

1 CITY OF PHILADELPHIA  
2 BOARD OF LICENSE AND INSPECTION REVIEW

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7 IN RE: HEARING FOR WATER RATE BOARD

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9 DATE: Thursday, May 7, 2026

10 LOCATION: Zoom Teleconference

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12 Reported by: Marissa Bennett

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ATTENDANCE

- SONNY POPOWSKY, BOARD CHAIR
- KATHRYN SOPHY, HEARING OFFICER
- RYAN MCSHERRY, ATTORNEY FOR RATE BOARD
- ROBERT BALLENGER, PUBLIC ADVOCATE
- KHADIJAH GEORGE, BOARD OFFICE MANAGER
- GLEN ABRAMS, DEPUTY COMMISSIONER FOR COMMUNICATIONS AND ENGAGEMENT

ALSO PRESENT:

- BROOKE DARLINGTON, OF COUNSEL FOR THE CITY
- ANDRE DASENT, OF COUNSEL FOR THE CITY
- VIKRAM PATEL, PUBLIC ADVOCATE
- LANCE HAVER, PUBLIC
- LUCIA OSBORNE, PUBLIC

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PROCEEDINGS

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HEARING OFFICER SOPHY: Thank you for taking time to participate. This is the public input hearing for the (indiscernible) TAP-R reconciliation filing, water, sewer and storm (indiscernible). I'm the hearing officer. My name is Kathryn Sophy.

THE REPORTER: I'm sorry, this is the court reporter. Every time when you speak, maybe the microphone can be a little bit closer to you. It's only picking up certain things out of my speaker over here. I apologize.

HEARING OFFICER SOPHY: No problem. Get this correct. There we go.

THE REPORTER: Do you mind just introducing yourself one more time?

HEARING OFFICER SOPHY: Sure, thank you. I'm the hearing officer. My name is Kathryn Sophy. S-O-P-H-Y. Sitting with me is the Chairman of the Rate Board, Sonny Popowsky. We also have here Ryan McSherry,

1 who is the attorney for the rate board and  
2 Khadijah George, she is the board's office  
3 manager. As you can see, there is a court  
4 reporter here who will provide a transcript  
5 for this hearing. So I ask everyone to  
6 please speak clearly and slowly. The  
7 transcript will be posted to the Rate Board's  
8 website.

9 Also with us today are most of the  
10 participants and I will let them introduce  
11 themselves and provide some opening comments.  
12 First we'll hear from the Philadelphia Water  
13 Department.

14 MS. DARLINGTON: Can you hear me  
15 okay? Okay, my name is Brooke Darlington.  
16 I'm of counsel to the Philadelphia Water  
17 Department here with Andre Dasent, also of  
18 counsel. We have Glen Abrams with us as  
19 well, who is the deputy commissioner for  
20 communications and engagement who will just  
21 say a couple words about the TAP-R proceeding  
22 and introduce the hearing for the public.

23 MR. ABRAMS: Good morning. My name  
24 is Glen Abrams and I am speaking on behalf of

1 the Philadelphia Water Department in this  
2 proceeding. We first want to thank all of  
3 you for participating, joining in this  
4 meeting this morning to share your views  
5 about the proposed TAP rate rider or TAP-R,  
6 the annual adjustment that the water  
7 department has filed with the Philadelphia  
8 Water Sewer and Storm Water Rate Board. The  
9 TAP-R adjustment is proposed in connection  
10 with the administration of the Tiered  
11 Assistance Program or TAP.

12 TAP allows low-income customers to  
13 pay a bill based on their income. So rather  
14 than go up or down based on water usage, TAP  
15 customers bills are fixed as a percentage of  
16 their income. The TAP rate rider is a rate  
17 making tool that allows PWD to recover the  
18 cost of providing discounts made under the  
19 TAP program. The cost of TAP recovered via  
20 the TAP rate rider may change over time due  
21 to multiple factors including the number of  
22 TAP participants, water usage, changes in PWD  
23 rates, among other reasons.

