

PHILADELPHIA WATER, SEWER AND STORM WATER
RATE BOARD
PUBLIC HEARING

Wednesday, March 23, 2022
Philadelphia, Pennsylvania

TIME: 1:00 p.m.
LOCATION: Zoom Videoconference
HELD BEFORE: MARLANE R. CHESTNUT,
Hearing Officer

- - -

1 HEARING OFFICER CHESTNUT: Is everybody ready
2 to get started, then?

3 MR. BALLENGER: Yes.

4 HEARING OFFICER CHESTNUT: Good afternoon.
5 This is one of two public hearings scheduled by the
6 Philadelphia Water, Sewer and Storm Water Rate
7 Board, the Rate Board, in connection with the
8 special rate proceeding.

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

12 My name is Marlane Chestnut and my role as
13 hearing officer is to conduct this hearing and to
14 write a recommendations for the Rate Board.

15 There is a court reporter who is going to
16 produce a written record of this proceeding, so
17 please be sure to speak slowly and clearly. This
18 meeting is also being recorded.

19 Let me take a minute and explain what this
20 proceeding is about. It is not a general rate
21 increase and will not result in any kind of a rate
22 increase. Instead, results from the Rate Board's
23 approval of the settlement of last year's general
24 rate proceeding and had, as one of its elements, a

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1 provision providing for a special rate proceeding to
2 evaluate whether two potential downward adjustments
3 to the rate schedule to take effect in September of
4 2022 should be made.

5 One is whether PWD had received certain
6 federal stimulus funding, and the other was based on
7 the Water Department's actual fiscal year 2021
8 financial performance.

9 I want to introduce the representatives of
10 the active party, the Water Department and the
11 Public Advocate. And they can briefly explain their
12 positions and what they expect to happen in this
13 case.

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

18 In terms of this proceeding itself, we've
19 adopted a schedule that provides for discovery,
20 hearings, and briefs. According to the schedule,
21 technical hearings are scheduled to be held sometime
22 between April 26th and April 29th. The actual dates
23 will be posted on the Rate Board's website, and you
24 are welcome to observe.

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1 (Reporter tried to interrupt; bad audio.)

2 HEARING OFFICER CHESTNUT: I expect to issue
3 my report at the end of May and the matter should be
4 before the Rate Board for its resolution by
5 mid-June.

6 Now, with respect to this particular public
7 hearing, I will call people in the order in which
8 they registered. If those who have not registered
9 want to comment, that's fine. We'll get to you
10 and -- or you can register for the hearing tonight.
11 Or, you can send a letter or email to the Rate
12 Board. We post those emails and I promise you that
13 I will read every one.

14 When it is your turn, I will call your name
15 and -- I will ask your name, your address and if
16 you're appearing on behalf of a group or
17 organization.

18 If you have an individual billing or other
19 problem like that, service problem, we can direct
20 you to the Water Department directly in breakout
21 rooms so they can get information from you to
22 resolve that.

23 After your statement, I will ask the
24 representatives if they have any questions for you.

1 This is not cross-examination but in order to
2 clarify what it is that you have said.

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

6 Now, at this point, I want to introduce the
7 representatives of the Water Department.

8 Mr. Dasent.

9 MR. DASENT: Yes. Good afternoon, Judge
10 Chestnut.

11 Glen Abrams, on behalf of the Philadelphia
12 Water Department, will give an introductory
13 statement, which will give our take on the position
14 on the reasons for this particular rate proceeding
15 and the things that we need to accomplish here.

16 So Glen, if you'll take it from here.

17 MR. ABRAMS: Thank you.

18 Good afternoon, everyone. My name is Glen
19 Abrams. I'm speaking on behalf of the Philadelphia
20 Water Department in this proceeding.

21 We first want to thank you all for joining
22 the hearing this afternoon to share your views
23 concerning the 2022 special rate proceeding
24 initiated by PWD by its rate filing forwarded to the

1 Philadelphia Water, Sewer and Storm Water Rate Board
2 on January 21 of 2022.

3 This proceeding was initiated pursuant to the
4 settlement of the 2021 general rate case, which was
5 approved by the Rate Board in its rate determination
6 dated June 16, 2021. By this decision, the Rate
7 Board authorized additional revenues for PWD in
8 fiscal year 2022 and 2023 in the amounts of 10.411
9 million and 47.011 million, respectively.

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

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

19 This proceeding, as was mentioned earlier, is
20 to determine whether it is appropriate, given the
21 terms of the settlement, to adjust or reduce the
22 FY 2023 approved rates.

