

Water, Sewer & Stormwater Rate Board
05/20/2025

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CITY OF PHILADELPHIA
WATER, SEWER & STORMWATER RATE BOARD

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7 IN RE: 2025 General Rate Proceeding

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9 DATE: Tuesday, May 20, 2025

10 LOCATION: Zoom Teleconference

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12 Reported by: Tonya Bullock

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ATTENDANCE

JUDGE MARLANE CHESTNUT, HEARING OFFICER
CARL SCHULTZ, PANEL MEMBER
BROOKE DARLINGTON, PANEL MEMBER
VIC PATEL, PANEL MEMBER
DELAND BRYANT, ZOOM ADMINISTRATOR

ALSO PRESENT:

ANDRE DASENT, ATTORNEY FOR PARTICIPANT
PHILADELPHIA WATER DEPARTMENT
ROBERT BALLENGER, ATTORNEY FOR PARTICIPANT THE
PUBLIC ADVOCATE
MATTHEW GARBER, ATTORNEY FOR PARTICIPANT
PHILADELPHIA LARGE USERS GROUP
ADEOLU BAKARE, ATTORNEY FOR PARTICIPANT
PHILADELPHIA LARGE USERS GROUP

1 - - -

2 PROCEEDINGS

3 - - -

4 HEARING OFFICER CHESTNUT: Good

5 morning, everyone. My name is Marlane

6 Chestnut, M-A-R-L-A-N-E C-H-E-S-T-N-U-T. And

7 I've been selected by the Philadelphia Water,

8 Sewer & Storm Water Rate Board to oversee the

9 hearing process and to write a recommendation

10 for the Rate Board to consider with respect

11 to the Philadelphia Water Department's

12 request to increase rates for the water and

13 sewer service it provides.

14 This is an on-the-record hearing

15 for the purpose of discussing procedural

16 matters related to the technical hearings

17 which will be held tomorrow, Thursday and

18 Friday, May 21st to the 23rd, as well as any

19 other briefing or procedural matters.

20 Please be sure to speak slowly and

21 clearly for the benefit of the court

22 reporter. I'd like the participants present

23 to introduce themselves for the record. And

24 again, make sure you spell your name for the

1 benefit of the court reporter. And we'll
2 start with you, Mr. Dasent.

3 MR. DASENT: Yes, good morning,
4 Judge Chestnut. My name is Andre Dasent, A-
5 N-D-R-E, last name D like David, A-S like
6 Sam, E-N-T, for the Philadelphia Water
7 Department. With me in the room today is
8 Carl Schultz. And Brooke Darlington also
9 should be on the line for WRB. Thank you.

10 HEARING OFFICER CHESTNUT: Mr.
11 Ballenger?

12 MR. BALLENGER: Yes, good morning,
13 Judge. Robert Ballenger, B-A-L-L-E-N-G-E-R,
14 for the Public Advocate. And I'm joined
15 today by Vic Patel, P-A-T-E-L. And we're
16 looking forward to getting started tomorrow.

17 HEARING OFFICER CHESTNUT: I'm glad
18 (indiscernible).

19 MR. BALLENGER: Someone is, right?

20 MR. DASENT: Yeah.

21 HEARING OFFICER CHESTNUT: All
22 right. Yeah. Mr. Garber?

23 MR. GARBER: Good morning, Hearing
24 Officer Chestnut. Matthew Garber, M-A-T-T-H-

1 E-W G-A-R-B-E-R, representing the
2 Philadelphia Large Users Group. And with me
3 is Adeolu Bakare, A-D-E-O-L-U B-A-K-A-R-E.
4 Patty is listening in today. So I'll be
5 speaking on behalf of PLUG for this
6 conference.

7 HEARING OFFICER CHESTNUT: And the
8 other two participants are Mr. Haver and Mr.
9 Skiendzielewski. But I don't see either of
10 them as attending. But I guess if and when
11 they do, they can be joined. But I don't
12 think it's necessary to wait. Okay.

13 Generally, I thought we'd go
14 through this logically with preliminary
15 matters, then the hearing, then the post
16 hearing filings. So in terms of preliminary
17 matters, are there any preliminary matters?

18 MR. DASENT: Well, we have a little
19 housekeeping. We have a hearing exhibit on
20 outreach that needs to be submitted and I'll
21 submit that shortly. That's sort of the main
22 issue that I can think of. And oh, the
23 public input hearing questions will post at
24 the website.

1 HEARING OFFICER CHESTNUT: Okay.

2 MR. DASENT: We had questions and
3 answers and I wanted to clean that up. And
4 those are the rate case matters that are sort
5 of loose ends.

6 HEARING OFFICER CHESTNUT: Did you
7 provide the response? I don't know if I saw
8 that.

9 MR. DASENT: The response to the
10 public input hearings, not yet.

11 HEARING OFFICER CHESTNUT: Okay.

12 MR. DASENT: They just got approved
13 Monday and I'm just scrambling to get
14 everything done.

15 HEARING OFFICER CHESTNUT: No, when
16 you distribute them, then we'll obviously
17 post it to the report's website. And just so
18 there's no question. But your hearing
19 exhibits and your response to that will be
20 posted in the technical hearing.