24 PWD proposes adjustments to the TAP

1 rate rider annually to account for changes in  
2 projected TAP costs as well as any over or  
3 under recovery of costs via the TAP-R rates.  
4 Based upon the most recent reconciliation  
5 results, the Water Department proposes to  
6 adjust TAP-R rates effective September 1st,  
7 2026. If approved by the Rate Board, the  
8 TAP-R related portion for a typical  
9 residential customer will increase by \$2.10  
10 per month.

11 If you'd like more information  
12 regarding the TAP-R rider, the associated  
13 rates and the bill impacts, a summary of the  
14 proposed annual adjustment is posted at the  
15 Rate Board website. We would like all  
16 customers to be aware that if you are  
17 experiencing financial hardship, please reach  
18 out to us to see if you may be eligible for  
19 TAP, the senior discount, or other programs  
20 that are available to assist households with  
21 payment difficulties.

22 These programs are accessible  
23 through the City of Philadelphia website at  
24 [phila.gov/waterbillhelp](http://phila.gov/waterbillhelp) or by calling 215-

1 685-6300, Monday through Friday between 8:00  
2 a.m. and 5:00 p.m. The purpose of today's  
3 hearing is to hear from you, our customers.  
4 We appreciate you taking the time to share  
5 your views with us today and we look forward  
6 to hearing from you. Thank you.

7 MS. DARLINGTON: I would also just  
8 like to say we have the Water Revenue Bureau  
9 representatives with us as well. Adriana  
10 Gonzalez is an attorney in the unit and we  
11 have one of the supervisors, Lakisha Gaymon,  
12 foreman. If you can just raise your hand in  
13 case there's any members of the public here  
14 today that do have issues with their water  
15 bill or have questions, Ms. Gaymon, foreman  
16 can provide at least contact information to  
17 set up an appointment to help resolve those  
18 issues. Thank you.

19 HEARING OFFICER SOPHY: And next  
20 we'll hear from the public advocate.

21 MR. BALLENGER: Thank you and good  
22 morning. My name is Robert Ballenger. I'm  
23 an attorney at Community Legal Services and  
24 Community Legal Services has been appointed

1 to represent the shared interests of  
2 residential and small commercial customers as  
3 a group in this proceeding. I'm joined by my  
4 colleague Vik Patel, right behind me. I'll  
5 just provide a brief statement today.

6 Mr. Abrams provided some  
7 information about the tiered assistance  
8 program and the City's proposed TAP rates  
9 that are the subject of this proceeding. I  
10 would like to briefly explain why programs  
11 like TAP exist and why they are beneficial to  
12 all customers. Although TAP launched in  
13 2017, programs like it have been around for  
14 decades. Their purposes are not only to make  
15 the bills affordable for low-income  
16 households, but also to reduce consumer debt  
17 owed to the utilities, what's often called  
18 bad debt, and to reduce the costs the utility  
19 would incur if it tried to collect that which  
20 low-income customers cannot afford to pay.

21 As a matter of policy, in  
22 Pennsylvania, all large natural gas and  
23 electric utilities operate programs like TAP.  
24 Similarly, all of those utilities recover the

1 costs of the programs through reconcilable  
2 rate riders like the TAP-R rate we're here to  
3 discuss today. In this proceeding, the main  
4 issue the Water Rate Board has to determine  
5 is what the costs of TAP will be for the 12-  
6 month period beginning September 1st, 2026.

7 The Water Department has put  
8 forward its projection which would result in  
9 a monthly increase of \$2.10 for a typical  
10 residential customer and \$2.69 for a typical  
11 small business customer. We've worked with  
12 our consultant to examine PWD's proposal and  
13 to come up with our own projection of future  
14 costs. Our proposal is lower and if adopted,  
15 would result in a monthly increase of \$1.29  
16 for a typical residential customer and \$1.65  
17 for a typical small business customer.