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

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

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

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

11 If the Rate Board maintains approved fiscal
12 year 2023 rates, as authorized in the 2020 general
13 rates case, a typical residential customer using 500
14 cubic feet of water per month would see their bill
15 increase by about 7% in fiscal 2023 to approximately
16 \$74.29 per month beginning on September 1st, 2022.

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

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1 possible, and that Waste Water Treatment and Storm
2 Water Management Services continue unabated.

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

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

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

22 The Water Department has also agreed to
23 extend the water shutoff moratorium for residential
24 customers through June 30th, 2022.

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

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

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

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

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

22 Thank you.

23 HEARING OFFICER CHESTNUT: Thank you,
24 Mr. Abrams.

1 Anything else, Mr. Dasent?

2 MR. DASENT: Nothing further. Thank you.

3 HEARING OFFICER CHESTNUT: Okay. Then I'd
4 like to introduce Mr. Ballenger, who is here on
5 behalf of the Public Advocate.

6 Mr. Ballenger.

7 MR. BALLENGER: Thank you, Judge Chestnut.

8 Good afternoon. My name is Robert Ballenger.
9 I'm an attorney at Community Legal Services.

10 CLS has been appointed to serve as the Public
11 Advocate representing the interests of the
12 residential and small business customers of the
13 Water Department as a group.

14 I want to give my group -- excuse me. I want
15 to give my views as to why we're here and encourage
16 members of the public to express their opinions
17 about this proceeding.

18 In 2021, the Water Department filed its
19 request for a \$141 million rate increase over two
20 years. They were able to negotiate a settlement
21 that reduced that increase by just under \$84
22 million.

23 So, as Mr. Abrams described, a much smaller
24 rate increase went into effect last September and

1 there's another one scheduled for this September.

2 As part of the settlement, however, we have
3 an opportunity in this proceeding to take a look at
4 certain things to see whether the upcoming rate
5 increase should be reduced.

6 If nothing changes, the Water Department will
7 get a \$34 million rate increase in September. We
8 think that number should go down and the real
9 question is by how much.

10 So we want to hear from you what you think
11 about the next water increase, whether you think the
12 Water Rate Board should lower that rate increase
13 and, if so, why. As customers of the Water
14 Department, it's very important for you to tell us
15 what you think.

16 I appreciate that you've taken time out of
17 your day to be here and I look forward to hearing
18 from you.

19 Thank you.

20 HEARING OFFICER CHESTNUT: Thank you.

21 Okay. I guess we'll get to the list of
22 people who signed up. And the first person is Dave
23 Mahoo (ph).

24 I don't see him here. Dave Mahoo? Okay.

1 Now, there were some people who indicated
2 they did want to comment but didn't indicate which
3 session they wanted to speak at, so I will go
4 through your names and see if any are here.

5 I don't see anybody actually listed on the
6 list of participants. Some people do not have
7 personal information showing.

8 Mosha Addis (ph)?

9 Marvin Holloway?

10 Jeanine Tillman?

11 Stacy Abdullah?

12 Now, Mr. Skiendzielewski, you indicated --
13 you didn't indicate which session you wanted to
14 speak at. Did you want to speak at today or this
15 evening?

16 Are you there Mr. Skiendzielewski?

17 You have to unmute him, I think, Steven.

18 MR. LIANG: He muted himself.

19 HEARING OFFICER CHESTNUT: Okay. Okay. Then
20 why don't we go on.

21 Now, Mitch Chanin indicated he would like to
22 comment.

23 Mitch, where are you?

24 MR. HAVER: Madam hearing examiner, before

1 Mitch signed up, I signed up to speak. If you're
2 going in the order that people signed up, please
3 look at your chat.

4 HEARING OFFICER CHESTNUT: I didn't get
5 anything from you. I got something from Mr. Chanin.

6 MR. LIANG: He signed up at 12:54 p.m., so
7 right before the hearing.

8 MR. HAVER: Right. Before Mitch.

9 HEARING OFFICER CHESTNUT: Fine. Go ahead.
10 What difference does it make? You're both going to
11 be taken.

12 Go ahead, Mr. Haver.

13 MR. HAVER: What matters is whether your work
14 means anything or not.

15 My name is Lance Haver. I live in the City
16 of Philadelphia and pay a water bill. I have never
17 been employed or contracted with the Philadelphia
18 Water Department.

19 My testimony, which is based on my opinion
20 based upon my understanding of the facts is the
21 public is not being represented. The lack of public
22 participation at this hearing should make that
23 clear.

24 The rates should be rolled back by \$100

1 million. If the Water Department needs more
2 revenue, it should take money out of its slush fund,
3 which it calls the Rate Stabilization Fund, draw
4 down Federal, State and City COVID dollars, which
5 both the State and City have many, many dollars, and
6 use innovation to bring down costs.