21 MR. DASENT: Okay.

22 HEARING OFFICER CHESTNUT: I should
23 back up. I don't know if your response
24 actually should probably go under the public

1 hearing.

2 MR. DASENT: Yeah, I'd like it
3 there.

4 HEARING OFFICER CHESTNUT: Yeah.

5 MR. DASENT: Because I want folks
6 to come back and see what we did.

7 HEARING OFFICER CHESTNUT: And then
8 your hearing exhibits, obviously, will be
9 posted on the hearing table of the website.

10 MR. DASENT: Now, I'm sure someone
11 on my team would tell me also to make sure
12 you mentioned cross-examination exhibits
13 should be presented the day before cross,
14 ideally. I think that should be more than
15 ideally, but I recognize I'm being held to
16 that standard too.

17 And we'll have to be ready to file
18 our Hearing Exhibits or cross-examination
19 exhibits in a way that just doesn't create
20 surprise.

21 MR. BALLENGER: I mean, since my
22 witnesses are all scheduled for Friday, I'd
23 appreciate the cross exhibits today. I mean,
24 obviously, the proposed schedule kind of puts

1 us a little bit under the gun as far as cross
2 and getting exhibits together for tomorrow.

3 I guess I'm not sure that we need
4 three full days at this point. Based on the
5 amount of cross-examination that was listed
6 in the matrix, it seems to me that maybe we
7 could accomplish this in two days. That
8 would be my --

9 HEARING OFFICER CHESTNUT:
10 (indiscernible) tomorrow?

11 MR. BALLENGER: That would be my --

12 HEARING OFFICER CHESTNUT:
13 (indiscernible) time to prepare?

14 MR. BALLENGER: Yes, absolutely.
15 Well, the only problem with that I think is,
16 is Ms. Crosby. Am I correct, Andre?

17 MR. DASENT: Yeah. Crosby is not
18 available. And I think we have some
19 witnesses on Friday that aren't in the room,
20 like Laura Copeland, because I plan to get
21 her out of -- in and out before her. She's
22 taking off Friday, so I have to be careful
23 when we get to Friday.

24 But we can plan around that. With

1 the three days, it was fairly easy to just
2 sort of try to get our case or a cross of our
3 witnesses in the first two days. And if
4 there's spillover on Friday, so be it. If
5 you want to start --

6 MR. GARBER: I apologize. I didn't
7 hear the suggestion. Was it to still start
8 tomorrow? We've been anticipating having
9 Rick Baudino in tomorrow as a witness.

10 MR. DASENT: Oh, that's right.
11 Rick we had agreed with -- I have an email
12 with Ade suggesting that Rick would -- it
13 would be most convenient to do Rick on
14 Wednesday since we planned three days of
15 hearings.

16 And I sketched out a timeline --
17 and I'm getting ahead of myself now -- to
18 tell him basically what might happen and
19 offer him an opportunity. So he did indicate
20 Rick Baudino Wednesday. And so that's an
21 important -- that doesn't mean we have to
22 start early on Wednesday. That may be an
23 accommodation that gives you a little more
24 time, Rob.

1 MR. BALLENGER: And --

2 MR. GARBER: (indiscernible)

3 MR. BALLENGER: Sorry, go ahead.

4 MR. GARBER: Canceling Wednesday
5 would be difficult for us. That would create
6 an issue to completely cancel Wednesday. Our
7 witness is available, I think anytime
8 Wednesday, though.

9 HEARING OFFICER CHESTNUT: Susan's
10 only available Wednesday morning. Right?

11 MR. DASENT: Well, Wednesday. And
12 we wanted to start with her to make sure we
13 could finish with her on Wednesday.

14 HEARING OFFICER CHESTNUT: Okay.

15 MR. DASENT: Yes. So we wanted to
16 start as early as we could, but that doesn't
17 mean that we can't be accommodating.

18 HEARING OFFICER CHESTNUT: Well, I
19 will leave it up to you. Obviously, in terms
20 of how much hearing time and what works, I
21 don't really have a preference. I don't like
22 early starts but I don't like late finishes
23 either.

24 And I recognize that Friday is the

1 start of a holiday weekend for some people
2 who aren't having to write an unexpected rate
3 report on an unexpectedly not settled matter.

4 MR. DASENT: Yes, ma'am.

5 HEARING OFFICER CHESTNUT: You
6 know, it's not too late.

7 MR. DASENT: Well, you can lock us
8 in a room if there's an extra few hours and
9 we'll --

10 HEARING OFFICER CHESTNUT: I won't
11 even get started on that. But seriously --
12 anyway.

13 MR. DASENT: Okay. Also --

14 HEARING OFFICER CHESTNUT: But I
15 will parenthetically say that if you need
16 some assistance coming to a resolution, I
17 wonder if that couldn't be arranged also.
18 But we'll see. We could talk about that
19 later, months down. These other parties
20 here.

