the LCR revisions are not available at this time.
7

8
9 The Department notes that citations to the C.F.R. in this interrogatory and request are no
10 longer valid as of the publication of the revised LCR in the Federal Register on January
11 15, 2021.
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14 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-80.** DOES PWD HAVE A POOL OF TARGETED SAMPLING SITES FOR LEAD
2 AND COPPER MONITORING? (SEE 40 C.F.R. § 141.86(A)(1).) IF YES, HOW
3 DID IT CREATE THIS POOL?
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. This interrogatory and request are seeking information
8 related to the Department's compliance with regulatory requirements. The Board has
9 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
10 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
11 oversight authority over the Department. This interrogatory and request are not seeking
12 information related to the prospective rates and charges proposed for the Rate Period
13 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
14 Rate Board in determining the prospective rates and charges for the Rate Period.
15

16 Notwithstanding the above objections and the Department's General Objections, and
17 without waiver thereof, the Department responds to this interrogatory and request as
18 follows:
19

20 Yes. Please refer to pages 75-78 of PWD's Submission of Comments Concerning National
21 Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions –
22 Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.
23

24 The above comments explain this and how the Department needs to keep recruiting new
25 customers for every sampling round. PWD maintains a pool in several ways, and all must
26 be homes with lead service lines:

- 27 • We maintain past customers who have participated in the last sampling round
- 28

- When customers request samples for lead, and they are found to have a lead service line, we ask if they would be willing to be part of our pool
- Prior to every sampling round, we send out letters to homes with known or potential lead service lines, asking for participation in our sampling pool
- Our goal is to maintain more than 100 homes even though the LCR only requires us to sample from 50 homes at a time
- The participation rate is low, thus, PWD provides incentive by providing a \$50 reduction on the water bill when a sample is collected and accepted for compliance

By way of further response, the Department notes that, in January 2021, the EPA finalized revisions to the National Primary Drinking Water Regulations for lead and copper under the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the first major revision of the Rule in nearly thirty years; and will require PWD to expand current drinking water programs and cause the incurrence of additional expenses not accounted for in the cost of service study to achieve compliance. Such additional expenses were not estimated and included in the Cost of Service Report for the Rate Period, and are beyond the scope of this proceeding. Detailed costs and implementation tasks related to compliance with the LCR revisions are not available at this time.

The Department notes that citations to the C.F.R. in this interrogatory and request are no longer valid as of the publication of the revised LCR in the Federal Register on January 15, 2021.

RESPONSE PROVIDED BY: Gary Burlingame

1 **PA-I-81.** HOW DOES PWD VERIFY THAT ITS SAMPLING POOL FOR LEAD AND
2 COPPER MONITORING TARGETS HOMES WITH A HIGH RISK OF LEAD
3 CONTAMINATION? (SEE 40 C.F.R. § 141.86(A)(3)-(8).)
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. This interrogatory and request are seeking information
8 related to the Department's compliance with regulatory requirements. The Board has
9 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
10 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
11 oversight authority over the Department. This interrogatory and request are not seeking
12 information related to the prospective rates and charges proposed for the Rate Period
13 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
14 Rate Board in determining the prospective rates and charges for the Rate Period.
15

16 Notwithstanding the above objections and the Department's General Objections, and
17 without waiver thereof, the Department responds to this interrogatory and request as
18 follows:
19

20 Through plumbing inspections. Please refer to pages 5 and 77-78 of PWD's Submission of
21 Comments Concerning National Primary Drinking Water Regulations: Proposed Lead and
22 Copper Rule Revisions – Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.
23

24 PWD also inspects every home that is used in its compliance sampling to confirm that the
25 home, as required, has a lead service line in whole or in part.
26

27 By way of further response, the Department notes that, in January 2021, the EPA finalized
28 revisions to the National Primary Drinking Water Regulations for lead and copper under

1 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the
2 first major revision of the Rule in nearly thirty years; and will require PWD to expand
3 current drinking water programs and cause the incurrence of additional expenses not
4 accounted for in the cost of service study to achieve compliance. Such additional expenses
5 were not estimated and included in the Cost of Service Report for the Rate Period, and are
6 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
7 compliance with the LCR revisions are not available at this time.
8

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10 The Department notes that citations to the C.F.R. in this interrogatory and request are no
11 longer valid as of the publication of the revised LCR in the Federal Register on January
12 15, 2021.
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15 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-82.** DOES PWD USE THE SAME SAMPLING POOL FOR EACH MONITORING
2 PERIOD? (SEE 40 C.F.R. § 141.86(B)(4).) IF NOT, PLEASE EXPLAIN WHY
3 NOT.
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. This interrogatory and request are seeking information
8 related to the Department's compliance with regulatory requirements. The Board has
9 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
10 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
11 oversight authority over the Department. This interrogatory and request are not seeking
12 information related to the prospective rates and charges proposed for the Rate Period
13 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
14 Rate Board in determining the prospective rates and charges for the Rate Period.
15

16 Notwithstanding the above objections and the Department's General Objections, and
17 without waiver thereof, the Department responds to this interrogatory and request as
18 follows:
19

20 Please refer to pages 5 and 77-78 of PWD's Submission of Comments Concerning
21 National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions
22 – Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.
23

24 By way of further response, the Department notes that, in January 2021, the EPA finalized
25 revisions to the National Primary Drinking Water Regulations for lead and copper under
26 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the
27 first major revision of the Rule in nearly thirty years; and will require PWD to expand
28 current drinking water programs and cause the incurrence of additional expenses not

1 accounted for in the cost of service study to achieve compliance. Such additional expenses
2 were not estimated and included in the Cost of Service Report for the Rate Period, and are
3 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
4 compliance with the LCR revisions are not available at this time.