18 We're very interested in hearing  
19 from members of the public who've taken the  
20 time out of their day to be here with us  
21 virtually and in person. We welcome your  
22 input as you can provide the Rate Board with  
23 additional perspectives about TAP and the  
24 rates the board should set to enable PWD to

1 continue to run this successful program. If  
2 there are other issues that you want to share  
3 about your experience with PWD or your water  
4 service, we encourage you to speak up even if  
5 it's not an issue regarding TAP.

6 Representatives from PWD, Water  
7 Revenue Bureau and our office at CLS may be  
8 able to provide you with some additional  
9 answers or resources. Thank you.

10 HEARING OFFICER SOPHY: Next we'll  
11 hear from Lance Haver.

12 MR. HAVER: Good morning. If  
13 you're a member of the public, all you have  
14 to do is look around and ask, why aren't  
15 there more people here? My name is Lance  
16 Haver. I'm a ratepayer. I'm fed up. Year  
17 after year after year, this gentleman who  
18 claims he represents the public goes into a  
19 back room with this gentleman and has a  
20 negotiated settlement that Governor Shapiro  
21 has attacked to say it's inappropriate  
22 because, they are black box settlements and  
23 our rates go up.

24 You'll have to forgive me the way

1 this room is set up, I'm going to have to  
2 turn my back to you to make my opening  
3 statement. But it's no accident that nobody  
4 knows about these proceedings. Reporter, my  
5 name is Lance Haver. The court reporter,  
6 again, my name is Lance Haver

7 THE REPORTER: Thank you, Lance..  
8 That's much better.

9 MR. HAVER: In Mr. Ballenger's  
10 opening statement, he says he represents  
11 ratepayers. That is factually untrue. As  
12 part of being an intervener, I get the right  
13 to discovery. I asked for the contract that  
14 employs him. Here is what the contract says.  
15 And this was provided by Mr. Ballenger  
16 himself. I have his signature on the letter.  
17 "This agreement is for provider to provide  
18 general consultant services to the City in  
19 accordance with the provision of this  
20 provider's agreement."

21 He doesn't represent the public.  
22 He's hired by the City which owns the water  
23 department and wants a rate increase. And  
24 again, it's not just the TAP rates that they

1 want to raise. There'll be a second rate  
2 increase this year as well. Has there been  
3 some public proceeding that appointed Mr.  
4 Ballenger? The answer is no.

5 The initial term of this contract,  
6 again, reading directly from the contract he  
7 provided. "The initial term of this contract  
8 starts December 2nd, 2023, and expires  
9 December 1st, 2024." He was reappointed  
10 without a public hearing, without any  
11 analysis of what a job he's doing, or even  
12 asking people whether they felt they were  
13 represented. And just to make it clear,  
14 there's a clause in the contract that says  
15 this. The City may amend this contract in  
16 its sole discretion.

17 The City doesn't like it. If he  
18 comes out against the rate increase, the City  
19 doesn't like it because they own the water  
20 department. The contract will be ended. So  
21 who did Mr. Ballenger talk to before he  
22 decided to support a rate increase? Now it's  
23 very clear he just said he wants to see  
24 everyone's bills go up by \$29. Mr. Ballenger

1 directly asked how community members did the  
2 report -- how did the advocate, who was  
3 appointed by the rate board, meet with  
4 members of the community before he took his  
5 position in favor of a rate increase?

6           Please list the people you spoke  
7 with, the community groups you spoke with,  
8 the civic groups you spoke with, and quote,  
9 here is his answer. "The public advocate,"  
10 which is what he calls himself, "objects to  
11 this request as irrelevant." He doesn't  
12 believe it matters who he spoke with. And we  
13 can see that clearly by nobody's in the room.  
14 Can the TAP program be paid for by grants?  
15 Yes. The TAP program is very important.  
16 That's one part of the equation. The other  
17 part of the equation is, who pays for this  
18 program? Should it be paid for as a sales  
19 tax on water?

20           And so I asked, "Is the water  
21 department able to accept grants from the  
22 government or foundations to cover this  
23 needed program?" Mr. Ballenger objects to  
24 this question. He doesn't want to answer it.

