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PHILADELPHIA WATER, SEWER AND STORM WATER
RATE BOARD
PUBLIC HEARING

Wednesday, March 23, 2022
Philadelphia, Pennsylvania

TIME: 6:00 p.m.
LOCATION: Zoom Videoconference
HELD BEFORE: MARLANE R. CHESTNUT,
Hearing Officer

- - -

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1 HEARING OFFICER CHESTNUT: All right. It's
2 6:02 according to my computer, so I think we should
3 get started. We'll go on the record.

4 Good evening. This is one of two public
5 hearings that have been scheduled by the
6 Philadelphia Water, Sewer and Storm Water Rate
7 Board, the Rate Board, in special connection with
8 the rate proceeding.

9 The Rate Board is an independent body
10 established to set rates and charges for water and
11 sewer service.

12 My name is Marlane Chestnut and my role as
13 Hearing Officer is to conduct this proceeding and
14 write a recommendation for the Rate Board.

15 As you can see, this hearing is being
16 recorded and there is also a court reporter, who
17 will produce a written record of this hearing, so
18 please be sure you speak slowly and clearly for her
19 benefit.

20 Let me take a minute and explain what this
21 proceeding is about. It is not a general rate
22 increase and will not result in any rate increase to
23 the rates that have already been approved.

24 Instead, results from the Rate Board's

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1 approval of the settlement of last year's general
2 rate proceeding that had, as one of its own
3 provisions providing for a special rate proceeding
4 to evaluate whether two potential downward
5 adjustments to the rate schedule to take effect
6 September 2022 should be made.

7 One is whether the Water Department received
8 certain federal stimulus funding, and the other was
9 based on the Water Department's actual financial
10 performance in fiscal 2021.

11 I'll introduce the representatives of the two
12 active parties, the Water Department and the Public
13 Advocate, and they can explain their positions.

14 Other participants include the Philadelphia
15 Water Revenue Board, which does the actual billing
16 and collections for the Water Department; the
17 Philadelphia Large Users Group; and two individuals.

18 At this point, we've adopted a schedule that
19 provides for discovery, hearings and briefs. After
20 I receive the briefs -- I'm sorry. Before the
21 briefs. Schedule provides for technical hearings to
22 be held sometime between April 26th and 29. The
23 actual dates will be posted to the Rate Board's
24 website, and you are welcome to observe.

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1 I expect to issue my report at the end of May
2 and it's my understanding before the Rate Board for
3 resolution by mid-June.

4 Now, with respect to this particular hearing,
5 I will call on people in the order that they
6 registered. If you have not registered and want to
7 comment, that's fine. We will get to you. Or, you
8 can send a letter or an email to the Rate Board. We
9 post those letters and emails and I promise you I do
10 read them.

11 When it is your turn, I will call your name
12 and Steven will unmute your microphone and your
13 telephone. I will ask your name, your address and
14 if you are appearing on behalf of any group or
15 organization.

16 If you have an individual billing or other
17 problem, state that and we can direct you to work
18 directly with the company in a breakout room or
19 something where they can get information from you to
20 resolve your problem.

21 After your statement, I will ask the
22 representatives of the active parties if they have
23 any clarifying questions for you. This is not
24 cross-examination. It's simply to clarify their

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1 understanding of your comment.

2 When you're done, you're welcome to stay but
3 certainly, you don't have to. You can leave at any
4 time.

5 At this point, I'll introduce the
6 representative for the Philadelphia Water
7 Department. Mr. Dasent.

8 MR. DASENT: Good evening, Judge Chestnut.

9 Glen Abrams, on behalf of the Philadelphia
10 Water Department, will offer an introductory
11 statement tonight and he'll provide the perspective
12 from the Department on the special rate proceeding.

13 With that brief introduction, let me hand it
14 over to Glen.

15 HEARING OFFICER CHESTNUT: Thank you.

16 MR. ABRAMS: Great. Thank you.

17 Good evening, everyone. My name is Glen
18 Abrams and I am speaking on behalf of the
19 Philadelphia Water Department in this proceeding.

20 We first want to thank you all for joining
21 the hearing this evening to share your views
22 concerning the 2022 special rate proceeding
23 initiated by PWD by its rate filing forwarded to the
24 Philadelphia Water, Sewer and Storm Water Rate Board

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1 on January 21, 2022.

