

BEFORE THE
PHILADELPHIA WATER, SEWER AND STORM WATER RATE BOARD

In the Matter of the Philadelphia Water Department's Proposed Change in Water, Wastewater and Stormwater Rates and Charges	Fiscal Years 2022-2023
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**PHILADELPHIA WATER DEPARTMENT'S
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
SET IV (Colton)**

Pursuant to the Hearing Officer's Procedural Rules for this Rate Proceeding, the Philadelphia Water Department ("Department" or "PWD") requests that the Public Advocate provide full and complete answers to the following interrogatories and request for production of documents upon the undersigned with seven calendar days of the service hereof.

Instructions and Definitions

1. Each interrogatory and request for production shall be answered fully and completely by those officers, employees or agents of the Public Advocate who are cognizant of the requested information and who are authorized to answer on behalf of Public Advocate. All information is to be divulged that is within the knowledge, possession and control or custody of the Public Advocate or its consultants.

2. Each answer shall restate the question and identify the name and affiliation of the person or persons who prepared the answer or who is responsible for the information contained therein.

3. Please attach written or electronic material and documents to any answer for which written or electric material and documents are requested and/or available. If such written or electronic materials and documents are not available, state where it may be obtained. Label the material and documents with the number of the interrogatory to which it pertains. Copies of all answers shall be provided in PDF and/or Excel (.xlsx or .xls) format via email. Excel spreadsheets shall be provided with data and formulae intact.

4. Answers to these interrogatories and requests for production of documents shall be made in accordance with the Hearing Officer's Procedural Rules applicable to this rate proceeding.

5. These interrogatories and requests for documents are propounded on a continuing basis so as to require you to submit supplemental answers and/or documents should additional information become known that would have been includable in your answers and document production had they been known or available, or should information and/or documents supplied in the answers or production prove to be incorrect or incomplete. PWD reserves the right to propound additional interrogatories and to request additional documents as and if additional information is required.

6. For purposes of the following requests, "Public Advocate" or "PA" means and includes Community Legal Services, Inc. and any person, agency or corporation whom either of them has engaged for purposes of this proceeding.

Interrogatories and Requests for Production

1. Reference PA Statement 3, page 119, lines 8-9 regarding Mr. Colton's claim that the economic analysis of PWD's Capital Improvement Plan ("CIP") in the H.

Gil Peach, Mark Thompson and Yvonne Whitelaw testimony (“Peach Testimony”) is not unique to the CIP. Do you agree that the specific economic modeling of a given project is inherently unique based on model inputs and outputs? If not, please explain.

2. Reference PA Statement 3, page 119, lines 13-18 regarding PWD investment in the CIP.

a. Is Mr. Colton suggesting that investment to maintain and improve City streets and bridges is dissimilar to investment to maintain and improve the City water and wastewater systems?

b. If the answer to 2(a) is yes, please explain.

c. Is it the Public Advocate’s position that improvements/replacements to PWD’s aging water and wastewater systems are not essential?

d. If the answer to 2(c) is yes, please explain and identify projects in the CIP that should be delayed or discontinued.

3. Reference PA Statement 3, page 119, lines 18-20 where Mr. Colton states that “[T]he economic stimulus impacts of an investment [the CIP] offers no insights into the extent to which, if at all, those stimulus dollars should be included in utility rates.”

a. Please explain why the economic stimulus of investment in the CIP, such as job creation, should not be considered in this rate proceeding.

b. Should Mr. Colton’s testimony (PA Statement 3, pages 9-32) regarding the negative economic effects of the COVID-19 pandemic or the need for

economic stimulus (COVID-19 Emergency Relief Program), likewise not be considered?

4. Reference PA Statement 3, page 120, lines 1-8. Mr. Colton states that the economic modeling of the CIP does not evaluate the alternative of not performing essential infrastructure maintenance and upgrades.
 - a. Is Mr. Colton asserting that PWD should not perform essential infrastructure maintenance and upgrades?
 - b. Is it realistic, in Mr. Colton's view, for PWD to further delay or discontinue essential infrastructure maintenance and upgrades to its system?
 - c. Has the Mr. Colton analyzed future cost implications if PWD were to delay or discontinue essential infrastructure maintenance and upgrades? If Mr. Colton has performed such analysis, please provide any facts, data, reports or other supporting documentation.
 - d. Please indicate whether you agree or disagree with the following statement: The postponement of essential infrastructure maintenance and upgrades will likely increase costs to ratepayers to address maintenance and upgrades in future years.
 - e. If you do not agree with the statement in 4(d), please explain why you disagree.
5. Reference PA Statement 3, page 120, lines 7-8. Mr. Colton states that “[c]onsumer spending on capital-intensive utility projects, however, is one of the

least efficient or effective ways to produce economic activity.” Please identify any and all reports, data, documents or other substantiation on which Mr. Colton relies in making this assertion.

6. Reference PA Statement 3, page 122, lines 8-9. Mr. Colton asserts that the Peach Testimony (PWD Statement 8) advances a “decision-rule.” Please explain in detail the basis for this contention.

Respectfully submitted,

/s/ Andre C. Dasent

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