

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

<b>In the Matter of the Philadelphia Water Department's Proposed Change in Water, Wastewater, and Stormwater Rates and Related Charges</b>	<b>:</b>	<b>Fiscal Years 2022 – 2023 Rates and Charges to Become Effective September 1, 2021 and September 1, 2022</b>
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**PUBLIC ADVOCATES DISCOVERY REQUESTS  
&  
REQUESTS FOR PRODUCTION OF DOCUMENTS**

**SET VIII**

- PA-VIII-1. Please provide, by month for each month July 2017 to present inclusive:
- a. The total amount of fees PWD has paid to docket liens on all residential accounts;
  - b. The total amount of fees PWD has paid to docket liens on all accounts that were TAP accounts at the time the lien was docketed;
  - c. The total amount of lien docketing fees that have been billed to TAP participants.
- PA-VIII-2. Please provide a detailed description of how the amount of a lien on an arrearage owed by a TAP recipient is adjusted to account for penalties and interest, which should have been subject to forgiveness under the terms of the TAP program.
- PA-VIII-3. Reference: Statement 5 (page 5). Please provide in a live Excel spreadsheet with all formulae intact the calculation for the statement that it is possible to perform only 400 service disconnections per day.
- PA-VIII-4. Reference: Statement 5 (page 5). Please provide in a live Excel spreadsheet by week since November 30, 2020, the number of:
- a. Total residential accounts eligible for nonpayment service disconnection absent the moratorium;
  - b. Total TAP accounts eligible for nonpayment service disconnection absent the moratorium;
  - c. Total number of commercial accounts eligible for nonpayment service disconnection absent the moratorium.
- PA-VIII-5. Reference: Statement 5 (page 5). Please provide each revision to “collection protocols” implemented since January 1, 2020:
- a. To encourage customer payment of outstanding bills during the moratorium;

- b. To facilitate the negotiation of standard payment agreements;
- c. To facilitate the filing of TAP recertifications;
- d. To facilitate the application for TAP;
- e. To ensure uninterrupted service when the shutoff moratorium is lifted.

PA-VIII-6. Reference: Statement 5 (page 6). Please provide, by week or month (whichever is available) for January 1, 2020 to present:

- a. For TAP applicants in that week, the average delay between the date on which a customer applies for TAP and the date on which a customer is enrolled in TAP;
- b. For TAP participants filing recertification in that week, the average delay between the date on which a TAP participant files for recertification and the date on which a customer is recertified;
- c. For low-income customers requesting a TAP application, the average delay between the date on which a customer requests a TAP application and the date on which a customer is provided a TAP application.

PA-VIII-7. Reference: Statement 5 (page 6). Please provide a quantification of the statement that “limited staff resources will be stretched to their limits” in terms of:

- a. The number of customers who will seek to negotiate a payment agreement but not receive assistance in negotiating a standard payment agreement;
- b. The number of customers who will seek to negotiate a standard payment agreement for whom the ability to negotiate a standard payment agreement will be delayed;
- c. The number of customers who will seek to enroll in TAP for whom TAP enrollment will be delayed;
- d. The number of TAP participants who will seek to recertify for TAP for whom TAP recertification will be delayed.

PA-VIII-8. Please provide a detailed explanation of the collection activities directed toward a customer in arrears who:

- a. Has sought to negotiate a standard payment agreement but for whom the negotiation of a standard payment agreement is delayed;
- b. Has sought to enroll in TAP but for whom the ability to enroll in TAP has been delayed;
- c. Has submitted a TAP application but for whom the processes of the TAP application has been delayed.

PA-VIII-9. Please provide a detailed explanation of a TAP applicant’s payment responsibility for bills that:

- a. Represent a bill for current service received after having submitted a TAP application but the processing of that TAP application has been delayed;
- b. Represent a bill for current service received after having requested a TAP application but the provision of that TAP application has been delayed;
- c. Represent an arrearage that would be subject to forgiveness once the applicant has been enrolled in TAP, but the processing of the TAP application has been delayed.