2 This proceeding, as was mentioned, was
3 initiated pursuant to the settlement of the 2021
4 general rate case, which was approved by the Rate
5 Board in its rate determination dated June 16th,
6 2021.

7 By this decision, the Rate Board authorized
8 additional revenues for PWD in fiscal years 2022 and
9 2023 in the amounts of \$10.411 million and \$47.011
10 million, respectively.

11 Pursuant to the settlement, FY 2023 approved
12 revenue up to \$34.11 million are subject to
13 reduction based on two potential adjustments tied
14 to, first, the direct receipt of federal stimulus
15 funding by the Department and/or, second, 2021
16 financial performance.

17 The terms and conditions related to each
18 potential adjustment are described in the
19 aforementioned rate determination.

20 This proceeding is to determine whether it is
21 appropriate, given the terms of the settlement, to
22 adjust or reduce the fiscal 2023 approved rates.

23 The Water Department maintains that no
24 adjustment is warranted. It reaches this decision

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1 because PWD has not directly received federal
2 stimulus funding as defined in the settlement terms
3 and conditions.

4 As explained in our testimony, PWD also
5 believes that no adjustment is warranted for fiscal
6 year 2021 financial performance as PWD falls well
7 below the minimum threshold for financial reserves.

8 The Public Advocate and other intervenors may
9 have other positions.

10 If the Rate Board maintains approved fiscal
11 year 2023 rates, as authorized in the 2021 general
12 rate case, a typical residential customer using 500
13 cubic feet of water per month would see their bill
14 increase by about 7% in fiscal year 2023 or to
15 approximately \$74.29 per month beginning on
16 September 1, 2022.

17 The Water Department recognizes that any
18 increase in rates can be a hardship, especially
19 right now. But maintaining the approved additional
20 revenues for fiscal year 2023 is absolutely
21 necessary to avoid further deterioration of PWD's
22 current financial position and to continue
23 maintaining, upgrading and renewing its system to
24 make sure that clean water is delivered as safely

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1 and reliably as possible and that Waste Water
2 Treatment and Storm Water Management Services
3 continue unabated.

4 This system provides essential services that
5 are the foundation of public health in Philadelphia.
6 Importantly, since the Water Department is a
7 municipal utility, it has no shareholders and every
8 dollar that it collects is used to support the safe
9 and reliable operation and maintenance of the
10 utility system.

11 I would also like to highlight that the Water
12 Department has a robust and comprehensive customer
13 assistance program, which helps low income customers
14 pay their bills, including the tiered assistance
15 program, or TAP, senior citizen discount, and other
16 programs that are more flexible than ever during
17 this difficult time.

18 Please note that our TAP customers, our most
19 vulnerable households, will not pay increased rates
20 in fiscal year 2023 as a result of this proceeding
21 because TAP rates are based on a percentage of
22 household income.

23 The Water Department has also agreed to
24 extend the shutoff moratorium for residential

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1 customers through June 30th, 2022.

2 If you are experiencing financial hardship,
3 we want to help. We encourage you to apply for TAP,
4 the senior discount or other programs that are
5 available to assist households with payment
6 difficulties.

7 These programs are accessible through our
8 website at www.phila.gov/waterbillhelp, or by
9 calling (215) 685-6300 Monday through Friday between
10 8:00 a.m. and 5:00 p.m.

11 I would also note that if you have specific
12 billing questions or other service issues that you
13 would like assistance with, please let us know and
14 we will have a customer service representative
15 contact you as soon as possible.

16 You can use the chat function to identify
17 yourself or let us know that you would like to speak
18 in a breakout room to exchange contact information.

19 Now, the purpose of today's session is to
20 hear from you, our customers. We appreciate you
21 taking the time to share your views with us today
22 and we look forward to hearing from you.

23 Thank you.

24 HEARING OFFICER CHESTNUT: Thank you.

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1 Anything else, Mr. Dasent?

2 MR. DASENT: Nothing further, your Honor.

3 Nothing further.

4 HEARING OFFICER CHESTNUT: Okay.

5 Mr. Ballenger?

6 MR. BALLENGER: My name is Robert Ballenger.

7 I'm an attorney at Community Legal Services.

8 Community Legal Services has been appointed
9 pursuant to a contract entered into after a public
10 bidding process consistent with all of the City's
11 procurement rules, for those who are following along
12 with the chat, to serve as Public Advocate
13 representing the interests of the residential and
14 small business customers of PWD.

