

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

In the Matter of the Philadelphia Water	:	
Department’s Proposed Changes in Water, Sewer	:	2025 General Rate Proceeding for
and Storm Water Rates and Related Charges	:	Fiscal Years 2026-2027
	:	

**ORDER AMENDING SCHEDULE**

On April 17, 2025, I received an emailed request from Robert Ballenger, Esq, counsel for the Public Advocate, that due to “unforeseen circumstances, the Public Advocate’s witness, Lafayette K. Morgan, Jr., needs additional time to prepare testimony and exhibits in the General Rate Proceeding.” He therefore requested that the schedule contained in the April 10, 2025 [Prehearing Conference Order](#)<sup>1</sup> be revised to provide that Mr. Morgan’s direct testimony (like that of Mr. Colton and Mr. Baudino) be due on May 1, with any rebuttal to Mr. Morgan’s testimony due on May 15, 2025. Mr. Ballenger further represented that counsel for the Philadelphia Water Department and the Philadelphia Large Users Group had no objection. This request was objected to by Lance Haver, a pro se participant.

Clearly, the request is reasonable and will be granted. No participant – other than the Public Advocate, who will have two fewer days to prepare for technical hearings addressed to the rebuttal of Mr. Morgan’s direct testimony – will be disadvantaged or prejudiced given that they will have two extra days to file rebuttal to Mr. Morgan’s direct testimony.

However, I have become aware that Mr. Haver in his direct testimony complained of being unable to cite to testimony provided at the virtual and in-person public hearings as the transcripts of those hearings have not yet been made available. Although he did not request the opportunity to supplement his testimony upon review of the transcripts

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<sup>1</sup> <https://www.phila.gov/media/20250411152417/GRP-PHC-Order-2025-FINAL.pdf>

when they are available, I have determined that participants should be allowed to do so.<sup>2</sup> Therefore, if any participant wishes to supplement their direct testimony solely in response to statements made at any of the public input hearings held on April 22 and 23, 2025, they may do so, no later than three calendar days after the transcripts have been posted on the Rate Board's website, at the [2025 General Rate Proceeding](#)<sup>3</sup> section, the [Public Input – Public Hearings](#)<sup>4</sup> table. Rebuttal to such supplemental testimony, if any, should be filed no later than May 15, 2025.

In all other respects, the Prehearing Conference Order remains unchanged.

Marlane R. Chestnut  
Hearing Officer

April 30, 2025

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<sup>2</sup> Under the Board's [Regulations](#) (<https://www.phila.gov/media/20230120160159/WRB-regulations-restated-with-amendments-2022-11-09.pdf>), the Hearing Officer in a General Rate Proceeding "shall have the power and authority to" "Make all procedural rulings necessary to conduct a fair, impartial and expeditious hearing process" and to "Issue and modify a plan and schedule for discovery, [and] submission of Participant testimony and briefs." Section II.B.1(b) (4) and (5).

<sup>3</sup> <https://www.phila.gov/departments/water-sewer-storm-water-rate-board/rate-proceedings/2025-general-proceeding/>

<sup>4</sup> <https://www.phila.gov/departments/water-sewer-storm-water-rate-board/rate-proceedings/2025-general-proceeding/#public-input-public-hearings>