PA-VIII-10. Reference: Statement 5 (page 9). Please provide a detailed explanation of all circumstances in which a TAP participant would be forced to satisfy a lien for arrears on which collection has been suspended and represent preprogram arrears that would be subject to forgiveness. If no subject circumstances exist, please so indicate.

PA-VIII-11. Reference: Statement 5 (page 9). Assume hypothetically that a TAP recipient has preprogram arrears subject to forgiveness that have been made subject to a lien. The TAP participant seeks to sell the participant's home and the prospective buyer becomes aware of the lien. Provide a detailed explanation of what happens to those preprogram arrears that are subject to forgiveness but also subject to a lien?

PA-VIII-12. Reference: Statement 5 (page 9). Assume hypothetically that a TAP recipient has preprogram arrears subject to forgiveness that have been made subject to a lien. The TAP participants seeks to refinance the participant's home through a state or local program that would provide for a lower mortgage payment. Provide a detailed explanation of what happens to those preprogram arrears that are subject to forgiveness but also subject to a lien?

PA-VIII-13. Please provide a detailed explanation of all instances in which the forgiveness of preprogram arrears that are subject to forgiveness but are also subject to a lien will have their forgiveness accelerated.

PA-VIII-14. Reference Statement 7B (page 14): please explain the statement "when arrears are forgiven, the associated lien is also removed from the customer's property." Specifically, please confirm that the \$91.45 filing fee is forgiven with the arrears.

PA-VIII-15. Assume hypothetically that a TAP recipient had preprogram arrears for which the City obtained a judgment in Municipal Court. Assume further that the TAP recipient has earned forgiveness of those preprogram arrears. Please provide a detailed explanation of what the TAP customer must do to have the Municipal Court judgment satisfied.

PA-VIII-16. Reference: Statement 5 (page 12). Please provide all data and / or analysis that supports the assertion that:

- a. The cited reduction in payment arrangements is attributable, in whole or part, to “the suspension of most collection activities.”
- b. The cited reduction in payment arrangements is attributable, in whole or part, to “the restoration of service for suspended accounts.”
- c. The cited reduction in payment arrangements is attributable, in whole or part, to “the moratorium on utility shut-offs.”

PA-VIII-17. Reference: Statement 5 (page 12). Please provide a copy of all data and/or analysis in the possession or control of WRB or PWD supporting the assertion that the suspension of collection activities, the restoration of service for suspended accounts, and the moratorium on utility shut-offs “in combination, lessened any incentive to seek assistance through use of payment agreements or other payment arrangements.”

PA-VIII-18. Reference: Statement 5 (page 12). Please provide a copy of all data and/or analysis that documents or demonstrates that “reduced participation levels” “are likely tied” to a “lessened incentive to seek assistance through use of payment agreements or other payment arrangements” rather than being “likely tied” to the “delays in responding to customers and longer processes times for customer service and customer assistance applications” described by Statement 5, page 6.

PA-VIII-19. Reference: Statement 5 (page 15). Please provide a detailed description of all circumstances that would merit “arrearage management on a case-by-case basis.” Describe all circumstances under which a customer would be a “case” in which arrearage management would be implemented.

PA-VIII-20. Reference: Statement 5 (page 15). Please provide a detailed description of all circumstances that would make offering 12-month or 18-month arrearage management programs to customers “appropriate.” What circumstances would distinguish when a 12-month or 18-month arrearage management program would be inappropriate from when a 12-month or 18-month arrearage management program would be “appropriate.”

PA-VIII-21. Reference: Statement 5 (page 12). Please provide a detailed description of all outreach newly provided to customers in arrears since March 1, 2020 explaining how to negotiate a standard payment arrangement. Provide physical copies of such outreach if physical copies exist.

