

Philadelphia Water, Sewer and Storm Water Rate Board
January Monthly Meeting Notes
1/11/2023, by Zoom (Online and Telephone) Only
Open for public participation via Zoom

Board Members Present

Irwin “Sonny” Popowsky, Chair
Tony Ewing, Vice Chair
Abby Pozefsky, Secretary
McCullough “Mac” Williams III
Debra McCarty

Non-Board Members Present

Marcy Chestnut
Robert Ballenger
Andre Dasent
Daniel W. Cantú-Hertzler
Kaileigh Murphy
Adriana Gonzalez
Michael Skiendzielewski
Carl Shultz
Steven Liang

Mr. Popowsky called the meeting to order at 3:01 p.m.

1. Ms. Pozefsky, Board Secretary, introduced the draft minutes from the November 9, 2022, monthly meeting. There were no corrections or additions to the minutes. Mr. Ewing moved to approve the minutes. Ms. McCarty seconded the motion. The minutes were approved 5-0.

2. Mr. Popowsky spoke briefly about the two amendments arising out of the Settlement Agreement of the Public Advocate’s appeal of the Board’s Rate Determination of the 2018 General Rate Proceeding. The first amendment was a [resolution](#) by the Board to amend its Regulations to require the Board to use a financial spreadsheet model such as the “Simple Rate Model” created by its Technical Consultant, Edward Markus, in General Rate Proceedings, and to make the model available to any participants that wished to use it in such General Rate Proceedings. The second was an [amendment](#) to Subsection 1 of Section A of the Board’s internal Procedures.

The Board filed the amendment to the Regulations with the Records Department, which advertised it publicly. No member of the public requested a public hearing, so it became a part of the Board’s Regulations by operation of law on December 12, 2022. The full Regulations have been posted to the Board’s website [here](#). The amendment to Rate Board’s internal Procedures took effect upon its adoption on November 9, 2022. The updated Procedures have been posted to the Board Website [here](#).

3. Mr. Popowsky asked the Water Department if it had any updates as to the status of the next General Rate Proceeding and TAP-R Proceeding. Mr. Dasent informed the Board that the Department intended to file its Advance Notice the week of either January 16 or January 23, 2023. The Formal Notice would be filed in mid-February and both proceedings are projected to end mid-to-late June.

Ms. McCarty asked whether the Department intended to hold public hearings in the forthcoming Rate Proceeding in-person or via Zoom. Mr. Dasent said that it would defer to the Hearing Officer's judgment. Ms. Chestnut stated that in person, on Zoom, or hybrid hearings were all possible and it would depend upon the level of public interest.

4. Mr. Dasent informed the Board that he had been in discussions with the Public Advocate regarding possible amendments to the current schedule for providing the Board with Monthly Rate Case Settlement Reports specified in the 2021 Partial Settlement Agreement approved by the Board. Mr. Ballenger agreed that he would discuss this matter with the Department and they would get back to the Board if they agreed to propose any change in the scheduled filing of those reports.

5. Mr. Popowsky asked if there were any comments from members of the public. Mr. Skiendzielewski made several comments to the Board. He made a request for full transparency in the Rate Board's decision making. He renewed his criticism of the handling of his prior complaints by the Board's counsel, Mr. Cantú-Hertzler. He also criticized the operations of current Board Member Ms. McCarty when she responded to his concerns 14 years earlier, while she was a Water Department employee.

Mr. Popowsky asked if there were any other matters to be brought before the Board. Hearing none, the meeting was adjourned at 3:21 p.m.