21 So do you got -- how do you want to
22 handle this? Do you want to decide now in
23 terms of the actual hearing days? Are you in
24 a position to do that or would you rather

1 talk amongst yourself? We could take a break
2 now if you want to do that.

3 MR. DASENT: Or even talking, you
4 know, in front of Your Honor. I think it's
5 fine. We could just start just a little
6 later on Wednesday as an accommodation,
7 whether it's 10:00 or 11:00. And that allows
8 us to balance Ade's concerns for PLUG and
9 Rob's concerns in terms of getting prepared
10 and getting off to a good start.

11 That's not a problem for PWD. We
12 just need to be done in the three days and we
13 don't want to be sort of prejudiced in a way
14 with respect to at the end of the day on
15 Friday, having everybody, a full panel
16 available to respond in any way that we need
17 to respond.

18 But I have a feeling that last day
19 will be more for us to cross-intervene our
20 witnesses.

21 MR. BALLENGER: Just trying to -- I
22 mean, as I sort of indicated by email, I felt
23 as though I sort of had to reserve cross for
24 a lot of witnesses who weren't sort of the

1 primary witnesses on pieces of testimony,
2 just because of the way the testimony lumped
3 a lot of witnesses together.

4 I mean, I don't believe that I have
5 any specific cross directed to Haman, the
6 Operations Panel, the Capital Panel, or the
7 Communications and Engagement Panel.

8 MR. DASENT: But Mr. Haver did.
9 Mr. Haver did.

10 MR. BALLENGER: Okay. He did.

11 MR. DASENT: That's why I sorted it
12 out that way. Just give him that opportunity
13 to get his shots.

14 MR. BALLENGER: Okay.

15 MR. DASENT: I broke it up that way
16 completely for that reason.

17 MR. BALLENGER: Right.

18 MR. DASENT: There may be others
19 also that sort of fit into that category.
20 But when Mr. Baudino shifts to Wednesday, I
21 think that sort of tells you that we can
22 accommodate and be flexible for everybody.

23 MR. BALLENGER: Okay. Well, I
24 mean, we can certainly be prepared for

1 tomorrow to work with this with the one
2 change that Baudino would move to Wednesday.
3 I guess I'm wondering whether -- did Haver
4 have cross for Crosby as well?

5 MR. DASENT: I think he said
6 slight.

7 MR. BALLENGER: Okay.

8 MR. DASENT: That's recollection.
9 Oh, I can look.

10 MR. BALLENGER: Yeah, it does. I
11 see it.

12 MR. DASENT: Okay. And it could be
13 that we start with Ms. Crosby and Statement
14 3R. Then if we're starting later in the day,
15 we have Black & Veatch and Baudino, which
16 sort of relate to each other in terms of the
17 questions that would go back and forth. So
18 that may be the lineup. Crosby, Baudino,
19 Black & Veatch, some order. I prefer to lead
20 with Crosby.

21 And each one of those is a panel,
22 so that fits with you. And then Mr. Yangalay
23 and his panel, if they start at the end of
24 the day, so be it. And they could also be on

1 Thursday if we have time and this is flowing
2 the way you perceive it to be.

3 MR. BALLENGER: Okay. We can work
4 with it.

5 HEARING OFFICER CHESTNUT: We're
6 talking about Wednesday will be Crosby, the
7 Black & Veatch Panel, Baudino and the
8 Financial Panel?

9 MR. DASENT: Yeah, but I think
10 we'll just start the Financial Panel just the
11 way -- particularly if we start late. It
12 just doesn't feel like we're going to get all
13 the way through. I'd love to be surprised on
14 that.

15 HEARING OFFICER CHESTNUT: And are
16 we still talking a 9 o'clock start on
17 Wednesday or do you want to do it a little
18 bit later?

19 MR. DASENT: I would start either
20 10:00 or 11:00 and defer to Rob.

21 MR. BALLENGER: I think 10:00 would
22 be good. Yeah. I mean, I have, as I
23 indicated, moderate cross. So I don't think
24 we'll be extending the day due to my cross-

1 examination.

2 HEARING OFFICER CHESTNUT: Okay.

3 So that's just Wednesday, Crosby, Black &
4 Veatch, Baudino and the Financial Panels will
5 start. That takes us to Thursday. And
6 obviously, Commissioner Heyman has to start
7 on Thursday. Right? Isn't he only available
8 I think --

9 MR. DASENT: Yeah. And if we can
10 interrupt wherever we are and just insert him
11 in the process, I have a feeling there's just
12 a few questions and possibly Mr. Haver, I
13 think that's where the questions will be
14 coming from, but I may be mistaken and there
15 are others.