- PA-VIII-22. Reference: Statement 5 (page 12). Please indicate whether, when PWD restores accounts that have been previously disconnected:
- a. Does PWD charge a fee for account restoration;
  - b. If PWD does charge a fee for account restoration, does PWD distinguish the fee which is charged to TAP and to non-TAP customers;
  - c. In deciding whether to restore service, are all accounts that had been disconnected restored or does PWD distinguish between accounts that developed arrears subsequent to a designated date (e.g., March 1, 2020) and accounts that have arrearages pre-existing a designated date.
- PA-VIII-23. Reference: Statement 5 (page 15). Please provide a complete list of “service violations” that would merit a disconnection of service, restoration of which would entail a restoration charge as identified by Statement 5, page 15.
- PA-VIII-24. Please provide by month for the months July 2019 to present the dollar amount of penalties and interest that have been forgiven through TAP.
- PA-VIII-25. Please provide a detailed description of how a TAP participant’s pre-program arrears not comprised of penalties and interest, and a TAP participant’s pre-program arrears that are comprised of penalties and interest, are separately tracked, if at all, for purposes of arrearage forgiveness? Please explain why, if at all, penalties and interest would not be subject to an earlier forgiveness given that the arrearage forgiveness for penalties and interest began at an earlier date.
- PA-VIII-26. Please indicate whether a residential customer who is a tenant, who has a lease obligation to pay PWD bills on a dollar-for-dollar passthrough basis, may participate in TAP. Provide a detailed explanation of why not, if such a tenant is not permitted to participate.
- PA-VIII-27. Assume hypothetically that a tenant has a lease obligation to pay PWD bills on a dollar-for-dollar basis even though the PWD bill is in the landlord’s name. Assume further that the Tenant is successful in placing the PWD account in the tenant’s name. Provide a detailed description of how, if at all, the tenant is allowed to gain access to arrearage forgiveness for any previously unpaid PWD bills.
- PA-VIII-28. Assume hypothetically that a tenant has a lease obligation to pay PWD bills on a dollar-for-dollar basis even though the PWD bill is in the landlord’s name. Assume further that the Tenant is successful in placing the PWD account in the tenant’s name. Please provide a detailed description of the process that is required for the tenant to place any previously unpaid bills in the tenant’s name.

- PA-VIII-29. Please provide a detailed description of what consent, if any, is needed by a tenant from a landlord for PWD to place a PWD account in the tenant's name.
- PA-VIII-30. Please provide a detailed description of the documentation that a tenant is required to submit when a tenant submits an application for a PWD tenant account. For each item identified please provide the policy or PWD Regulation that requires the documentation.
- PA-VIII-31. Please provide a detailed description of under what circumstances, if any, a landlord's consent to placing a PWD bill in a tenant's name will be deemed to have been proffered if an objection to placing the account in the tenant's name has not been received within a prescribed time period.
- PA-VIII-32. When PWD's system fails to receive transmission of usage information resulting in a zero usage reading, what policies does the Department have in place to determine whether water is being consumed at the service address where zero usage has been identified? Please provide a copy of said policy.
- PA-VIII-33. When PWD's system fails to receive transmission of usage information resulting in a zero usage reading, and PWD believes that water is being consumed at the service address where zero usage has been identified, what policies does the Department have in place to correct the usage discrepancy? Please provide a copy of said policy.
- PA-VIII-34. Please describe PWD's "shared responsibility policy" and the status of that policy. Please provide a copy of said policy.
- PA-VIII-35. Within the past five (5) years, on a month-by-month basis, by customer type, please specify the number of accounts that have received zero usage readings resulting in estimated billing.
- PA-VIII-36. Reference Statement 7B (page 14): please explain what is meant by the statement "the proposed Arrearage Forgiveness Program will commence at that time," referencing the date September 1, 2021. Specifically, please confirm that the Arrearage Forgiveness Program has been finalized and has commenced pursuant to PWD regulation 206.7.