15 I want to give my views as to why we're here.
16 And again, I want to offer to anyone who wants more
17 information about this can contact me directly using
18 the email that I shared in the link, which is
19 publicadvocate@clsphila.org. And I can give you
20 real factual information, contrary to some of what
21 you may be experiencing right now.

22 So I want to tell you why we're here and
23 encourage members of the public to express their
24 opinions.

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1 In 2021, the Water Department filed a request
2 for a \$141 million rate increase over two years.
3 Based on the record we created with our experts, we
4 were able to negotiate a truly precedential and
5 groundbreaking settlement agreement. We reduced the
6 amount of that rate increase by just shy of \$84
7 million from what the Water Department requested.

8 And as Mr. Abrams described, you know,
9 there's a much smaller rate increase that went into
10 effect last September. There's another one
11 scheduled for this upcoming September. It's a \$34
12 million rate increase.

13 As part of the rate increase -- excuse me.
14 As part of the settlement, we have the opportunity
15 to bring that number down. We can take a look sort
16 of under the hood of the Department's finances and
17 see if they really need another 34 million. And we
18 can take different positions on how much they should
19 get and how much that rate increase should be
20 reduced.

21 Nothing changes. The Water Department will
22 get a \$34 million rate increase in September. We
23 think that number should go down and the real
24 question is by how much.

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1 So we want to hear from you, members of the
2 public, what you think about the next rate increase,
3 whether you think the Water Rate Board should lower
4 the increase and, if so, why.

5 As customers of the Water Department, it is
6 very important that you tell us everything. I know
7 the Hearing Officer, the Water Department, the
8 Public Advocate and the Board are all very clearly
9 interested in hearing from you today.

10 I appreciate that you've taken time out of
11 your day to be here, and I look forward to hearing
12 from you.

13 Thank you.

14 HEARING OFFICER CHESTNUT: Thank you,
15 Mr. Ballenger.

16 I do want to add that there is a lot of --
17 well, a lot of posting on the chat here by someone.
18 The best source is to go directly to the
19 Commission's own orders and my own orders so that
20 you get a clear understanding of what the situation
21 is and what the issues are. Or, as Mr. Ballenger
22 indicates, contact him directly. Contact Mr. Dasent
23 directly. As I say, the best source is to look at
24 my orders.

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1 Okay. Let's go to the listing of registrants
2 that I have for this evening. The first person on
3 the list -- I'm not sure I see her name here -- is
4 Marie Lynne Germane (ph). No? Okay.

5 How about Selina Ellis (ph)?

6 Meisha Addis (ph)?

7 Michael Skiendzielewski?

8 Marvin Holloway?

9 Stacy Adua (ph)? Okay.

10 Jeanine Tillman?

11 Well, actually, that's the end of my listing
12 here.

13 Is there anyone who hasn't signed up but
14 would like to make a comment?

15 MR. SKOKAN: Yes, ma'am. They gave me the
16 wrong number so I was a little late. My name is
17 Thomas Skokan.

18 HEARING OFFICER CHESTNUT: Who are you?

19 MR. SKOKAN: My name is Thomas Skokan. I'm
20 in Holmesburg.

21 HEARING OFFICER CHESTNUT: Hold on a second.
22 I don't see you on here.

23 MR. LIANG: He's a phone number.

24 HEARING OFFICER CHESTNUT: Oh, okay.

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1 Would you please state and spell your name
2 for the record.

3 MR. SKOKAN: Yes. My name is Thomas Skokan,
4 T-H-O-M-A-S S-K-O-K-A-N.

5 HEARING OFFICER CHESTNUT: And your address,
6 please.

7 MR. SKOKAN: I live at 4344 Marple,
8 M-A-R-P-L-E, in Holmesburg 9136.

9 HEARING OFFICER CHESTNUT: And are you
10 appearing on behalf of a group or an organization?

11 MR. SKOKAN: Uh, well, I am supporting the
12 Workers Benefits Council's demands, but I also
13 have -- you know, I'm acting on my own accord.

14 HEARING OFFICER CHESTNUT: Okay. The Workers
15 Benefit Council has already had a representative
16 present their case.