7 In the last rate case, Mr. Ballenger agreed,
8 in exchange for terms, which included his continued
9 employment, to allow the Philadelphia Department --
10 Water Department to raise rates.

11 I petitioned the hearing examiner, Hearing
12 Examiner Chestnut, to remove Mr. Ballenger from
13 serving as a Public Advocate because he has not been
14 appointed in a public manner with others being
15 allowed to seek the position.

16 The hearing examiner ruled that
17 Mr. Ballenger's appointment was set forth in the
18 agreement raising everyone's water bill.

19 The hearing examiner clearly, without
20 mistake, ruled that Mr. Ballenger's employment was a
21 term of the settlement and, as such, an inducement
22 to get Mr. Ballenger to agree to the settlement,
23 which included the rate hikes.

24 Yes, there were other terms in the agreement,

1 but that cannot change the fact Mr. Ballenger agreed
2 to burden the public with higher rates in exchange
3 for his continual employment and other
4 considerations. That should be considered a fraud
5 and Mr. Ballenger should be prosecuted for honest
6 service fraud.

7 No one elected or appointed to represent the
8 public should be allowed to make a condition of
9 their future employment a part of a public
10 settlement.

11 The lack of turnout at this hearing shows
12 Mr. Ballenger does not want, nor desire, public
13 participation, despite what he says. The only other
14 explanation for why so few people are participating
15 in a water rate case, a 7% water rate increase, when
16 so many of us are struggling to keep up with the
17 rate increase Mr. Ballenger agreed to, is gross
18 incompetence.

19 And Mr. Ballenger failed to reach out to
20 community groups, failed to speak to concerned
21 citizen groups, failed to publicize the hearing in a
22 meaningful way.

23 It is either Mr. Ballenger did not want the
24 public to witness his activity or he was incapable

1 of getting the public to participate. In either
2 case, he is not serving as a Public Advocate.

3 The rates should be rolled back. As I
4 pointed out in the last rate case, if the Water
5 Department is allowed to reach into our pockets as
6 rate payers, they have no incentive to find money
7 elsewhere.

8 And the Water Department -- Water Rates Board
9 and Mr. Ballenger, by giving the Water Department
10 what it wanted through the settlement, has done just
11 that. The cash in the slush fund, according to the
12 last report, continues to grow.

13 There has been a failure of the Water
14 Department to engage in economic development by
15 bringing water to consumers and jobs into the city,
16 a failure of the Water Department to innovate, for
17 example, to examine how geothermal energy via heat
18 pumps can be created through the use of water in the
19 city's rivers.

20 A failure to review pipeline technologies to
21 keep costs down for consumers and a failure to help
22 consumers sign up in a meaningful way for any of its
23 programs that help low income consumers, and if it
24 had done such, the Water Department would have had

1 increased revenues and make this rate increase
2 unnecessary.

3 And there's no mistaking, this is a rate
4 increase. Unless the Board acts, unless the Board
5 acts, the rates will go up by 7% this year, every
6 year and every year into the future.

7 For Mr. Ballenger, or anyone, to suggest it's
8 not a rate increase is disingenuous at best and
9 downright dishonest and something I've learned to
10 expect from the hearing examiner and these
11 participants.

12 I am not naive. I don't expect the hearing
13 examiner to rule in my favor. After all, her blind
14 eye towards the inducement term in the settlement
15 rewarded her with another appointment as a hearing
16 examiner, which increased her personal revenues as
17 well.

18 The incestuous relationship between the
19 hearing examiner, the Water Department and
20 Mr. Ballenger can clearly be seen by anyone who has
21 attended a pre-hearing conference.

22 The one person who's supposed to represent
23 the public has failed to do so; instead, accepting
24 in return for agreeing to a rate hike, his continual

1 personal employment.

2 Water consumers have been and are being
3 betrayed. Mark my words. I predict Mr. Ballenger,
4 despite what he might say, will do what the Water
5 Department wants and sacrifice the well-being of
6 water consumers to ensure he is employed in the next
7 rate case.

8 Community Legal Services, once with Community
9 Board, now has a Board controlled by corporate
10 lawyers. The Board officers are the president of
11 Ballards Bar (ph); vice-president of the Chuck
12 Group, insurance group; Neil Council (ph) for the
13 largest investment fund, the Vanguard Group; and a
14 partner at the law firm of Troutman Pepper.

15 Unfortunately, the CLS Board will continue to
16 turn a blind eye to the betrayal of Mr. Ballenger to
17 the very people he is paid to represent.

18 And I recognize the hearing examiner has
19 already decided, she has already ruled, that we are
20 not allowed to challenge this and that is what I can
21 say to, quote, Dylan, "Now is the time to take the
22 rag away from your face. Now is the time for your
23 tears."