16 HEARING OFFICER CHESTNUT: So we're
17 talking Heyman and who else?

18 MR. DASENT: Then finish up with
19 Finance because we'll just get a start. I
20 just have a sense that that'll spill over to
21 the second day. And then operations, there's
22 a couple questions there. I'm not sure if
23 it's just Haver. Capital, he mentioned and
24 communications engagement were also mentioned

1 by Mr. Haver.

2 HEARING OFFICER CHESTNUT: And I
3 think you had crossed two for them. Didn't
4 you, Rob? Indicated?

5 MR. BALLENGER: I did. I mean,
6 again, it was because of the way in which the
7 rebuttal listed a lot of witnesses. So I
8 reserved some cross from them. I do think
9 that my cross will be, if not complete, more
10 or less complete through Wednesday.

11 HEARING OFFICER CHESTNUT: Right.
12 So Thursday looks doable. I mean, so we're
13 talking payment to -- Finance continued,
14 operations, capital panel, and communications
15 and engagement?

16 MR. DASENT: Yes.

17 HEARING OFFICER CHESTNUT: So that
18 we use Friday for --

19 MR. DASENT: For us to cross Mr.
20 Morgan and Mr. Colton and Mr. Mierzwa. And
21 we have an agreement on Mr. Mierzwa to --
22 what do we call it? Mutual waiver of cross.
23 Rob and we may have just a couple questions
24 for Mr. Baudino, which we can address.

1 HEARING OFFICER CHESTNUT: Did
2 anybody else have cross for Jerry?

3 MR. BALLENGER: Only Mr. Haver.

4 HEARING OFFICER CHESTNUT: Okay.
5 That would be Morgan, Colton, Mierzwa, if --
6 well, I guess he would be necessary because
7 of Mr. Haver.

8 MR. DASENT: Yeah. Mr. Haver is
9 not here, but he wasn't Available on Friday.
10 I mean, we're going to be -- it's more fair
11 to him than he perceives us to be. So think
12 about an accommodation for that when it's
13 raised, Rob.

14 MR. BALLENGER: Okay.

15 MR. DASENT: Or an appropriate
16 response.

17 MR. BALLENGER: Yeah, I mean, so we
18 need to make Mierzwa available then on
19 Thursday, I assume?

20 MR. DASENT: I guess.

21 MR. BALLENGER: Okay. And he had
22 some time constraints on Thursday as well.

23 MR. DASENT: Two hours. 1:30 to
24 3:30, something like that.

1 MR. BALLENGER: Yeah, let me go
2 ahead and --

3 HEARING OFFICER CHESTNUT: I don't
4 speak for him, but I can't imagine that Mr.
5 Haver would have a lot of cross for Mr.
6 Mierzwa. I think he indicated slight, not
7 too --

8 MR. BALLENGER: Yeah.

9 MR. DASENT: He did. Yeah. And
10 he's not available between 11:00 and 2:00 on
11 --

12 MR. BALLENGER: Yeah.

13 MR. DASENT: Oh, that's Wednesday.
14 That's Wednesday. I'm sorry, I misspoke.
15 That's Wednesday. Okay. So --

16 HEARING OFFICER CHESTNUT: I heard
17 (indiscernible) is unavailable Thursday, 1:30
18 to 3:30. Is that still?

19 MR. DASENT: Maybe that's the
20 correct reading and I got it wrong. But we
21 have to check our witnesses. Just be
22 prepared to be flexible when that issue comes
23 up and try to move Mr. Mierzwa to accommodate
24 him.

1 HEARING OFFICER CHESTNUT: Yeah,
2 but Mr. Haver's unavailable on Wednesday from
3 11:00 to 2:00.

4 MR. DASENT: Yeah, I see that one,
5 but I think that one's on him because Rob is
6 crossing our panel. And if we make him
7 available separately, it seems like that's
8 the accommodation that's sort of -- that
9 would fit. So we don't slow the case, we
10 just accommodate this particular person.

11 HEARING OFFICER CHESTNUT: Okay.
12 Yeah. I mean --

13 MR. BALLENGER: Yeah. So I --

14 HEARING OFFICER CHESTNUT: So I
15 just want to clarify for myself. We're
16 talking Morgan, Colton and what else on
17 Friday? It doesn't seem like anybody else
18 since we've moved Mr. Mierzwa to accommodate
19 Mr. Haver to Thursday.

20 MR. DASENT: No, we won't have
21 cross for Mierzwa.

22 HEARING OFFICER CHESTNUT: We're
23 going to keep it --

24 MR. DASENT: Yeah. We don't have

1 cross for Mierzwa. So you're right. We're
2 just going to brief his issues.

3 HEARING OFFICER CHESTNUT: Or
4 settle them.

5 MR. DASENT: Yeah, or settle them.
6 We don't want to talk about anything in jinx.

7 HEARING OFFICER CHESTNUT: It so
8 seems like Colton on Friday. Anything else
9 on Friday?

10 MR. BALLENGER: Yeah, I'm not sure
11 we've gotten past Thursday because Haver also
12 has slight cross for Morgan. So it sounds
13 like I'm going to have to make Morgan and
14 Mierzwa available on Thursday and Friday.