1 People in the TAP program, as you heard, pay  
2 a percentage of their income for the bill.

3 So I asked, "Do people who are being  
4 surcharged, who are paying a sales tax for  
5 this program, do they pay as a percentage of  
6 their income for this program?" Mr.

7 Ballenger says he objects to this question.

8 I ask, "Is the surcharge on each  
9 person's water bill based on a person or  
10 family's income?" Again, Mr. Ballenger says,  
11 "The public advocate objects to this question  
12 as irrelevant." I asked, "Does a person  
13 making \$500,000 a year and a person making  
14 \$50,000 a year, if they have the same water  
15 usage, pay the same surcharge?" Seems to be  
16 a reasonable question. The public advocate  
17 refuses to answer.

18 I asked, "Well, if this surcharge  
19 is for a needed government program, how is it  
20 different from a sales tax?" Mr. Ballenger  
21 says he objects to the question as  
22 irrelevant. Sales taxes, as we all know, are  
23 regressive, the less you make, the higher the  
24 taxes. Mr. Ballenger says that doesn't

1 matter. I asked what the total cost of the  
2 program is. Seems to be a fairly important  
3 question. Mr. Ballenger objects to this  
4 request. I asked, "What are the  
5 administrative costs of the program?" Mr.  
6 Ballenger objected to that request.

7 I think it's obvious that Mr.  
8 Ballenger is doing what the contract calls  
9 for and representing the City of Philadelphia  
10 and not the ratepayers. When it becomes time  
11 in the technical hearings, I am going to  
12 argue that is unfair to ratepayers not to  
13 consider the cost of the programs and the  
14 program's overhead. I will argue that  
15 charging a sales tax on a basic necessity of  
16 life, water, to pay for the TAP program is  
17 wrong, and calling it a surcharge, not a  
18 sales tax, doesn't make it right.

19 I will argue that it is unjust for  
20 lower income people to carry the same burden  
21 for the tax program as wealthy people. I  
22 will argue that all businesses, LLCs, real  
23 estate speculators and other "investors"  
24 should help pay for the TAP program, not just

1 people who pay water bills. I will argue  
2 that the water department, the public  
3 advocate, should first seek grant money from  
4 foundations, from the City, from the City's  
5 general operating budget, and then and only  
6 then, consider a surcharge on everybody's  
7 water bills. And I ask the public to join me  
8 in these demands.

9           If you expect Mr. Ballenger and CLS  
10 to do anything other than what they've done  
11 in the past, you are mistaken. The best  
12 predictor of the future is past behavior.  
13 Every year for the last four years, Mr.  
14 Ballenger and Mr. Desant, water department's  
15 lawyer, have met. They don't like to use the  
16 word secret, but they have met privately is  
17 what they like to say and negotiated a black  
18 box settlement, which is why everybody's  
19 bills is as high as they are. Thank you.

20           HEARING OFFICER SOPHY: I have a  
21 list of individuals who would like to make  
22 statements. If you have not signed up to  
23 speak, but you would like to make a  
24 statement, that is okay. Everybody here who

1 wants to make a statement will have their  
2 chance. When it's your turn to speak, you  
3 can unmute your microphone or if you're in  
4 the room, you can come up and sit at the  
5 table and I'll ask you if you're a customer  
6 of the water department and if you're  
7 appearing on behalf of a group.

8 Just a general reminder that the  
9 proceeding this year really only looks at the  
10 revenue from the TAP rider. The goal is to  
11 adjust the revenue collection so that PWD  
12 does not over collect or under collect. If  
13 you keep remarks to this proceeding, which is  
14 limited to the surcharge, that would be best.  
15 If you've got other issues, though, we have  
16 people here who may be able to answer and  
17 answer right away. We can get your  
18 information and connect you with the proper  
19 people later.

20 So the first person on my list is  
21 Latoya Irby. Is she on? What about Tyrone  
22 Bynum? Angela Milbourne? Diana Montague?  
23 Nancy Santana? Anthony Giannetti? Well, of  
24 the other people who are here who would like

1 to speak, if you could raise your hand on  
2 Zoom or here?