24 HEARING OFFICER CHESTNUT: Thank you,

1 Mr. Haver. To the extent --

2 MR. HAVER: You didn't swear me in. You
3 didn't ask if I wanted to be sworn in.

4 HEARING OFFICER CHESTNUT: We don't swear
5 people in, in these hearings. Nobody is sworn in.

6 MR. HAVER: You didn't ask --

7 HEARING OFFICER CHESTNUT: As I said, to the
8 extent your remarks are appropriate and relevant to
9 this proceeding, they'll be considered. Thank you.

10 Mr. Ballenger, did you want to respond? You
11 don't have to, of course.

12 MR. BALLENGER: Yes. I'd like to respond
13 briefly.

14 MR. HAVER: I object. I object.

15 HEARING OFFICER CHESTNUT: No, you can't
16 object.

17 MR. HAVER: He has no right to put anything
18 on the record. He can ask me questions. He can ask
19 me questions, but he cannot testify.

20 HEARING OFFICER CHESTNUT: Stop.

21 MR. HAVER: He cannot testify. He cannot
22 testify, your Honor. He is --

23 HEARING OFFICER CHESTNUT: Mr. Haver, he's
24 not testifying. Be quiet.

1 Thank you.

2 MR. BALLENGER: Thank you.

3 I'd like to respond to Mr. Haver's assertions
4 now publicly and personally, as he has made this a
5 personal --

6 MR. HAVER: This is unfounded, your Honor.
7 He is not allowed to testify at a public hearing.

8 HEARING OFFICER CHESTNUT: He can make --

9 MR. BALLENGER: I am actually --

10 MR. HAVER: He's not allowed to testify.
11 Those are the rules.

12 HEARING OFFICER CHESTNUT: There are no rules
13 saying that, Mr. Haver.

14 MR. HAVER: Yes, there are.

15 HEARING OFFICER CHESTNUT: Steven, you need
16 to mute Mr. Haver so that Mr. Ballenger can make his
17 statement, okay. Thank you.

18 MR. BALLENGER: Mr. Haver is entitled to his
19 opinions, just like all of you are and just like I
20 am, but he has made inflammatory and false
21 statements that must be corrected.

22 This hearing, just like the hearing later
23 today, is an opportunity for members of the public
24 to provide their perspectives in order to inform the

1 Hearing Officer, the Water Department, the Public
2 Advocate and, ultimately, the Board, which will
3 render the financial decision.

4 All of us want to know what members of the
5 public care about in this process. The allegation
6 that the Public Advocates successful negotiation of
7 a settlement saves all customers nearly \$84 million
8 was a betrayal of public trust is false.

9 The premise. The consultation with the
10 public at large could occur in the context of
11 confidential negotiations is ridiculous.

12 The Hearing Officer in the 2021 rate
13 proceeding could not have been clearer when she
14 communicated to all participants, including
15 Mr. Haver, that settlement negotiations are
16 confidential among the participants.

17 The truth is that I didn't violate the
18 Hearing Officer's instruction. And I didn't engage
19 in any unethical conduct by refusing to publicly
20 disclose confidential settlement materials.

21 Another truth is that once PWD and the Public
22 Advocate agreed on the terms for a proposed
23 settlement, they were published and disseminated
24 publicly before even being submitted for the Hearing

1 Officer's consideration.

2 Members of the public had the opportunity to
3 review them and provide comments. And by my count,
4 31 members of the public actually did provide
5 comments after those terms were published.

6 Mr. Haver's assertion that I agreed to the
7 settlement in order to retain employment and receive
8 compensation in this case are false and defamatory.
9 He made similar allegations before, and I explained
10 that I do not make a single penny more or less by
11 serving as Public Advocate.

12 I am a proud member of the Philadelphia Legal
13 Services Union, NOLSW Local 2320, which is a
14 division of the United Auto Workers. My
15 compensation is set by our collective bargaining
16 agreement, which is not affected in any way by my
17 service as Public Advocate.

18 As to Community Legal Services, the law firm
19 I work at, the amount CLS expects to charge for
20 Public Advocate services in this case is less than
21 half of one percent of our annual revenues.

22 In fact, we bill the City at hourly rates
23 that are significantly lower than what our attorneys
24 consistently are awarded in litigation on behalf of

1 our low income clients.

2 So I want you all to understand the facts.
3 Another fact is I recognize a few people present
4 today who I've already communicated with about this
5 case, contrary to Mr. Haver's assertion.

6 I want you all to understand the facts,
7 encourage you to ask questions and seek truth.
8 False accusations have no place here.