17 MR. SKOKAN: Well, I'm not representing them.

18 HEARING OFFICER CHESTNUT: If you want to
19 testify as an individual, that's fine.

20 MR. SKOKAN: Yes, I would -- that would be
21 fine.

22 HEARING OFFICER CHESTNUT: Sure.

23 Go ahead, sir, Mr. Skokan.

24 MR. SKOKAN: Yes. Oh, you want me to talk?

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1 HEARING OFFICER CHESTNUT: Yes.

2 MR. SKOKAN: Oh. As a Philadelphia native
3 and a long-term resident here, I feel the
4 implementation of a rate increase at this time is
5 cruel and unusual punishment to a population that is
6 trying to recover from the myriad of problems
7 generated by the COVID-19 crisis.

8 Just as we welcome the warmer weather, we
9 find ourselves risking having our water service shut
10 off when we most need to clean up from the winter,
11 water our garden and deal with the new norm of a
12 warmer climate and hotter summers.

13 We must take on the burden of higher costs,
14 such a basic human need. Many people use less than
15 the minimum monthly usage yet still have to pay for
16 water they don't even use. Others, such as myself,
17 have sewers on their properties which they maintain
18 just because it is the right thing to do.

19 My neighbor across the street is over 90
20 years old and he has two storm sewers to keep clear
21 of bottles, dog waste bags, plastic leashes and God
22 knows what else.

23 So I now keep three of our storm sewers clear
24 and probably draining at no cost to the Water

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1 Department or any reimbursement to me or to my
2 elderly neighbor.

3 My reward for conserving water and
4 maintaining the drainage system is have my rates go
5 up. This \$34 million rate increase is a hardship on
6 so many of us working poor in Philadelphia who are
7 trying to keep maintaining a home amid the COVID-19
8 pandemic.

9 I implore you to please reconsider raising
10 our water rates at this time.

11 And I guess -- I know the Benefit Council has
12 five things; you said you already dealt with that?

13 HEARING OFFICER CHESTNUT: Yes.

14 MR. SKOKAN: Okay. Because I have it here,
15 but I won't read it if it's redundant.

16 HEARING OFFICER CHESTNUT: Okay. Are you
17 done with your statement?

18 MR. SKOKAN: Yes, ma'am. Thank you.

19 HEARING OFFICER CHESTNUT: Thank you.

20 Mr. Dasent, did you have any clarifying
21 questions for Mr. Skokan?

22 MR. DASENT: No questions for Mr. Skokan;
23 although, I thank him for testifying tonight.

24 HEARING OFFICER CHESTNUT: Mr. Ballenger, do

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1 you have questions?

2 MR. BALLENGER: No, I don't.

3 Thank you for your testimony. And it
4 certainly is important what you're doing for your
5 neighbors, so I just want to acknowledge that here.

6 MR. SKOKAN: Thank you, sir.

7 HEARING OFFICER CHESTNUT: Okay. Thank you
8 very much. You're excused.

9 Did somebody else want to make a comment?

10 MS. PANZANO: Yes. I raised my hand.

11 Barbara Panzano.

12 HEARING OFFICER CHESTNUT: Okay, sure.

13 MS. PANZANO: Um --

14 HEARING OFFICER CHESTNUT: Wait. Before you
15 start --

16 MS. PANZANO: Okay.

17 HEARING OFFICER CHESTNUT: Let's do the
18 preliminaries. Could you please spell your name for
19 the record.

20 MS. PANZANO: Barbara Panzano. P, as in
21 Peter, A-N-Z, as in zebra, A-N-O.

22 HEARING OFFICER CHESTNUT: Your address,
23 please.

24 MS. PANZANO: 2609 Eddington Street,

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1 E-D-D-I-N-G-T-O-N, Philadelphia, PA 19137.

2 HEARING OFFICER CHESTNUT: And are you
3 appearing on behalf of a group or an organization?

4 MS. PANZANO: No, I am not.

5 HEARING OFFICER CHESTNUT: Okay. Thank you.
6 Go ahead.

7 MS. PANZANO: I agreed with everything that
8 was just said. And in addition to that, I've been
9 in this house for 35, 36 years. The water bill has
10 always been the highest bill, including heat for the
11 winter. The water bill is my highest bill I pay.