5
6 The Department notes that citations to the C.F.R. in this interrogatory and request are no
7 longer valid as of the publication of the revised LCR in the Federal Register on January
8 15, 2021.
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12 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-83.** HOW DOES PWD CHOOSE SAMPLING SITES WITHIN ITS SAMPLING
2 POOL? (SEE 40 C.F.R. § 141.86(B)(4).)
3

4 **RESPONSE:**

5 Objection. The proper scope of this proceeding is limited to the rates and charges
6 proposed by the Department. This interrogatory and request are seeking information
7 related to the Department's compliance with regulatory requirements. The Board has
8 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
9 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
10 oversight authority over the Department. This interrogatory and request are not seeking
11 information related to the prospective rates and charges proposed for the Rate Period
12 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
13 Rate Board in determining the prospective rates and charges for the Rate Period.
14

15 Notwithstanding the above objections and the Department's General Objections, and
16 without waiver thereof, the Department responds to this interrogatory and request as
17 follows:
18

19 Please refer to pages 5 and 77-78 of PWD's Submission of Comments Concerning
20 National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions
21 – Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.
22

23 PWD is required to use homes, single family homes preferred, that have lead service lines.
24 We confirm that the homes used actually do have, in whole or in part, lead service lines.
25 Without having to turn customers away from participating, we get good coverage across
26 the City, thus representing all service areas.
27

28 By way of further response, the Department notes that, in January 2021, the EPA finalized

1 revisions to the National Primary Drinking Water Regulations for lead and copper under
2 the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the
3 first major revision of the Rule in nearly thirty years; and will require PWD to expand
4 current drinking water programs and cause the incurrence of additional expenses not
5 accounted for in the cost of service study to achieve compliance. Such additional expenses
6 were not estimated and included in the Cost of Service Report for the Rate Period, and are
7 beyond the scope of this proceeding. Detailed costs and implementation tasks related to
8 compliance with the LCR revisions are not available at this time.
9

10
11 The Department notes that citations to the C.F.R. in this interrogatory and request are no
12 longer valid as of the publication of the revised LCR in the Federal Register on January
13 15, 2021.
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16 **RESPONSE PROVIDED BY:** Gary Burlingame
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1 **PA-I-84.** IF PWD DOES NOT COLLECT A TAP WATER SAMPLE IN THE NEXT
2 MONITORING PERIOD FROM THE SAME SAMPLING SITE FROM WHICH
3 IT COLLECTED A PREVIOUS SAMPLE, HOW DOES PWD SELECT THE
4 REPLACEMENT SITE? (SEE 40 C.F.R. § 141.86(B)(4).)

5
6 **RESPONSE:**

7 Objection. The proper scope of this proceeding is limited to the rates and charges
8 proposed by the Department. This interrogatory and request are seeking information
9 related to the Department's compliance with regulatory requirements. The Board has
10 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
11 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
12 oversight authority over the Department. This interrogatory and request are not seeking
13 information related to the prospective rates and charges proposed for the Rate Period
14 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
15 Rate Board in determining the prospective rates and charges for the Rate Period.

16
17 Notwithstanding the above objections and the Department's General Objections, and
18 without waiver thereof, the Department responds to this interrogatory and request as
19 follows:

20
21 Please refer to pages 5 and 77-78 of PWD's Submission of Comments Concerning
22 National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions
23 – Docket No. EPA-HQ-OW-2017-0300, attached as PA-I-5.pdf.

24
25 PWD is only required to collect samples from 50 homes for every sampling round. PWD
26 attempts to collect samples from 100 homes to best represent the City overall. In this way
27 it has not yet been an issue when one homes stops participating in the sampling program.
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By way of further response, the Department notes that, in January 2021, the EPA finalized revisions to the National Primary Drinking Water Regulations for lead and copper under the Safe Drinking Water Act (commonly known as the Lead and Copper Rule). This is the first major revision of the Rule in nearly thirty years; and will require PWD to expand current drinking water programs and cause the incurrence of additional expenses not accounted for in the cost of service study to achieve compliance. Such additional expenses were not estimated and included in the Cost of Service Report for the Rate Period, and are beyond the scope of this proceeding. Detailed costs and implementation tasks related to compliance with the LCR revisions are not available at this time.