9 Thank you.

10 HEARING OFFICER CHESTNUT: Mr. Dasent, did
11 you want to respond, since you were involved also,
12 briefly?

13 MR. DASENT: Yes. I -- just very briefly. I
14 don't think these comments are particularly helpful
15 because the Public Advocate is selected through a
16 procurement process, also that hasn't been
17 mentioned, where you put in an RP.

18 And it is a competition of sorts when you're
19 looking at folks that are qualified and you vet
20 those folks and you make sure the contract fits with
21 and all the Department does --

22 MR. HAVER: It simply isn't true that that
23 was done.

24 HEARING OFFICER CHESTNUT: Please don't

1 interrupt. You had your chance to speak, Mr. Haver.

2 MR. DASENT: And so I wanted to indicate that
3 there is a process here for selection; it is CLS,
4 not Mr. Ballenger. And Mr. Ballenger has explained
5 he doesn't really profit from any of this. So the
6 whole notion of a quid pro quo is misplaced.

7 We're hopeful in this case that on the facts
8 of the case we can see how we've set up the special
9 rate proceeding, how it is, in fact, a reduction
10 potentially of fiscal 2023 approved rates. That
11 sort of tells you in and of itself if we diligently
12 pursue the goals of the settlement, that we will
13 reach a fair and reasonable result.

14 And in the throws of all of this a year ago
15 when we're talking about federal stimulus monies and
16 different other funding coming in, this was a
17 perfect vehicle to recognize that to offset any
18 concern that if we receive money, it would not be
19 reflected in our rates.

20 And I think by going through this exercise,
21 we've been very creative. We've been very
22 resourceful, and I think the Public Advocate are all
23 concerned, including the Rate Board, that
24 facilitated fair that will allow us I think to be in

1 a better place at least a fair and reasonable place
2 for rate making purposes at the end of this
3 proceeding. And that's my hope.

4 HEARING OFFICER CHESTNUT: Thank you,
5 Mr. Dasent.

6 And it shouldn't have to be said, but I'm not
7 going to respond to any personal attacks on my
8 behalf. The orders that I've issued speak for
9 themselves. They're all published on the Rate
10 Board's website and you're free to read them.

11 But moving on to the purpose of this which is
12 to hear from the members of the public.

13 Mr. Chanin, you've been waiting. Did you
14 want to make a comment?

15 MR. CHANIN: Sure. Well, okay.

16 HEARING OFFICER CHESTNUT: Before you do,
17 though, please give and spell your name for the
18 record.

19 MR. CHANIN: Mitchell, M-I-T-C-H-E-L-L. My
20 last name Chanin, C-H-A-N-I-N. I'm a resident of
21 Northeast Philadelphia.

22 HEARING OFFICER CHESTNUT: Your address,
23 please.

24 MR. CHANIN: 124 Tomlinson Road 9116.

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

3 MR. CHANIN: No.

4 HEARING OFFICER CHESTNUT: Okay. Go ahead.

5 MR. CHANIN: No. Yeah, okay. I'm still
6 taking stock of what just occurred; however -- yeah.

7 I was notified about this hearing by
8 Community Legal Services. I will just say how I got
9 here.

10 I like to be really prepared when I speak at
11 these hearings. I don't think I'm all that well
12 prepared today, but what I want to say is that I
13 favor the maximum possible reduction in the rate
14 increase.

15 I understand that the scope of this hearing
16 seems like it's very narrow and there are only a
17 couple of questions that are in play. And I think
18 the maximum reduction in the rate increase that is
19 allowable should be -- should happen at this point.

20 I was troubled by some of the assertions by
21 the representative of the Water Department. I, of
22 course, understand the need for fiscal stability for
23 the Water Department. While I disagreed with
24 Mr. Haver's assertions about Community Legal

1 Services, I do think he raised a lot of good points
2 about opportunities that don't seem to have been
3 pursued by the Water Department.

4 And I'm really troubled by the idea that the
5 low income discount program, such as TAP, mean that
6 the impact of rate increases is not significant for
7 people of low incomes.

8 Like most of the other assistance programs,
9 TAP is only accessible to people whose income is at
10 or below 150% of the federal poverty line, as I
11 understand. And you can still be struggling really,
12 really hard if your income is even well above that
13 150% federal poverty line.

14 I don't think that the thresholds for these
15 programs are really appropriate at any of our
16 utilities, including the Water Department. You
17 know, if you are one dollar over the threshold,
18 you're poor and you cannot afford a 7% increase in
19 your water bill.

20 I understand the need for capital
21 expenditures at the Water Department. I have
22 friends who were affected by the catastrophic water
23 main break in Kingsessing recently, which was
24 horrifying.