3 MR. BALLENGER: Sorry, there's one  
4 person. Let the record reflect that one  
5 person has raised their hand.

6 HEARING OFFICER SOPHY: Have a  
7 seat, please. Hey, can you state your name  
8 and spell it for the court reporter?

9 MS. LUCIA OSBORNE: My name is  
10 Lucia Osborne. That's L-U-C-I-A O-S-B-O-R-N-  
11 E. I work for an organization that's doing  
12 research on water affordability. I am not a  
13 Philadelphia ratepayer, but I have been in  
14 the past. I'm just really here to learn. So  
15 just to be clear, I'm not speaking on behalf  
16 of my organization. I'm just speaking on  
17 behalf of myself right now. But in looking  
18 into water affordability, you know, we're  
19 trying to identify ways that could help the  
20 City make water more affordable for people.

21 And, you know, people, people are  
22 struggling these days. You know, I've never  
23 been a recipient of the TAP program, but  
24 thinking about what a \$2 increase in a

1 monthly bill is -- and I'm thinking about the  
2 times when I didn't have car fare. And  
3 that's, you know, about a trolley ride, it's  
4 actually a little less than a trolley ride.  
5 But, you know, thinking about the times where  
6 if I've, you know, worked a 12-hour shift in  
7 Rittenhouse and had to get all the way back  
8 to my apartment in Clark Park and didn't have  
9 car fare and had to walk back, like, that  
10 sucks. So thinking about if that had to  
11 happen to people 12 times a year, I just  
12 don't want that for people.

13           So, one of the things that I have  
14 been looking into is opportunities to, you  
15 know, reduce waste and help the city bring in  
16 more money because again, they have -- I want  
17 to acknowledge that you have a really big  
18 job. You have a lot of priorities that you  
19 have to fund and pay for, from lead service  
20 lines to PFAs to the CSO issues to just  
21 people's drinking water. So, again, not an  
22 easy job.

23           But one of the things that I've  
24 noticed is there is a discount for large

1 nonprofits of about 25 percent. So, you  
2 know, and it's been kind of tricky finding  
3 that information. If there is a place where  
4 I can find more specifics on this I would be  
5 really, you know, excited and happy to see  
6 it. But I saw that, you know, in 2018, for  
7 example, the University of Pennsylvania got  
8 about a \$2.3 million decrease on their water  
9 bill.

10           And I know that that also applies  
11 to other large scale universities like  
12 Temple, some of the hospitals. So again,  
13 large nonprofits. So I'm just wondering what  
14 that program costs each year. And, you know,  
15 can some of those funds be redirected?  
16 Thinking about how much money that, you know,  
17 UPENN has in their endowment and, you know,  
18 do they need that big of a discount? And can  
19 some of it be redirected to help make water  
20 rates more affordable? So that's what I am  
21 looking to find out.

22           I know I don't think you are  
23 answering questions, but if you could direct  
24 me to find that information, I would

1 appreciate it.

2 HEARING OFFICER SOPHY: Yeah, I  
3 think the Water Department probably would be  
4 able to.

5 MS. LUCIA OSBORNE: Okay, thanks,  
6 guys.

7 HEARING OFFICER SOPHY: And is  
8 there anyone online who would like to speak?  
9 Is there anyone else in the room who would  
10 like to speak? Someone asked if the TAP-R  
11 rate is a variable rate only.

12 (indiscernible)

13 MR. DASENT: I have a feeling Black  
14 & Veatch, our consultant, would be able to  
15 give you a better answer. But based upon  
16 your income, a TAP rate is set for an  
17 individual customer, that rate does not  
18 change when we have rate increases. So it  
19 will vary for the various types of customers  
20 that are eligible for TAP based upon the tier  
21 that they are assigned, based upon their  
22 percentage of income of the federal poverty  
23 level can give you a more detailed answer.  
24 If you would like, reach out to me at

1 andre.c.dasent@gmail.com. Name is spelled A-  
2 N-D-R-E dot C like cat dot D-A-S-E-N-T  
3 @gmail.com. Thanks.