15 MR. DASENT: Yeah. Yes.

16 MR. BALLENGER: So what if I try to
17 get them both in the room in the afternoon on
18 Thursday?

19 MR. DASENT: Yeah. But we'll be
20 prepared for Morgan on Friday.

21 MR. BALLENGER: Just in the morning
22 on Friday?

23 MR. DASENT: Yes.

24 MR. BALLENGER: But Mierzwa will

1 not be there then on Friday because he'll be
2 there only for Thursdays events.

3 MR. DASENT: Sounds good.

4 MR. BALLENGER: Okay.

5 HEARING OFFICER CHESTNUT: All
6 right. So for Thursday, we have Heyman
7 continue Finance, operations, capital, cross
8 of Morgan by Haver, cross of Mierzwa by
9 Haver. And then Friday would be Morgan and
10 Colton?

11 MR. DASENT: Yeah.

12 HEARING OFFICER CHESTNUT: I feel
13 like I'm -- we're leaving somebody out, but I
14 guess not. (indiscernible) on Wednesday, so.
15 All right.

16 MR. DASENT: I think we actually
17 captured everybody.

18 HEARING OFFICER CHESTNUT: We're
19 talking a 10 o'clock start on Wednesday. It
20 looks like it has to be a 9 o'clock start on
21 Thursday to accommodate the commissioner.
22 Didn't he say he was only available on --

23 MR. DASENT: Well, he wanted to
24 start the hearing and it was slated at 9:00,

1 so he told me 9:00 but if I told him 10:00, I
2 don't think that's a problem so much.

3 HEARING OFFICER CHESTNUT: Okay.

4 MR. DASENT: He's just trying to
5 get his day organized.

6 HEARING OFFICER CHESTNUT: Well,
7 you tell me. I mean, you know, I'm happy to
8 --

9 MR. DASENT: Why don't we start at
10 10:00 and --

11 HEARING OFFICER CHESTNUT: Okay.

12 MR. DASENT: -- let me tell him?
13 He has it on his calendar at 9:00 but I'll
14 circle back if there's a problem. I don't
15 think there will be.

16 HEARING OFFICER CHESTNUT: And then
17 Friday, do you want to start at 10:00?

18 MR. BALLENGER: Yes.

19 HEARING OFFICER CHESTNUT: And
20 hopefully done by noon.

21 MR. DASENT: Oh, nice ending.

22 HEARING OFFICER CHESTNUT: For some
23 of us who aren't otherwise occupied. Yes.

24 MR. BRYANT: Hearing Officer?

1 HEARING OFFICER CHESTNUT: All
2 right. Does that take care of the schedule?

3 MR. DASENT: I think it does.

4 MR. BALLENGER: Yeah. I think I
5 heard Deland try to get in here.

6 HEARING OFFICER CHESTNUT: Deland?

7 MR. BRYANT: Yes. Mr. Schultz had
8 his hand raised. I gave him permission to
9 speak. I don't know if he needed to say
10 something here or not.

11 MR. SCHULTZ: I was just going to
12 say, Judge Chestnut, I think the one you
13 thought was missing was Raftelis Financial
14 Consultants.

15 HEARING OFFICER CHESTNUT: Yeah.

16 MR. SCHULTZ: Statement 6. And I
17 think they're going to be presented with the
18 Financial Panel because they tend to overlap.
19 And I think in 2023, we basically had a super
20 panel, as I would call it, because we had the
21 financial advisors, the Financial Panel, RFC
22 and Black & Veatch kind of all together so
23 that any financial-related question that came
24 up could be answered by somebody who is

1 present in the room.

2 So I think that's the one you
3 thought was missing.

4 HEARING OFFICER CHESTNUT: Yeah.

5 MR. SCHULTZ: And I think they're
6 going to be at the same time as the Financial
7 Panel.

8 MR. DASENT: Ms. Crosby --

9 HEARING OFFICER CHESTNUT: I
10 thought there was some indication that they
11 would be presented with Ms. Crosby.

12 MR. DASENT: They are. Yeah.
13 Okay. So I mean, they're back up because
14 they run the numbers. So many of them -- so
15 they're back up for both finance and Ms.
16 Crosby relies on them also.

17 HEARING OFFICER CHESTNUT: Okay.
18 All right. So we have this lineup. We're
19 going to start at 10:00. Is there a problem
20 for you to agree to stipulate as to
21 authenticity, etc.?

22 MR. DASENT: No.

23 MR. BALLENGER: No problem.

24 MR. DASENT: Now, Carl would also

1 have me mention that the close of the record
2 should be conditioned on transcript responses
3 being received, proofs of publications being
4 included, settlement, if any, being included
5 and any updates to information requests also
6 being included.