1 I would like to understand whether or how the
2 Water Department is pursuing funds from the federal
3 infrastructure bill over the next year to address
4 the deplorable state of our water infrastructure.

5 But people are really struggling. Many of
6 the income assistance programs that were implemented
7 at various levels of government during the pandemic
8 have now run out, including the expanded child tax
9 credit. And we have, you know, the highest
10 inflation rates that we've had in 40 years.

11 Costs for essentials like food and gas and
12 gasoline and rent are going up, while the minimum
13 wage is still 7.25 an hour. And people are really
14 struggling in the city. They cannot afford -- they
15 cannot afford a 7% increase in water bills. So I
16 really hope that this Board will order the maximum
17 possible reduction in the rate increase.

18 And I'll leave it there. Thank you.

19 HEARING OFFICER CHESTNUT: Mr. Dasent, do you
20 have any questions, clarifying questions, for
21 Mr. Chanin?

22 MR. DASENT: Yeah.

23 Mr. Chanin, are you aware that folks above
24 150% of the federal poverty level have affordability

1 programs available to them through the Philadelphia
2 Water Department?

3 Just wanted to make sure you understood we
4 reach out to everyone, not just the poor that fall
5 below 150% of the poverty level.

6 MR. CHANIN: I mean, if you'd like to
7 illuminate me further about what is available, I'd
8 be happy for that. But I -- I do not know the full
9 scope of all the Water Department programs, but my
10 understanding is that lots of people are still
11 struggling to pay their bills and that many people
12 who are struggling are not eligible for the existing
13 programs. TAP is the main one that I was aware of,
14 but, you know, if you want to share any other
15 information, I'm interested. I can also get a copy
16 of that later.

17 MR. DASENT: Okay. Also, you mentioned
18 federal assistance monies for infrastructure
19 improvements. Are you aware that we are, in fact,
20 pursuing funding through the federal government for
21 that purpose? Just wanted you to be aware of that.

22 And we have monthly reports that even give
23 you an idea or a summary of those programs that
24 we've already -- the various things that we've

1 already tried to secure from the federal government
2 to assist us with infrastructure improvements.

3 I wanted you to be aware of that also.

4 MR. CHANIN: Thank you. I will read up on
5 that further. You know, been a guess proceeding.
6 That's been my main issue. I'm here -- as I said at
7 the beginning, I do not feel like I'm 100% fully
8 informed, but I know that people are struggling and
9 I know that folks who are not getting assistance
10 cannot afford a 7% rate hike at this time.

11 But I will read all the materials. Thank
12 you.

13 MR. DASENT: Okay. Thank you.

14 HEARING OFFICER CHESTNUT: Mr. Ballenger, did
15 you have any questions for Mr. Chanin?

16 MR. BALLENGER: No, not at this time.

17 Thank you for attending, Mr. Chanin, and
18 sharing your opinions here.

19 HEARING OFFICER CHESTNUT: Thank you,
20 Mr. Chanin. Appreciate your remarks.

21 The next person is Pat Libbey.

22 MS. LIBBEY: I just have a very, I guess --

23 HEARING OFFICER CHESTNUT: Before -- wait.
24 Can you please state and spell your name for the

1 record?

2 MS. LIBBEY: Patricia Libbey. PATRICIA.

3 Last name L-I-B-B-E-Y.

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

6 MS. LIBBEY: 379 Ripka Street, R-I-P-K-A,
7 Street, Apartment Number 3B. Philadelphia, PA
8 19128.

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

11 MS. LIBBEY: No.

12 HEARING OFFICER CHESTNUT: Okay. Thank you.
13 Go ahead.

14 MS. LIBBEY: Um, I live in an apartment
15 building with six apartments in it in Roxborough.
16 It's the only one like this on my street.

17 My landlord likes to raise the rent about \$50
18 every year, complaining all the time, oh, his water
19 bill has gone up so he's going to raise it. And
20 mine has already gone up again \$50 for this year.
21 And my rent is now very close to half of my income.

22 So as a simple person in Philadelphia, I
23 would really appreciate no increase in the water
24 bill if at all possible because our landlord will

1 just say, oh, we gotta make you pay another \$50 a
2 month.

3 Okay. Thanks.

4 HEARING OFFICER CHESTNUT: Thank you.

5 Mr. Dasent, did you want to clarify any
6 statement that Ms. Libbey made?

7 MR. DASENT: No questions, your Honor. Thank
8 you.

9 HEARING OFFICER CHESTNUT: Mr. Ballenger?

10 MR. BALLENGER: I'd just like to ask how you
11 heard about the hearing today, Ms. Libbey?

12 MS. LIBBEY: Mr. Chanin had sent out an email
13 that talked about it.

14 MR. BALLENGER: Great. Thank you.

15 HEARING OFFICER CHESTNUT: I don't see
16 anybody else who has registered, but is there
17 anybody else who would like to make a statement?
18 You can either raise your hand or do the hand
19 function.