4 HEARING OFFICER SOPHY: If you'd  
5 like to testify, you can either raise your  
6 hand or you can send us a text. I'm not  
7 seeing any more questions or statements. So  
8 with that, I think we are going to adjourn  
9 the meeting.

10 MR. HAVER: May the record reflect  
11 how many ratepayers spoke.

12 HEARING OFFICER SOPHY: Yes, it  
13 will. The transcript will show that.

14 MR. HAVER: Right. I'm asking you  
15 to acknowledge how many people spoke here  
16 today.

17 HEARING OFFICER SOPHY: I'm not  
18 sure what you're asking. There's a whole --  
19 there will be a transcript showing --

20 MR. HAVER: Right. I'm asking you  
21 to acknowledge that nobody, no ratepayers  
22 testified today.

23 HEARING OFFICER SOPHY: We had some  
24 questions. I don't know.

1 MR. ABRAMS: Covering it up doesn't  
2 make -- again, covering it up doesn't make it  
3 any better.

4 HEARING OFFICER SOPHY: Oh, we do  
5 and we have several witness statements that  
6 have been filed.

7 MR. ABRAMS: I didn't ask that. I  
8 asked today at the public hearings, how --  
9 will you acknowledge that nobody, no  
10 ratepayer showed up to testify?

11 HEARING OFFICER SOPHY: No rate  
12 payer appeared in this room to testify. Is  
13 that what you'd like --

14 MR. HAVER: Thank you.

15 HEARING OFFICER SOPHY: -- other  
16 than Mr. Ballenger and Mr. Dasent and the  
17 people who already are participants. We did  
18 get a number of consumer statements, many of  
19 which supported TAP and several asking not to  
20 raise rates. But if anyone online right now  
21 would like to just send us a statement that  
22 can be uploaded onto the website.

23 All right, so thank you again for  
24 attending the hearing and thanks to the

1 customers who took time to send in the  
2 comments to the rate board. They do read  
3 each and every comment and we'll consider all  
4 of them. Thank you for being here.

5 MR. ABRAMS: You still accept  
6 questions and comments from the public up  
7 through a certain date, like the technical  
8 hearings next week or even thereafter?

9 HEARING OFFICER SOPHY: We will  
10 accept comments and questions from ratepayers  
11 till May 22nd. And with that, we are  
12 adjourned. Thank you so much.

13 (Proceedings concluded at 10:33  
14 a.m.)

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CERTIFICATE OF DIGITAL REPORTER

I, MARISSA BENNETT, a Digital Reporter 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 7th day of May, 2026.



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Marissa Bennett  
Digital Reporter

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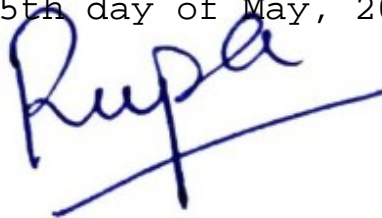
CERTIFICATE OF TRANSCRIPTIONIST

I, RUPA HEGDE, do hereby certify:

That said audio transcription is a true record as reported by me, a disinterested person.

I further certify that I am not interested in the outcome of said action, nor connected with, nor related to any of the parties in said action, nor to their respective counsel.

IN WITNESS THEREOF, I have hereunto set my hand this 15th day of May, 2026.



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Rupa Hegde

<b>\$</b>	<b>6</b>	<b>afford</b> 9:20
<b>\$1.29</b> 10:15	<b>685-6300</b> 8:1	<b>affordability</b> 19:12,18
<b>\$1.65</b> 10:16		<b>affordable</b> 9:15 19:20 21:20
<b>\$2</b> 19:24	<b>8</b>	<b>agreement</b> 12:17,20
<b>\$2.10</b> 7:9 10:9	<b>8:00</b> 8:1	<b>amend</b> 13:15
<b>\$2.3</b> 21:8		<b>analysis</b> 13:11
<b>\$2.69</b> 10:10	<b>@</b>	<b>Andre</b> 5:17
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