7 But that's the sort of thing I
8 might mention at the end of the day on
9 Friday.

10 HEARING OFFICER CHESTNUT: Included
11 or provided?

12 MR. DASENT: Well, if there are
13 information requests, I'd hope they'd be
14 included in the record because it'd be like a
15 transcript request and that response to it.
16 It should be in.

17 HEARING OFFICER CHESTNUT: Right.
18 But the record is actually the responses as
19 opposed to --

20 MR. DASENT: Ah, thank you. I
21 stand corrected. Yes.

22 HEARING OFFICER CHESTNUT: Yeah.
23 And I, I will say that there has been some
24 real issues in terms of -- I recognize that

1 there's been some issues in terms of posting
2 things timely and correctly because the Rate
3 Board doesn't have its own staff.

4 MR. DASENT: Yeah.

5 HEARING OFFICER CHESTNUT: We have
6 to rely on the law department and other
7 people to do things. And I guess there was
8 some miscommunication or coordination, so.
9 But hopefully that's resolved. But I did
10 note that there was a mislabeling of some
11 rebuttal testimony recently.

12 MR. DASENT: Okay. Well, I think
13 we need to. I hope the Rate Board will be
14 accommodating to us, particularly when Rob
15 and I can by consensus -- and PLUG consensus,
16 sort of make sure we have our respective
17 exhibits posted and we can offer perhaps even
18 a joint suggestion to Deland to direct the
19 folks that are working with him to get
20 everything posted that we think might be
21 missing or -- I'm just trying to recognize
22 that Deland does a wonderful job and at the
23 same time we want to get everything posted.

24 HEARING OFFICER CHESTNUT: And

1 listen, I had mentioned this previously that
2 it's your responsibility though, to make sure
3 that your items are posted and that they are
4 posted correctly.

5 MR. DASENT: Okay.

6 MR. BRYANT: If I could just say
7 something here. I'm sorry.

8 HEARING OFFICER CHESTNUT: Sure.

9 MR. BRYANT: So we are trying real
10 hard. I think for me, what it comes down to
11 is just trying to figure out in the web team
12 exactly where they need to go. We see the
13 titles, but they don't tell us it needs to go
14 to public comment or it needs to go to Tap R
15 or it needs to go -- so the more specific,
16 you can tell me where it needs to go, that's
17 really what slows us down as far as that
18 goes.

19 And there are two people that work
20 with me and putting these things on the
21 website. So again, sometimes there's a
22 delay. I was out of the office two days. So
23 today I see some things that I'm going to
24 catch up on. So everything that I have an

1 email for from last Thursday should be up
2 today hopefully by the end of the day.

3 There is a delay in the postings
4 getting them to the website itself once you
5 give it the command which we don't seem to
6 have control over. So we are doing the best
7 we can. But yes, if you could tell us
8 specifically -- tell me specifically the best
9 you can and we'll go from there and I'll do
10 the very best I can to get it up as fast as I
11 can today and tonight if needed. Thank you.

12 MR. DASENT: Thank you.

13 HEARING OFFICER CHESTNUT: And
14 don't forget Deland as well as these other
15 people actually has another a real job that
16 he is getting done.

17 MR. DASENT: That's why I'm
18 (indiscernible).

19 HEARING OFFICER CHESTNUT: And not
20 only doing report.

21 MR. DASENT: Yeah.

22 HEARING OFFICER CHESTNUT: So we
23 appreciate it. Okay. I think that takes
24 care of the hearing related issues that I had

1 which was basically order of witness in days
2 which we've resolved.

3 I'd like to go back to preliminary
4 matters actually because the only one that I
5 see outstanding really is Mr. Havers'
6 interrogatories directed to the public
7 advocate. Were you planning to respond or do
8 anything to them, Rob or?

9 MR. DASENT: Rob, you're on mute.

10 MR. BALLENGER: Yeah, I believe we
11 are working on a response to those.
12 Potentially some objections as well. And
13 there are some additional requests or
14 responses I should say that are due from the
15 Water Department's interrogatories issued
16 last week. I think they're due on Thursday
17 to Mr. Morgan. So we're working on those as
18 well.

19 So we should have both of those.
20 They should be in hand in the coming days. I
21 think we have till Thursday. I'm not sure of
22 the timing on Mr. Havers' questions. Do you
23 happen to know?

24 MR. SCHULTZ: You mean like when

1 he sent them?

2 MR. BALLENGER: Oh, they were
3 Thursday as well. So --

4 MR. SCHULTZ: Yeah, Thursday.
5 Yeah.

6 MR. BALLENGER: Okay. So we'll
7 have responses or objections to both. And
8 we're mindful that Mr. Haver has asked not to
9 be included in any discussions off the
10 record. So we will not be discussing any
11 objections with him in advance. But I
12 believe we'll be submitting some
13 nevertheless.

14 HEARING OFFICER CHESTNUT: Okay.
15 Because I was prepared to address it today if
16 possible.

17 MR. BALLENGER: Well, in part some
18 of his questions go to -- and I had this on
19 my list to sort of bring up again as we
20 typically do at this conference. Some of his
21 questions go to the -- what's typically
22 styled as the public advocate outreach
23 report.