The Department notes that citations to the C.F.R. in this interrogatory and request are no longer valid as of the publication of the revised LCR in the Federal Register on January 15, 2021.

RESPONSE PROVIDED BY: Gary Burlingame

1 **PA-I-85.** PLEASE PROVIDE ITEMIZED BUDGETS FOR 2019, 2020 AND 2021 FOR
2 THE COLLECTION OF POST-CONSTRUCTION SAMPLES FOLLOWING
3 LEAD SERVICE LINE REPLACEMENT.
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. Budgeted amounts and/or funds expended in prior fiscal
8 years are not pertinent to the prospective rates and charges for the Rate Period (Fiscal
9 Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is
10 empowered to approve, modify or reject proposed rates and charges. See, Section 13-101,
11 Philadelphia Code. The Rate Board does not have oversight authority over the
12 Department. This interrogatory and request are not seeking information related to the
13 prospective rates and charges proposed for the Rate Period. The requested information
14 will not assist the Rate Board in determining the prospective rates and charges for the Rate
15 Period. No nexus has been established between the requested information and documents
16 and the prospective rates and charges proposed for the Rate Period.
17

18 Notwithstanding the above objections and the Department's General Objections, and
19 without waiver thereof, the Department responds to this interrogatory and request as
20 follows:
21

22 The Department does not typically sample following replacement of lead lines.
23
24

25 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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28

1 **PA-I-86.** ON AVERAGE, HOW LONG DOES IT TAKE FROM WHEN A CURB BOX
2 INSPECTION IS COMPLETED FOR THE CUSTOMER TO BE NOTIFIED OF
3 THE INSPECTION RESULTS?
4

5 **RESPONSE:**

6 Objection. The proper scope of this proceeding is limited to the rates and charges
7 proposed by the Department. The timing of notification is not pertinent to the prospective
8 rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board
9 has limited jurisdiction. The Rate Board is empowered to approve, modify or reject
10 proposed rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does
11 not have oversight authority over the Department. This interrogatory and request are not
12 seeking information related to the prospective rates and charges proposed for the Rate
13 Period. The requested information will not assist the Rate Board in determining the
14 prospective rates and charges for the Rate Period. No nexus has been established between
15 the requested information and documents and the prospective rates and charges proposed
16 for the Rate Period.
17

18 Notwithstanding the above objections and the Department's General Objections, and
19 without waiver thereof, the Department responds to this interrogatory and request as
20 follows:
21

22 Please see the response to PA-I-20.
23
24

25 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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28

1 **PA-I-87.** WHAT RESOURCES ARE AVAILABLE TO CUSTOMERS WITH SERVICE
2 LINES THAT ARE COMPOSED OF LEAD ON THE PRIVATE SIDE ONLY
3 TO HAVE THOSE LINES REPLACED AT NO COST?
4

5 **RESPONSE:**

6 Please note that consistent with the Department's objections and clarifications to the
7 instructions/definitions, which are incorporated herein by reference, the Department's
8 response to this interrogatory and request is limited to residential service lines.
9

10 Notwithstanding the above objections and the Department's General Objections, and
11 without waiver thereof, the Department responds to this interrogatory and request as
12 follows:
13

14 Please see the response to PA-I-1-A. As noted in the PWD web page referenced in that
15 response, the Department offers to replace lead pipes from the City's water main to the
16 customer's meter at no cost to the customer when replacing the water main on the
17 customer's block.
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20 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-88.** DOES PWD REPLACE LINES THAT ARE COMPOSED OF LEAD ON THE
2 PRIVATE SIDE ONLY AT NO COST TO CUSTOMERS AS PART OF ITS
3 2020 AND/OR 2021 LEAD SERVICE LINE REPLACEMENT PROGRAM IF
4 NOT, WHY?

5
6 **RESPONSE:**

7 Please note that consistent with the Department's objections and clarifications to the
8 instructions/definitions, which are incorporated herein by reference, the Department's
9 response to this interrogatory and request is limited to residential service lines.

10
11 Notwithstanding the above objections and the Department's General Objections, and
12 without waiver thereof, the Department responds to this interrogatory and request as
13 follows:

14
15 Please see the responses to PA-I-1-A, PA-I-68, and PA-I-87.

16
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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-89.** DID PWD CONSIDER INCLUDING SERVICE LINES THAT ARE
2 COMPOSED OF LEAD ON THE PRIVATE-SIDE ONLY IN ITS 2020 AND/OR
3 2021 LEAD SERVICE LINE REPLACEMENT PROGRAM? IF SO, PLEASE
4 PROVIDE ALL DOCUMENTS RELATING TO THIS DECISION.
5

6 **RESPONSE:**

7 Please note that consistent with the Department's objections and clarifications to the
8 instructions/definitions, which are incorporated herein by reference, the Department's
9 response to this interrogatory and request is limited to residential service lines.
10

