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 Related Charges

Fiscal Years 2024 – 2025 Rates and Charges to Become Effective September 1, 2023

I submit the following document, issues, facts and records detailed in the correspondence to indicate, reflect and portray the professionalism, competence, integrity of significant and prominent participants and attorneys in the WRB hearing process and procedure that is currently taking place in the City of Philadelphia.

Accountability, oversight, review, integrity, and ethics are all more important than ever across all disciplines, roles and professions in those who work in public service. As a matter of fact, we publicize and emphasize the resources and personnel devoted to such critical and serious endeavors. Sadly, in many instances, this one for sure, there is simply no delivery on the promise to hold all public servants to the highest of standards, not only those whose alleged improper conduct is reported but also those city professionals specifically and ultimately charged with the duty and responsibility to enforce the rules of ethical conduct, professional standards and a responsible and “duty-bound” work ethic.

Of course, this WRB participant brings to this forum a unique professional background where the principles listed above, that is, accountability, oversight and integrity, is a 24 hour a day, 365 days a year philosophy and understanding for those dedicated to the career of law enforcement. One thing is for certain, though, in that all of us in public service must look critically at our own conduct, decision making and efforts as we progress through our careers, even with or without outside agents of review and oversight. I raise this particular issue because there a host of facts, decisions, professional conduct, etc. that exist, on the public record for the professional conduct presented on the following document which supports the claims of unprofessionalism, unethical conduct, incompetence and irresponsible decisions submitted by this WRB participant.

Whether or not such critical, serious, impactful and consequential decisions and effects are compatible with the sole focus of the WRB hearing process to “set water and sewer rates” is of little consolation or value when there are such egregious and unprofessional conduct and decision-making that are integrated into the WRB effort.

Even now, as a result of these concerns, I have submitted a genuine request to PWD counsel asking for the names of the Integrity Officers assigned to the Philadelphia Water Department as well as the Office of the City Solicitor. Regardless of the past submissions and corresponding non-responses to such vital city professionals, I felt it necessary once again to forward the facts, issues, statements, etc. that underpin various efforts by city professionals within this WRB process. However, not surprisingly, I have not received the information requested, the names of the Integrity Officers.

Finally, regardless of any changes in city professionals assigned to the WRB process, whether via retirement or replacement, this professional conduct must and will be addressed, investigated or reported on. I have referred recently to outside sources, including state and unfortunately, federal agencies involved in such matters as an avenue of review and action. Given the current unsettled state of federal agencies, focus and philosophy, no one can predict what will or may occur should the facts and conduct presented in my filing are shared with federal officials responsible for review of such matters. Also, though I have had limited and uncertain results with the Disciplinary Board of the Supreme Court of the Commonwealth of Pennsylvania, any future correspondence or filing will be directed to the Supreme Court who is ultimately responsible for the enforcement of the Rules of Professional Conduct for attorneys registered in this state.

Submitted by Michael Skiendzielewski, 516 Parkhollow Lane, Philadelphia, PA 19111

**First Amendment…*“to petition the Government for a redress of grievances”* .**

* Daniel Cantu-Hertzler, senior deputy city solicitor in the Office of the Solicitor, City of Philadelphia, who received the first city Integrity Award in 2015 from the Office of the Inspector General, sent the following correspondence to this citizen on May 10, 2018**:**
* **“…. *The City’s correspondence with you is over, as are any and all City investigations at your behest….”***

*This antagonistic civil-rights statement was the basis of an allegation of unethical conduct filed with three different Chief Integrity Officers (Ellen Kaplan, Sarah Stevenson, Danielle G. Wright) of the City of Philadelphia and with two Integrity Officers of the Law Department, First Deputy City Solicitors, Craig Straw and Meghan Goddard as well as with two Inspectors General(Amy Kurland, Alexander DeSantis) of Philadelphia. No substantive response was ever received from* ***undocumented*** *these city ethics/integrity professionals.*

***In a WRB public hearing on 4/23/25, I was attempting to deliver via ZOOM a presentation regarding an undocumented PWD loan financial settlement, professional responsibility failures in TRB proceedings, etc. re Cantu Hertzler, who is counsel to Water Rate Board, when the Hearing Officer, Marlane Chestnut, Esq. continually interrupted my presentation with charges of “baseless claims” re the facts, evidence and statements I was delivering. In previous WRB hearings, the Hearing Officer, along with the members of the WRB, joined in rejecting my request for “recusal” of WRB counsel, due to his fact-based unprofessional and unethical conduct re the violation of my First Amendment rights.***

Years ago, in a case where a citizen was appealing a tax issue in Kansas City, US Supreme Court Justice Gorsuch stated:

***"When public officials feel free to wield the powers of their office as weapons against those who question their decisions, they do damage not merely to the citizen in their sights, but also to the First Amendment liberties,” Judge Gorsuch wrote.***

More recently on May 30, 2024, Justice Sotomayor, Supreme Court Justice issued the following statement which refers to the injunction issued by Mr. Hertzler:

***"Ultimately, the critical takeaway is that the First Amendment prohibits government officials from wielding their power selectively to punish or suppress speech,”***

*Is it appropriate, reasonable and legal for a government official to affirm that he has a constitutional right to stop this citizen or anyone else from petitioning the government by issuing an injunction in writing blocking such access?*

**On 1/31/25, Cantu-Hertzler issued the following statement to this citizen:**

**“…...You retain all your First Amendment rights**…..”

***(False Affirmation - When did you restore my First Amendment right you eliminated in May 2018?)***

***Note: In my career, I was assigned as a Lieutenant to the Civil Affairs Unit, PPD where my responsibility was to ensure fair and impartial treatment and protection of protesters and citizens and to recognize, protect and ensure the right of citizens to assemble, leaflet and object reasonably in public spaces according to the laws of the Commonwealth and the City of Philadelphia.***