20 Okay. Ms. Kornblum (ph)?

21 Steven, can you unmute --

22 MR. LIANG: I'm not seeing her on my screen.
23 Who was it, Ms. Kornblum?

24 HEARING OFFICER CHESTNUT: Freyda Kornblum.

1 MR. LIANG: Okay.

2 HEARING OFFICER CHESTNUT: Okay. Hold on a
3 second.

4 MR. LIANG: She's on mute.

5 HEARING OFFICER CHESTNUT: Okay.

6 Ms. Kornblum, could you please state and spell your
7 name for the record?

8 MS. ORTIZ: Me?

9 HEARING OFFICER CHESTNUT: Yes.

10 MS. ORTIZ: Okay. My name is Maria Ortiz.

11 HEARING OFFICER CHESTNUT: I'm sorry, what's
12 your name?

13 MS. ORTIZ: Maria Ortiz.

14 HEARING OFFICER CHESTNUT: Okay. Because
15 that's not the name that shows up.

16 MS. ORTIZ: No.

17 HEARING OFFICER CHESTNUT: Can you spell
18 that, please?

19 MS. ORTIZ: MARIA ORTIZ.

20 HEARING OFFICER CHESTNUT: I'm sorry,
21 C-O-R-T-I-Z?

22 MS. ORTIZ: O-R-T-I-Z.

23 HEARING OFFICER CHESTNUT: Your address,
24 please.

1 MS. ORTIZ: 1813 Read Street.

2 HEARING OFFICER CHESTNUT: And your zip?

3 MS. ORTIZ: 19146.

4 HEARING OFFICER CHESTNUT: You'll be
5 appearing on your own behalf or on behalf of a group
6 or organization?

7 MS. ORTIZ: Group and for myself.

8 HEARING OFFICER CHESTNUT: For yourself?

9 MS. ORTIZ: Both.

10 HEARING OFFICER CHESTNUT: I'm sorry. I'm
11 having a lot of trouble hearing you. Could you
12 maybe get a little closer to your microphone?

13 MS. ORTIZ: I'm here on behalf of the group
14 and myself, mostly myself.

15 HEARING OFFICER CHESTNUT: What group?

16 MS. ORTIZ: PSWA. Philadelphia --
17 Philadelphia Worker Benefit Council. I'm sorry.

18 HEARING OFFICER CHESTNUT: And are you
19 authorized to speak on their behalf?

20 MS. ORTIZ: Yes.

21 HEARING OFFICER CHESTNUT: Okay. Go ahead,
22 then, please.

23 MS. ORTIZ: Can I go now?

24 HEARING OFFICER CHESTNUT: Sure.

1 MS. ORTIZ: Oh, I'm so sorry.

2 HEARING OFFICER CHESTNUT: No.

3 MS. ORTIZ: This is just getting to me.

4 Okay. I have lived in South Philly for 53
5 years, currently at 18th and Read. I'm a long-time
6 resident, water rate customer of South Philly. I'm
7 a retired senior citizen, but I have worked in the
8 city at flower shops and other places for all my
9 work years.

10 I am a member of the Philadelphia Working
11 Benefit Council, which is a body of people with low
12 wages as well as people who are unemployed or
13 disabled.

14 We oppose the rate hike because low income
15 workers, seniors and the unemployed cannot afford
16 this. And we demand that the Board take steps to
17 keep low income working families safe and secure.

18 So many families are already struggling with
19 low wages. Many are out of work or live on a fixed
20 income, such as me. We have chose medicine or food
21 over water.

22 Running water is a home essential. You need
23 to stay healthy and hygienic and to create a clean
24 space to live life and raising a family.

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1 Raising the rate in the middle of a pandemic
2 and an economic crisis will only make things worse
3 for low income families. And we will hit them with
4 the hardest.

5 6,000 seniors have been displaced from their
6 home since the pandemic, and I know this because I
7 have seen them on the street and struggling and
8 crying. Even the landlords don't want to have
9 nothing to do with them.

10 While wages have dropped off, property tax
11 and utility payments continue to collect monthly.

12 A 10-year tax abatement used by developer has
13 driven up the cost of my neighborhood -- and I know
14 that because I seen that -- without regard to those
15 who have lived here for generations. It's a lot of
16 generations that's lived in all parts of the city.

17 These taxes break that city as given to the
18 developer a budget shortfall that has been passed on
19 to the resident.