11 The Department objects to this interrogatory and request in that they seeks information
12 and documents that are privileged. This interrogatory and request are seeking to learn
13 about the Department's decision-making process, which is protected from disclosure by
14 the deliberative process privilege. The Department further objects to this interrogatory and
15 request to the extent that it seeks information and documents protected by attorney-client
16 privilege.
17

18 The Department objects to this interrogatory and request on the grounds that the discovery
19 sought will cause unreasonable annoyance, burden and expense to the Department.
20 Compilation of information and documents being requested would require a costly and
21 burdensome special investigation to produce. This interrogatory and request are
22 potentially seeking a large amount of information and documents, since they would
23 require the compilation of records on approximately 480,000 service connections. This
24 interrogatory and request are particularly burdensome given the shortened period allotted
25 to compile discovery responses in this proceeding. The Department objects to this
26 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
27 other privileged information.
28

1 The proper scope of this proceeding is limited to the rates and charges proposed by the
2 Department. The information and documents relied upon on or otherwise used in making
3 its decision on service lines are not pertinent to the prospective rates and charges for the
4 Rate Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction.
5 The Rate Board is empowered to approve, modify or reject proposed rates and charges.
6 See, Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
7 over the Department. This interrogatory and request are not seeking information related to
8 the prospective rates and charges proposed for the Rate Period. The requested information
9 will not assist the Rate Board in determining the prospective rates and charges for the Rate
10 Period. No nexus has been established between the Department's decision, if any, and the
11 prospective rates and charges proposed for the Rate Period.

12
13 Notwithstanding the above objections and the Department's General Objections, and
14 without waiver thereof, the Department responds to this interrogatory and request as
15 follows:

16
17 Please see the responses to PA-I-1-A, PA-I-68, PA-I-87 and PA-I-88.

18
19
20 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-90.** IF A CURB BOX INSPECTION YIELDS A RESULT OF “UNKNOWN” OR
2 “NOT ACCESSIBLE” ON EITHER THE PRIVATE OR PUBLIC SIDE OF THE
3 SERVICE LINE, DOES PWD EXCAVATE THE SERVICE LINE TO
4 IDENTIFY SERVICE LINE COMPOSITION? IF NOT, WHAT DOES PWD
5 DO? PLEASE DESCRIBE ANY FURTHER ACTION TAKEN BY PWD FOR
6 BOTH THE PRIVATE AND PUBLIC SIDES OF THE SERVICE LINE.

7
8 **RESPONSE:**

9 Please note that consistent with the Department’s objections and clarifications to the
10 instructions/definitions, which are incorporated herein by reference, the Department’s
11 response to this interrogatory and request is limited to residential service lines.

12
13 Notwithstanding the above objections and the Department’s General Objections, and
14 without waiver thereof, the Department responds to this interrogatory and request as
15 follows:

16
17 Please see the response to PA-I-20.

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19
20 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-91.** IF A CURB BOX INSPECTION YIELDS A RESULT OF “NON-LEAD” ON
2 EITHER THE PRIVATE OR PUBLIC SIDE OF THE SERVICE LINE, DOES
3 PWD EXCAVATE THE SERVICE LINE TO IDENTIFY THE SERVICE LINE
4 COMPOSITION? IF NOT, WHAT DOES PWD DO? PLEASE DESCRIBE ANY
5 FURTHER ACTION TAKEN BY PWD FOR BOTH THE PRIVATE AND
6 PUBLIC SIDES OF THE SERVICE LINE.

7
8 **RESPONSE:**

9 Please note that consistent with the Department’s objections and clarifications to the
10 instructions/definitions, which are incorporated herein by reference, the Department’s
11 response to this interrogatory and request is limited to residential service lines.

12
13 Notwithstanding the above objections and the Department’s General Objections, and
14 without waiver thereof, the Department responds to this interrogatory and request as
15 follows:

16
17 Please see the response to PA-I-20.

18
19
20 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-92.** PLEASE INDICATE WHETHER CURB BOX INSPECTIONS CAN BE USED,
2 STANDING ALONE, TO POSITIVELY IDENTIFY NON-LEAD SERVICE
3 LINES. IF NOT, PLEASE DESCRIBE ANY OTHER PROCEDURES OR
4 PROTOCOLS PWD FOLLOWS, OTHER THAN CONDUCTING
5 EXCAVATIONS, IF A CURB BOX INSPECTION REVEALS:
6 A. GALVANIZED STEEL OR IRON ON EITHER THE PUBLIC OR PRIVATE
7 SIDE OF THE SERVICE LINE;
8 B. COPPER ON EITHER THE PUBLIC OR PRIVATE SIDE OF THE SERVICE
9 LINE;
10 C. ANY OTHER NON-LEAD MATERIAL ON EITHER THE PUBLIC OR
11 PRIVATE SIDE OF THE SERVICE LINE;
12 OR
13 D. UNKNOWN MATERIAL ON EITHER THE PUBLIC OR PRIVATE SIDE OF
14 THE SERVICE LINE.

15
16 **RESPONSE:**

17 Please note that consistent with the Department's objections and clarifications to the
18 instructions/definitions, which are incorporated herein by reference, the Department's
19 response to this interrogatory and request is limited to residential service lines.