12 And as a senior citizen on social security,
13 we don't get rate hikes like this and I don't know
14 how people are supposed to afford it. I don't -- I
15 know that there are so many people that are behind
16 in their water bills coming out of the pandemic. I
17 am not one of them, thank God, but I can't handle
18 anymore. I mean, it's totally ridiculous at this
19 point.

20 And with inflation the way it is today and us
21 trying to buy food and pay these bills and pay for
22 gasoline for our cars to get to medical appointments
23 and doctors and whatever, how are we supposed to do
24 it? That's all I have to say.

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1 HEARING OFFICER CHESTNUT: Thank you.

2 Mr. Dasent, did you have any clarifying
3 questions for Ms. Panzano?

4 MR. DASENT: No questions for, Ms. Panzano.
5 Thank you for coming out tonight.

6 MS. PANZANO: Okay.

7 HEARING OFFICER CHESTNUT: Mr. Ballenger?

8 MR. BALLENGER: Perhaps not a question for
9 Ms. Panzano.

10 But Ms. -- did you say that you were a senior
11 on a fixed income?

12 MS. PANZANO: Yes. 77.

13 MR. BALLENGER: Maybe the Water Department
14 could offer to talk with you about your eligibility
15 for the senior discount.

16 MS. PANZANO: I already applied for it and
17 they say I make too much, even though it's under
18 25,000 a year. That's too much.

19 MR. DASENT: You should reach out to my
20 office because I think the threshold is -- you're
21 under that threshold for the most recent update for
22 the senior citizen discount. But let me check that
23 out.

24 And Glen Abrams is also on the phone, or on

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1 the line, and perhaps either in a chat room or
2 somehow or another -- I just want to get your
3 contact information just to make sure that you're
4 not eligible for the senior discount. And I thank
5 Mr. Ballenger for bringing that up.

6 MS. PANZANO: Okay.

7 MR. ABRAMS: Steven, if you could put Amy
8 Hopple (ph) and PWD Kersey from my staff in a
9 breakout room.

10 HEARING OFFICER CHESTNUT: Is that okay with
11 you, Mr. Panzano? Do you want to talk to PWD about
12 possibly getting eligibility for another discount or
13 some other assistance?

14 MS. PANZANO: Sure.

15 HEARING OFFICER CHESTNUT: Okay.

16 MR. BALLENGER: Thank you for your testimony.
17 I recognize you testified last year as well, so I'm
18 glad to see you again.

19 MS. PANZANO: Yeah.

20 MR. LIANG: Amy and Kersey?

21 MR. ABRAMS: Yes. Thank you.

22 HEARING OFFICER CHESTNUT: Okay. I guess
23 that worked. At least they're gone or disappeared,
24 hopefully not literally.

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1 Is there anybody else who wants to give a
2 comment or statement? No?

3 Okay. Well, let me end, then, by repeating
4 that at the Rate Board's website all the documents
5 are posted. All my orders are there; the testimony
6 that's been filed, the discovery that's been
7 undertaken.

8 If you have questions or concerns, I urge you
9 to go to that and read the documents yourself. A
10 transcript of this hearing will also be posted.

11 And if you have further comments, please feel
12 free to let the Rate Board know.

13 Anything further, then, Mr. Ballenger?

14 MR. BALLENGER: Nothing from me, your Honor.
15 Thank you.

16 HEARING OFFICER CHESTNUT: Okay. Mr. Dasent,
17 anything further?

18 MR. DASENT: Nothing further. Thank you,
19 your Honor.

20 HEARING OFFICER CHESTNUT: Thank you all for
21 taking the time to attend. Very much appreciate it.
22 I'm sure the Rate Board appreciates hearing directly
23 from the people affected by the rates and decisions
24 they make.

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1 Okay. Thank you very much.

2 (The hearing was concluded at 6:25 p.m.)

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1 C E R T I F I C A T I O N

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3 I, Tara D. Goleno, hereby certify that the
4 proceedings and evidence noted are contained fully
5 and accurately in the stenographic notes taken by me
6 in the foregoing matter, and that this is a correct
7 transcript of same.

8

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10

11

12 Tara D. Goleno, RPR, CRR, CSR 10127

13

14

15 (The foregoing certification of this
16 transcript does not apply to any reproduction of the
17 same by any means, unless under the direct control
18 and/or supervision of the certifying reporter.)

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