20 I have watched Philadelphia become more and
21 more unaffordable for people working for less than
22 \$15 an hour and I was one of them.

23 Truly our essentials, rent, utility and other
24 prices are all increasing in the city while working

1 class wages are not.

2 We have gone from one water bill charge
3 quarterly to three. Water, Sewer and Storm that are
4 charged every month in the past MI bill would be
5 about \$75 over three months. Now I'm charged about
6 a hundred dollars a month. You can't hide the fact
7 that we have been paying more.

8 Hikes are busting and new developers -- with
9 new developers throughout the city, not just South
10 Philly. I'm talking about all of Philadelphia. As
11 well as other damage.

12 Long-term residents of Philadelphia are
13 forced to pay repair fees, charging residents lump
14 sum, over \$6,000, for something that is not our
15 fault and simply beyond the means to pay.

16 These big-time developers, such as Clue and
17 Clue and OCF (ph), should be -- should be able to
18 pay for these damages. It should not fall on a
19 long-term -- or a long-term resident.

20 A rate hike like this will hit the hardest
21 working and low income families the most and will
22 endanger the life and the health of a thousand of
23 low income working and children.

24 Again, I urge you to reject the rate increase

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1 and find a way to meet your budget shortfall without
2 taking it out on low income families at such a
3 critical time.

4 The Workers Benefit Council demands are the
5 following:

6 A. Lower the rate for those at 300% of
7 poverty or below to no more than 50% of income as a
8 federal standard for a household budget.

9 B. Apply the same policy to those above 300
10 of poverty level who can demonstrate financial
11 hardship.

12 C. Year-round moratorium on utility shutoff
13 for any household at below 300 of poverty level.

14 D. Stick to the UN sustainability
15 development goal which we agreed upon by the U.S.
16 Government back in 2015.

17 One of the goals is the goal number six,
18 which is the government should provide clean water
19 and sanitation.

20 E. Provide debt relief for those who are
21 falling behind in their water bill.

22 Thank you for listening to me and my
23 concerns.

24 My other concerns are -- is there's a lot of

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1 seniors. And I have been going to meetings and I
2 have heard the developers, big developers, say
3 seniors should die. We're not for you. We're here
4 for the new.

5 Where is this going to end so a senior can
6 die in peace and live in their home and maintain the
7 water and other utilities? Would you please tell me
8 that?

9 HEARING OFFICER CHESTNUT: Are you finished
10 with your statement?

11 MS. ORTIZ: Yes.

12 HEARING OFFICER CHESTNUT: Okay. Thank you.
13 Mr. Dasent, did you have any questions?

14 MR. DASENT: No, I have no questions.

15 But thank you, Ms. Ortiz, for attending.

16 MS. ORTIZ: Thank you.

17 HEARING OFFICER CHESTNUT: Mr. Ballenger?

18 MR. BALLENGER: Just the same question. I
19 was just curious how you and your group heard about
20 the hearing today.

21 MS. ORTIZ: Well, actually, we heard it
22 yesterday.

23 MR. BALLENGER: Right.

24 MS. ORTIZ: And it was reported that -- it

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1 was announced through the Workers Benefit -- the
2 Philadelphia Workers Benefit Council to ask me did I
3 want to participate and I told them yes because this
4 is something that's very dear to my heart because I
5 am a senior.

6 I never thought me being a senior today I
7 would go through the hardship what past previous
8 seniors has gone through.

9 MR. BALLENGER: Thank you for sharing and
10 thank you for your statement today.

11 MS. ORTIZ: Thank you.

12 HEARING OFFICER CHESTNUT: Thank you,
13 Ms. Ortiz. And thank your assistant for doing a
14 good job there.

15 MS. ORTIZ: Thank you.

16 HEARING OFFICER CHESTNUT: That's the end of
17 the sign-up list or people who have indicated.

18 Is there anybody else who would like to make
19 a comment? Raise a hand or -- no?

20 Okay. We'll get back -- well, let's circle
21 back to Mr. Skiendzielewski. Are you still there?
22 Did you want to say anything now or this evening?
23 You have to unmute yourself, apparently.

24 Okay. Well, listen, since there's nothing

1 further, then, I'd like to call this hearing to an
2 end.

3 Thank you everybody for attending. Thank you
4 for spending the time and the opportunity to share
5 your thoughts about this. Thank you very much then.
6 This hearing is adjourned.

7 MR. BALLENGER: Thank you.

8 MR. DASENT: Thank you.

9 (The hearing was concluded at 1:47 p.m.)

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

2

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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11

Tara D. Goleno, RPR, CRR, CSR 10127

12

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15 transcript does not apply to any reproduction of the
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