

Opposition to the proposed Settlement Agreement
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“You Have Done Enough - Have you no sense of decency, sir, at long last?”—
Asked of another man who harmed the public

1. The surcharge is a sales tax, and it is not permissible under Pennsylvania State law.
2. It is not a rate, as Mr. Ballenger made clear during his testimony before the Philadelphia City Council.
3. Unlike discounted rates, which lessen the pressure on other consumers, the sales tax surcharge under this proposed settlement agreement places a greater burden on other rate payers.
4. The Philadelphia City Council made it clear that it was considering other ways of funding the sales tax (Surcharge) the same day, Mr. Ballenger agreed to give the Philadelphia Water Department (PWD) 96% of what it requested. Mr. Ballenger refused to tell the council, which was looking for other ways to fund TAP, that Mr. Ballenger had just agreed to place an additional burden on PWD rate payers. Had Mr. Ballenger had the courage to publicly support the higher bills, as he does in private, the Council may have found other ways to fund TAP. Mr. Ballenger, by hiding his support for a 7th consecutive water rate hike, hid his failure to protect PWD consumers. And of course, he avoided public scrutiny and the shame that would accompany giving PWD far more than Mr. Ballenger’s own consultants said was needed.
5. Mr. Ballenger gave PWD 96% of what it requested after spending hundreds of thousands of ratepayers’ dollars to cover his well-compensated, no-bid contract extension and his repeatedly appointed experts, who, year after year, are ignored once Mr. Ballenger enters into secret negotiations with the PWD’s lawyers.
6. Other than PWD and Mr. Ballenger, no other rate payer, elected official, or community group has filed written support for Mr. Ballenger’s closed-door agreement. Other parties were not included in the settlement discussions.
7. Mr. Ballenger answers to no one other than the Philadelphia Water Rate Board; he operates without any checks and balances, without any independent review of his positions.
8. No other person serving as a representative of the public is allowed to answer to no one.
9. Under this proposed settlement agreement, Mr. Ballenger has become the embodiment of a fascist, answering to no one, placing a burden on those he purposely chooses not to include in a decision-making process.
10. Mr. Ballenger, like President Trump, believes that the basis of American Democracy, checks and balances on unbridled power, is good for others, but not for them.
11. No amount of rationalizing changes this fact. Mr. Ballenger, under this proposed agreement, gives PWD 96% of what it wants, without answering to anyone. For his selling out Water Ratepayers, and refusing to consider what the Philadelphia City Council offered,

to find other ways to pay for the TAP tax, Mr. Ballenger will be reappointed, without a public hearing, without public input. Mr. Balleger will continue to cash paychecks while placing an ever-growing burden on people struggling to keep up.

12. The settlement agreement should be rejected, and PWD should be required to follow up with the Council Members who sought alternative ways to fund the TAP program.
13. Mr. Ballenger should no longer be allowed to ignore the public, who pays the contract he so handsomely enjoys. Mr. Ballenger should not be allowed to enter into secret agreements that give PWD 96% of what it requested.
14. What is the purpose of spending hundreds of thousands of dollars on experts if their position is going to be ignored and PWD gets what it wants?