20
21 Notwithstanding the above objections and the Department's General Objections, and
22 without waiver thereof, the Department responds to this interrogatory and request as
23 follows:

24
25 Curb box inspections cannot determine the material of a service line accurately. PWD
26 inspects the water pipe at the meter when inside homes.

27
28 **RESPONSE PROVIDED BY:** Philadelphia Water Department

1 **PA-I-93.** ARE EXCAVATIONS PERFORMED PRIOR TO LEAD SERVICE LINE
2 REPLACEMENTS ONLY, OR ARE THEY ALSO PERFORMED PRIOR TO
3 REPAIRS?
4

5 **RESPONSE:**

6 Excavations are performed when required to gain access to the water line for replacement
7 or repair.
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10 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-94.** DOES PWD PROVIDE SURFACE RESTORATION FOLLOWING AN
2 EXCAVATION PERFORMED TO VERIFY SERVICE LINE COMPOSITION?
3

4 **RESPONSE:**

5 See the response to PA-I-34.
6

7 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-95.** PLEASE DESCRIBE ALL STEPS TAKEN BY PWD, IF ANY, TO
2 ENCOURAGE CUSTOMERS TO COMPLETE WATER SAMPLING
3 FOLLOWING LEAD SERVICE LINE REPLACEMENT?
4

5 **RESPONSE:**

6 See the response to PA-I-85.
7

8 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-96.** PLEASE PROVIDE BY MONTH, FOR JANUARY 1, 2018 TO PRESENT, THE
2 NUMBER OF CUSTOMERS WHO HAVE REFUSED TO AUTHORIZE PWD
3 TO REPLACE THEIR PRIVATE-SIDE LEAD SERVICE LINE FREE OF
4 CHARGE.

5
6 **RESPONSE:**

7 Please note that consistent with the Department's objections and clarifications to the
8 instructions/definitions, which are incorporated herein by reference, the Department's
9 response to this interrogatory and request is limited to residential service lines.

10
11 Notwithstanding the above objections and the Department's General Objections, and
12 without waiver thereof, the Department responds to this interrogatory and request as
13 follows:

14
15 51 properties have refused lead line replacement since the inception of the program.

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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-97.** DOES PWD TRACK CUSTOMERS' REASONS REFUSING TO AUTHORIZE
2 PWD TO REPLACE THEIR PRIVATE-SIDE LEAD SERVICE LINE FREE OF
3 CHARGE? IF SO, PLEASE PROVIDE ANY INFORMATION PWD HAS
4 COLLECTED ABOUT THOSE REASONS.

5
6 **RESPONSE:**

7 Please note that consistent with the Department's objections and clarifications to the
8 instructions/definitions, which are incorporated herein by reference, the Department's
9 response to this interrogatory and request is limited to residential service lines.

10
11 Notwithstanding the above objections and the Department's General Objections, and
12 without waiver thereof, the Department responds to this interrogatory and request as
13 follows:

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15 No.

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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-98.** IF A CUSTOMER DOES NOT EXPLICITLY REFUSE TO ALLOW PWD TO
2 REPLACE THE CUSTOMER'S PRIVATE-SIDE LEAD SERVICE LINE BUT
3 INSTEAD SIMPLY DOES NOT RESPOND TO PWD'S EFFORTS TO OBTAIN
4 THE CUSTOMER'S CONSENT, DOES PWD PROCEED WITH A PARTIAL
5 REPLACEMENT OF THE PUBLIC-SIDE SERVICE LINE?
6

7 **RESPONSE:**

8 Please note that consistent with the Department's objections and clarifications to the
9 instructions/definitions, which are incorporated herein by reference, the Department's
10 response to this interrogatory and request is limited to residential service lines.
11

12 Notwithstanding the above objections and the Department's General Objections, and
13 without waiver thereof, the Department responds to this interrogatory and request as
14 follows:
15

16 The Department will proceed with a partial replacement if the customer does not respond
17 or refuses a full lead line replacement. The Department will connect to the existing lead
18 line using a dielectric coupling to avoid corrosion in the line.
19

20 Please refer to the response to PA-I-43.
21
22

23 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-99.** WHAT STEPS DOES PWD TAKE TO PROVIDE A FILTER TO A
2 CUSTOMER WHO RECEIVES A PARTIAL LEAD SERVICE LINE
3 REPLACEMENT AFTER THE CUSTOMER EXPRESSLY REFUSES TO
4 ALLOW PWD TO REPLACE THE CUSTOMER'S PRIVATE-SIDE LEAD
5 SERVICE LINE?
6

7 **RESPONSE:**

8 Objection. The proper scope of this proceeding is limited to the rates and charges
9 proposed by the Department. The procedures used by the Department is not pertinent to
10 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
11 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
12 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
13 Rate Board does not have oversight authority over the Department. This interrogatory and
14 request are not seeking information related to the prospective rates and charges proposed
15 for the Rate Period. The requested information will not assist the Rate Board in
16 determining the prospective rates and charges for the Rate Period. No nexus has been
17 established between the Department's existing procedures and the prospective rates and
18 charges proposed for the Rate Period.
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21