24 We file that typically at the close

1 of the hearings because our outreach is still
2 ongoing. That is something that is also in
3 the works. And we would be submitting that
4 as -- I think we've done it as a post hearing
5 exhibit. We've done it as a hearing exhibit.
6 I think it just really depends on the timing.

7 But it is just a report of our
8 outreach activity, of all of the emails and
9 contacts we've had, as well as snapshots of
10 our flyers, things of that nature just so
11 that they're on the record to document that
12 we've done the outreach that's required of
13 us.

14 But I do think a lot of his
15 questions sort of go to that. So that's one
16 way in which we would be responding. But
17 certainly, if we could talk about his
18 questions now if that would be helpful.

19 HEARING OFFICER CHESTNUT: I'm not
20 sure it's not appropriate. It's appropriate.
21 I mean --

22 MR. BALLENGER: Yeah.

23 HEARING OFFICER CHESTNUT: I was
24 prepared to, like I said, address them. But

1 since he's not here, I don't think we really
2 can.

3 MR. BALLENGER: Yeah.

4 HEARING OFFICER CHESTNUT: But I
5 was just going to say it was his decision as
6 to when to propound them. So I wouldn't
7 really say that there's any kind of urgency -
8 -

9 MR. BALLENGER: Yeah.

10 HEARING OFFICER CHESTNUT: -- in
11 responding to them. And I did find it
12 helpful to look at the last rate proceeding
13 where similar questions were propounded and
14 my response to that or my order, I should
15 say, addressing that. But it's up to you,
16 Rob, in terms of how you want to address it
17 and when you want to address it.

18 MR. BALLENGER: Okay.

19 HEARING OFFICER CHESTNUT: But I
20 didn't expect you to have responses before
21 the hearing starts tomorrow, I guess, is
22 really what I'm trying to say.

23 MR. BALLENGER: Okay. Yeah, I
24 don't think we're prepared to submit

1 responses today.

2 HEARING OFFICER CHESTNUT: Okay.

3 Any other preliminary matters then?

4 Stipulations are certainly welcome, as well

5 as settlements -- full or partial

6 settlements. But I hope you are -- sounds

7 like you have something in the works for cost

8 of service or is that -- are you trying to

9 work out the issues related to that or is it

10 really just an agreement not to cross?

11 MR. DASENT: The threshold issue

12 was not to cross because we thought we could

13 organize it and present it better in our

14 respective briefs. We do also need to talk

15 about the timeline associated with an

16 evaluation of rate structure alternatives.

17 And we're doing that.

18 So we're moving toward either on a

19 brief or maybe before, finding some common

20 ground. We're trying.

21 HEARING OFFICER CHESTNUT: Well, I

22 haven't made any (indiscernible). I think

23 this is a very settable case just in terms of

24 looking at the scope and issues presented.

1 If not the entire case, certainly portions of
2 it. Cost of service, maybe. Certainly,
3 customer service. Customer service -- that's
4 not the right word. Customer assistance
5 programs and other issues addressed by Mr.
6 Colton, I would think would be a very helpful
7 area for you to discuss among yourselves.

8 MR. DASENT: Well, certainly open
9 to discussing all issues.

10 HEARING OFFICER CHESTNUT: Well,
11 there isn't a whole lot of time though, so I
12 hope you're open to and more than open and
13 maybe being affirmative, but. Okay.

14 MR. DASENT: Yeah. I didn't want
15 to say picking up the phone right after this
16 meeting.

17 HEARING OFFICER CHESTNUT: Well, in
18 that case --

19 MR. DASENT: That's my plan. I
20 just have to see who's available to talk to
21 me.

22 HEARING OFFICER CHESTNUT: Briefing
23 issues then that takes me to the only thing
24 that I was going to say was that as always

1 and as required by the regs, the Rate Board
2 and I will be using the Rate Board's model to
3 derive our revenue requirement. But I think
4 that's not a secret to anybody.

5 And speaking of which, an issue
6 that we've been talking about is how to
7 present the actual revenue requirement
8 requested by the department as well as the
9 Rate Board's determination given this fiscal
10 year versus -- well, I should say the fiscal
11 year starts July 1st, but the new rates won't
12 go into effect until September 1st. So that
13 10 month period kind of mismatch.

14 MR. DASENT: Yeah, but that
15 mismatch is sort of the upshot of the fact
16 that the general ordinance requires us to
17 have in the charter revenues that are of by
18 fiscal year. Everything is organized by
19 fiscal year. Financial statements,
20 everything.

21 And even though it might simplify
22 it for the regulator to make it on a
23 different basis from the CFO standpoint at
24 PWD, we need to have it on a fiscal year

1 basis. And this organization allows us to
2 know we can meet coverage requirements.

