

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

In the Matter of the Philadelphia Water Department's Proposed Change in Water, Wastewater, and Stormwater Rates and Related Charges **Fiscal Years 2024 – 2025 Rates and Charges to Become Effective : September 1, 2023 and September 1, 2024**

**Motion to Require “The Public Advocate”
To Disclose It Doesn’t Have a “Client Relation”
With the Public, or any member of the Public and
Is Under Contract to Serve As A Legal Advisor to
The Philadelphia Rate Board**

1. Lance Haver is a participant in the proceeding and a member of the Public.
2. As a participant and a member of the public, Haver has the right to file motions.
3. The rules of procedure for the Water Rate Board, include the requirement for transparency.
4. The Public Advocate, under its no bid extended contract serves as the legal advisor to the Rate Board
5. According the Rate Board itself, the “public advocate” has no client relationship with the public.
6. Allowing there to be any confusion as to who the public advocate legally represents, violates the Rate Board requirement for transparency.
7. Allowing a member of the Public to believe that it is legally represent by a “public advocate, when the public advocate has no client relation to the public or any member of the public is highly prejudicial.
8. If the public is mislead, by statements of Mr. Ballenger, or anyone else, into believing the Public Advocate is its attorney, it will cause the public to have a false sense of security.
9. No other judicial process would allow a lawyer to claim to represent a party, the public, in this case, when it legally does not and it legally is hired to serve as a legal consultant to the adjudicator(s) , in this case the Rate Board

10. The hearing examiner retained by the Water Rate Board should not have lower standards than municipal court, which would not allow an attorney to claim it represents a party, with which it has no client relationship.

11. The only way to ensure the public knows of the contractual relations between Community Legal Services and the Rate Board; and the fact that Community Legal Services does not have a client relationship with the public, is for the hearing examiner either read into the record, Mr. Popowski's written words, Community Legal Services has no client relationship with the Public and serves as a legal advisor to the rate board; or in the alternative,

12. Order Community Legal Services to disclose, to the Public at each and every Public hearing, that it is contracted to serve as the legal advisor to the Water Rate Board and has no client relationship with the public.

Lance Haver, Pro Se