22 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-100.** WHAT STEPS DOES PWD TAKE TO PROVIDE A FILTER TO A
2 CUSTOMER WHO RECEIVES A PARTIAL LEAD SERVICE LINE
3 REPLACEMENT AFTER THE CUSTOMER DOES NOT RESPOND TO
4 PWD'S ATTEMPTS TO OBTAIN THE CUSTOMER'S CONSENT TO
5 REPLACE THE CUSTOMER'S PRIVATE-SIDE LEAD SERVICE LINE?
6

7 **RESPONSE:**

8 Objection. The proper scope of this proceeding is limited to the rates and charges
9 proposed by the Department. The procedures used by the Department is not pertinent to
10 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
11 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
12 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
13 Rate Board does not have oversight authority over the Department. This interrogatory and
14 request are not seeking information related to the prospective rates and charges proposed
15 for the Rate Period. The requested information will not assist the Rate Board in
16 determining the prospective rates and charges for the Rate Period. No nexus has been
17 established between the Department's existing procedures and the prospective rates and
18 charges proposed for the Rate Period.
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22 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-101.** HOW MANY CUSTOMERS WHO INITIALLY RECEIVED PARTIAL LEAD
2 SERVICE LINE REPLACEMENTS SUBSEQUENTLY HAD THEIR PRIVATE-
3 SIDE LEAD SERVICE LINES REPLACED AT NO CHARGE?
4

5 **RESPONSE:**

6 Please note that consistent with the Department's objections and clarifications to the
7 instructions/definitions, which are incorporated herein by reference, the Department's
8 response to this interrogatory and request is limited to residential service lines.
9

10 The Department objects to this interrogatory and request on the grounds that the discovery
11 sought will cause unreasonable annoyance, burden and expense to the Department.

12 Compilation of information and documents being requested would require a costly and
13 burdensome special investigation to produce. This interrogatory and request are seeking
14 information and documents that are not readily available. This interrogatory and request
15 are particularly burdensome given the shortened period allotted to compile discovery
16 responses in this proceeding. The Department objects to this interrogatory and request to
17 the extent that it seeks confidential, privileged, proprietary or other privileged information.
18

19 The proper scope of this proceeding is limited to the rates and charges proposed by the
20 Department. The information and documents regarding completed replacements are not
21 pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022 and
22 Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered to
23 approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
24 Code. The Rate Board does not have oversight authority over the Department. This
25 interrogatory and request are not seeking information related to the prospective rates and
26 charges proposed for the Rate Period. The requested information will not assist the Rate
27 Board in determining the prospective rates and charges for the Rate Period. No nexus has
28

1 been established between completed replacements and the prospective rates and charges
2 proposed for the Rate Period.

3
4 The Department's General Objections are incorporated herein by reference.

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6 **RESPONSE PROVIDED BY:** Philadelphia Water Department

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1 **PA-I-102.** HAS PWD ESTIMATED THE NUMBER OF CUSTOMERS WHO HAVE A
2 SERVICE LINE COMPOSED OF LEAD ON THE PRIVATE SIDE AND A
3 NON-LEAD MATERIAL ON THE PUBLIC SIDE? IF SO, WHAT IS PWD'S
4 ESTIMATE?

5
6 **RESPONSE:**

7 The Department objects to this interrogatory and request are duplicative and cumulative of
8 PA-I-5 through PA-I-12.

9
10 Please note that consistent with the Department's objections and clarifications to the
11 instructions/definitions, which are incorporated herein by reference, the Department's
12 response to this interrogatory and request is limited to residential service lines.

13
14 The Department objects to this interrogatory and request on the grounds that the discovery
15 sought will cause unreasonable annoyance, burden and expense to the Department.

16 Compilation of information and documents being requested would require a costly and
17 burdensome special investigation to produce. This interrogatory and request are
18 potentially seeking a large amount of information and documents, since they would
19 require the compilation of records on approximately 480,000 service connections. This
20 interrogatory and request are particularly burdensome given the shortened period allotted
21 to compile discovery responses in this proceeding. The Department objects to this
22 interrogatory and request to the extent that it seeks confidential, privileged, proprietary or
23 other privileged information.

24
25 The proper scope of this proceeding is limited to the rates and charges proposed by the
26 Department. The information and documents relied upon on or otherwise used in
27 preparing the estimate are not pertinent to the prospective rates and charges for the Rate
28 Period (Fiscal Year 2022 and Fiscal Year 2023). The Board has limited jurisdiction. The

1 Rate Board is empowered to approve, modify or reject proposed rates and charges. See,
2 Section 13-101, Philadelphia Code. The Rate Board does not have oversight authority
3 over the Department. This interrogatory and request are not seeking information related to
4 the prospective rates and charges proposed for the Rate Period. The requested information
5 will not assist the Rate Board in determining the prospective rates and charges for the Rate
6 Period. No nexus has been established between estimate and the prospective rates and
7 charges proposed for the Rate Period.