3 Our targets and our project -- the
4 metrics can be met and different other
5 objectives that we have that underlie this
6 whole process that tie to our bonds and
7 different other things because the statements
8 that you see in this case, we call it the ClA
9 table. You can also see it in the bond
10 perspective.

11 HEARING OFFICER CHESTNUT: Okay.
12 Thank you, Mr. Dasent. I know why the
13 company or --

14 MR. DASENT: I'm sorry.

15 HEARING OFFICER CHESTNUT: -- the
16 department is using a fiscal year, believe
17 me.

18 MR. DASENT: Okay. I'm sorry.

19 HEARING OFFICER CHESTNUT: But I'm
20 just saying that in terms of a rate making
21 perspective using a test year, there has to
22 be some kind of recognition that they are not
23 the same periods and have different revenue
24 impacts.

1 MR. DASENT: Thank you. Sorry. I
2 go off sometime because I'm really concerned.

3 HEARING OFFICER CHESTNUT: I
4 understand. Any other briefing issues that
5 somebody wants to raise at this point? Okay.
6 Well, as always, I recognize that it's a very
7 tight schedule and I appreciate your
8 professionalism and reasonableness and
9 accommodating it.

10 And I do assume people -- I give
11 people the benefit of the doubt and I assume
12 you're making your best efforts to comply
13 with this and to be fair to the other
14 participants.

15 So somebody needs some extra time
16 or if they run into a delay, then I expect
17 that to be worked out. All right. Is there
18 anything further then from you, Mr. Dasent?

19 MR. DASENT: Nothing from PWD.
20 Thank you.

21 HEARING OFFICER CHESTNUT: Mr.
22 Ballenger?

23 MR. BALLENGER: Just one note. I
24 was taking notes about Mierzwa Morgan for

1 Thursday and I had written down afternoon.
2 But I double checked while we were here that
3 Mierzwa is out 1:30 to 3:30. Those are his
4 unavailable hours. So we were a little off
5 on that.

6 So I would propose to have them
7 both in the room around the noontime hour
8 instead so that we can conclude before then,
9 given they're only being there for Haver, if
10 that works.

11 MR. DASENT: It's not a problem for
12 us. Just Mr. Hayman goes first.

13 HEARING OFFICER CHESTNUT: Well,
14 the problem is Mr. Haver. Isn't it? I have
15 on the matrix that you sent out that Hayman
16 is available 11:00 to 2:00 on Wednesday. But
17 if that's the only time the witnesses are
18 available, that's the only time they're
19 available. I mean --

20 MR. BALLENGER: I suppose we can
21 come back at 3:30.

22 MR. DASENT: But I thought we were
23 talking about Thursday.

24 HEARING OFFICER CHESTNUT: I

1 thought we're talking about Wednesday.

2 MR. BALLENGER: No. Oh, Thursday.

3 No, we're talking --

4 HEARING OFFICER CHESTNUT: Oh,
5 Thursday. I'm sorry. You're right. You're
6 right.

7 MR. DASENT: There you go.

8 Actually, we're good.

9 HEARING OFFICER CHESTNUT: Yeah.
10 Thursday's fine.

11 MR. BALLENGER: Okay. Good.

12 HEARING OFFICER CHESTNUT: So I
13 think we're good on that.

14 MR. BALLENGER: Okay.

15 HEARING OFFICER CHESTNUT: Okay.

16 And Andre, can I ask you to send an email
17 with the witness lineups?

18 MR. DASENT: Oh, sure. Yeah. Got
19 it in my notes.

20 HEARING OFFICER CHESTNUT: So that
21 could be distributed.

22 MR. DASENT: Yeah.

23 HEARING OFFICER CHESTNUT: Okay.

24 Then did I go through everybody? They said

1 there's anything else? I think I stopped at
2 you, Mr. Garber. Did you have anything?

3 MR. GARBER: Nothing additional.

4 Thank you.

5 HEARING OFFICER CHESTNUT: Okay.

6 Well, thank you very much and look forward to
7 seeing you at 10 o'clock tomorrow morning.

8 Let me know if anything comes up in the
9 meantime. Thank you.

10 MR. DASENT: Thank you.

11 MR. BALLENGER: Thank you.

12 (The hearing was concluded.)

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CERTIFICATE OF DIGITAL REPORTER

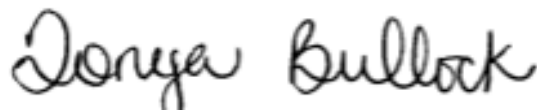
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I, TONYA BULLOCK, a Digital Reporter and
Notary Public within and for the State of
Pennsylvania, do hereby certify:

That the foregoing proceeding hereinbefore
set forth was accurately captured with annotations
by me during the proceeding.

I further certify that I am not related to
any of the parties to this action by blood or
marriage, and that I am in no way interested in
the outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my
hand this 20th day of May, 2025.



Tonya Bullock
Notary Commission FL HH 466374
Commission Expires: December 4, 2027