8
9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:

12
13 Please see the responses to PA-I-5 through PA-I-12.

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17 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-103.** AT ANY TIME, DID A PLUMBING CODE, ORDINANCE, OR OTHER
2 AUTHORITY REQUIRE THE USE OF LEAD PIPES FOR SERVICE LINE
3 INSTALLATIONS IN PHILADELPHIA?
4

5 **RESPONSE:**

6 The Department objects to this interrogatory and request on the grounds that the discovery
7 sought will cause unreasonable annoyance, burden and expense to the Department.

8 Compilation of information and documents being requested would require a costly and
9 burdensome special investigation to produce. This interrogatory and request are seeking
10 information and documents over an unlimited period of time. The interrogatory and
11 request are particularly burdensome given the shortened period allotted to compile
12 discovery responses in this proceeding.
13

14 The Department further objects to this interrogatory in that it seeks information that is a
15 matter of public record and otherwise available to the Public Advocate. This interrogatory
16 and request seek information and documents that are available to the Public Advocate
17 through the Public Advocate's own efforts. It follows that this request imposes an
18 unreasonable burden or expense on the Department to obtain such information or
19 documents and to provide same to the Public Advocate.
20

21 The proper scope of this proceeding is limited to the rates and charges proposed by the
22 Department. Prior requirements established by the City or some other authority are not
23 pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022 and
24 Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered to
25 approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
26 Code. The Rate Board does not have oversight authority over the Department. This
27 interrogatory and request are not seeking information related to the prospective rates and
28 charges proposed for the Rate Period. The requested information will not assist the Rate

1 Board in determining the prospective rates and charges for the Rate Period. No nexus has
2 been established between the requested information and documents and the prospective
3 rates and charges proposed for the Rate Period.

4
5 Notwithstanding the above objections and the Department's General Objections, and
6 without waiver thereof, the Department responds to this interrogatory and request as
7 follows:

8
9 The Rules and Regulations Relative to the Construction of Plumbing or House Drainage in
10 The City of Philadelphia, issued by the Department of Licenses and Inspections and
11 effective in 1961 provided that water service piping and the water piping underground
12 shall be constructed of brass, copper, lead, galvanized wrought iron, or cast iron. In
13 Philadelphia, however, the practice of installing lead pipe from the water main to the curb
14 was discontinued in 1946 and the practice of installing lead pipe between the curb stop
15 and the meter was discontinued in 1960.

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18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-104.** HOW MANY PARTIAL LEAD SERVICE LINE REPLACEMENTS HAS PWD
2 PERFORMED ON MULTIFAMILY RESIDENCES SINCE JULY 30, 2018?
3

4 **RESPONSE:**

5 Please note that consistent with the Department's objections and clarifications to the
6 instructions/definitions, which are incorporated herein by reference, the Department's
7 response to this interrogatory and request is limited to residential service lines.
8

9 Notwithstanding the above objections and the Department's General Objections, and
10 without waiver thereof, the Department responds to this interrogatory and request as
11 follows:
12

13 The Department does not track multifamily lead line replacements.
14
15

16 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-105.** FOR POST-REPLACEMENT SAMPLES SHOWING A LEAD
2 CONCENTRATION ABOVE 100 PARTS PER BILLION, PLEASE DESCRIBE:
3 A. HOW LONG IT TAKES PWD TO PROVIDE THE HOUSEHOLD WITH
4 BOTTLED WATER AFTER RECEIVING THE SAMPLE RESULT; AND
5 B. HOW MUCH BOTTLED WATER PWD PROVIDES.

6 **RESPONSE:**

7 Objection. The proper scope of this proceeding is limited to the rates and charges
8 proposed by the Department. This interrogatory and request are seeking information
9 related to the Department's compliance with regulatory requirements. The Board has
10 limited jurisdiction. The Rate Board is empowered to approve, modify or reject proposed
11 rates and charges. See, Section 13-101, Philadelphia Code. The Rate Board does not have
12 oversight authority over the Department. This interrogatory and request are not seeking
13 information related to the prospective rates and charges proposed for the Rate Period
14 (Fiscal Year 2022 and Fiscal Year 2023). The requested information will not assist the
15 Rate Board in determining the prospective rates and charges for the Rate Period.

16
17 Notwithstanding the above objections and the Department's General Objections, and
18 without waiver thereof, the Department responds to this interrogatory and request as
19 follows:

20
21 The Department does not typically sample following replacement of a lead line and does
22 not provide bottled water when sampling is performed upon request of a customer. If
23 sampling by the Department show lead concentrations above 15 part per billion, the
24 Department contacts the customer within 24 hours, makes sure they have education
25 materials on lead and flushing, and asks if the Department may take follow-up samples to
26 see if the lead is constant or transient. The Department may also offer to perform profile
27 sampling to find the source of the lead if the customer allows.

28 **RESPONSE PROVIDED BY:** Gary Burlingame

- 1 **PA-I-106.** DOES PWD PROVIDE WATER FILTERS TO CUSTOMERS WITH LEAD
2 LEVELS THAT EXCEED 15 PARTS PER BILLION WHO HAVE NOT HAD
3 THEIR SERVICE LINES REPLACED? IF SO, PLEASE IDENTIFY:
- 4 A. WHEN PWD BEGAN PROVIDING FILTERS TO THESE CUSTOMERS;
 - 5 B. HOW PWD SENDS ALERTS TO ELIGIBLE CUSTOMERS;
 - 6 C. WHO THE FILTER VENDOR IS;
 - 7 D. WHAT TYPE OF FILTER AND REPLACEMENT CARTRIDGES ARE
8 PROVIDED, INCLUDING PRODUCT NAME AND MODEL NUMBER;
 - 9 E. HOW MUCH EACH FILTER AND REPLACEMENT CARTRIDGE COSTS;
 - 10 F. HOW MANY REPLACEMENT CARTRIDGES ARE PROVIDED TO EACH
11 CUSTOMER; AND
 - 12 G. HOW MANY FILTERS PWD HAS DISTRIBUTED TO DATE.

13 **RESPONSE:**

14 Objection. The proper scope of this proceeding is limited to the rates and charges
15 proposed by the Department. The procedures used by the Department is not pertinent to
16 the prospective rates and charges for the Rate Period (Fiscal Year 2022 and Fiscal Year
17 2023). The Board has limited jurisdiction. The Rate Board is empowered to approve,
18 modify or reject proposed rates and charges. See, Section 13-101, Philadelphia Code. The
19 Rate Board does not have oversight authority over the Department. This interrogatory and
20 request are not seeking information related to the prospective rates and charges proposed
21 for the Rate Period. The requested information will not assist the Rate Board in
22 determining the prospective rates and charges for the Rate Period. No nexus has been
23 established between the Department's existing procedures and the prospective rates and
24 charges proposed for the Rate Period.

25
26 **RESPONSE PROVIDED BY:** Philadelphia Water Department
27
28

1 **PA-I-107.** HOW MANY TIMES HAS A CURB-BOX INSPECTION REVEALED THAT A
2 PUBLIC- OR PRIVATE-SIDE SERVICE LINE WAS MADE OF LEAD WHEN
3 THE HISTORICAL RECORDS FOR THAT SERVICE LINE INDICATED
4 THAT ALL OR PART OF IT WAS MADE OF A NON-LEAD MATERIAL?
5

6 **RESPONSE:**

7 Please note that consistent with the Department's objections and clarifications to the
8 instructions/definitions, which are incorporated herein by reference, the Department's
9 response to this interrogatory and request is limited to residential service lines.
10

11 Notwithstanding the above objections and the Department's General Objections, and
12 without waiver thereof, the Department responds to this interrogatory and request as
13 follows:
14

15 Please see the response to PA-I-20.
16
17

18 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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1 **PA-I-108.** HOW MANY TIMES HAS AN EXCAVATION REVEALED THAT A PUBLIC-
2 OR PRIVATE-SIDE SERVICE LINE WAS MADE OF LEAD WHEN THE
3 HISTORICAL RECORDS FOR THAT SERVICE LINE INDICATED THAT
4 ALL OR PART OF THE SERVICE LINE WAS MADE OF A NON-LEAD
5 MATERIAL?
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7 **RESPONSE:**

8 Please note that consistent with the Department's objections and clarifications to the
9 instructions/definitions, which are incorporated herein by reference, the Department's
10 response to this interrogatory and request is limited to residential service lines.
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12 The Department objects to this interrogatory and request on the grounds that the discovery
13 sought will cause unreasonable annoyance, burden and expense to the Department.

14 Compilation of information and documents being requested would require a costly and
15 burdensome special investigation to produce. This interrogatory and request are seeking
16 information and documents that are not readily available. This interrogatory and request
17 are particularly burdensome given the shortened period allotted to compile discovery
18 responses in this proceeding. The Department objects to this interrogatory and request to
19 the extent that it seeks confidential, privileged, proprietary or other privileged information.
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21 The proper scope of this proceeding is limited to the rates and charges proposed by the
22 Department. The information and documents regarding completed replacements are not
23 pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2022 and
24 Fiscal Year 2023). The Board has limited jurisdiction. The Rate Board is empowered to
25 approve, modify or reject proposed rates and charges. See, Section 13-101, Philadelphia
26 Code. The Rate Board does not have oversight authority over the Department. This
27 interrogatory and request are not seeking information related to the prospective rates and
28 charges proposed for the Rate Period. The requested information will not assist the Rate

1 Board in determining the prospective rates and charges for the Rate Period. No nexus has
2 been established between completed replacements and the prospective rates and charges
3 proposed for the Rate Period.

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5 The Department's General Objections are incorporated herein by reference.

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7 **RESPONSE PROVIDED BY:** Philadelphia Water Department
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