

Philadelphia Water, Sewer and Storm Water Rate Board
June 24, 2026, Meeting Notes
In Person (Room 18031, One Parkway Building, 1515 Arch Street)
and by Zoom (Online and Telephone)

Board Members Present:

Irwin "Sonny" Popowsky, Chair
Tony Ewing, Vice Chair
Abby Pozefsky, Secretary
Debra McCarty

Others Present:

Ryan E. McSherry, Esq. (Board Counsel)
Khadijah George (Zoom Administrator)
Kathryn G. Sophy (Hearing Officer)
Andre Dasent
Robert Ballenger
Ed Markus
Neal Sellers
Keitshawna Williams
Mykayla Millar
Amanda Seepersaud

Mr. Popowsky called the meeting to order at 3:02 p.m.

1. Mr. Popowsky asked for a motion to approve the minutes of the Board's meeting of May 13, 2026, as drafted. Mr. Ewing moved to approve the minutes as drafted, and Ms. Pozefsky seconded the motion, which carried 4-0.
2. Mr. Popowsky next addressed the 2026 TAP-R Reconciliation Proceeding. He noted that the Hearing Officer submitted her report on June 15, 2026, recommending approval of a settlement (the "Settlement") between the Philadelphia Water Department ("PWD") and the Public Advocate. He indicated that objections to the Settlement and an Exception to the Hearing Officer's approval of the Settlement were filed by a Participant in the proceeding: Lance Haver.
3. Mr. Popowsky represented that Mr. Haver opposed the Settlement for several reasons. Mr. Haver contended that the TAP-R surcharge is a sales tax. Mr. Haver stated that PWD and the Public Advocate should have explored alternative, more just and equitable methods of funding the TAP program, including the possibility of using the City's General Fund. Mr. Haver also protested that the Settlement gives PWD 96% of

what it had requested. Finally, as he has done in prior cases, Mr. Haver objected to the actions of the Public Advocate, stating that the Advocate does not adequately represent the interests of PWD customers.

4. In addition, Mr. Popowsky noted that Mr. Haver filed an Exception to the Hearing Officer's Report in which he objected to the statement in the Report where the Hearing Officer commended PWD and the Public Advocate for proposing a settlement in the proceeding.
5. According to Mr. Popowsky, the other active Participant in the proceeding, the Philadelphia Large Users Group ("PLUG"), did not oppose the Settlement, but urged the Board, in its next base rate proceeding, to seek to ensure that the TAP program does not impose unreasonable costs on non-participating customers.
6. Mr. Popowsky represented that, after full litigation of the proceeding, including hearings and briefs, the Hearing Officer found that the Settlement proposed by PWD and the Public Advocate presented a reasonable compromise and was in the public interest. The Hearing Officer stated that the Settlement provides for an increase of TAP-R rates that reasonably can be expected to recover lost revenue from PWD's prior rate period and provides sufficient revenue to continue the TAP program through the upcoming rate period. She concluded that the record can support a range of reasonable projections, and the Joint Petitioners have been able to negotiate a reasonable compromise of the calculations originally presented by PWD and the Public Advocate.
7. The Hearing Officer therefore recommended that the Board:
 - a. Approve the rates and charges set forth in the Joint Petition for Settlement of TAP-R Proceeding without modification;
 - b. Find that the proposed adjustments to the TAP-R rates and charges are supported by the record and are just and reasonable; and
 - c. Authorize PWD to file revised TAP-R rates of \$5.41 per MCF for water usage and \$7.56 per MCF for sewer volume, as set forth in

the Joint Petition for Settlement of TAP-R Proceeding, for services rendered on or after September 1, 2026.

8. Mr. Popowsky invited discussion amongst the Board Members on whether to accept the Hearing Officer's recommendations, or alternatively to accept any of the objections or exceptions to the Hearing Officer's Report. Ms. Pozefsky, Mr. Ewing, Ms. McCarty, and Mr. Popowsky commended the parties and the Hearing Officer for their efforts during the proceeding and expressed gratitude.
9. Mr. Popowsky represented that he agreed with findings of the Hearing Officer that the Settlement represented a reasonable compromise that was supported by the record and well within the positions of the Participants presented in the record. He emphasized that the TAP-R Reconciliation Proceeding is limited to the calculation of the reconciliation of the revenues recovered from the rates set in the previous TAP-R Reconciliation Proceeding and a projection of the revenues required to cover the costs of the TAP rates during the coming year. Mr. Popowsky explained that if participants wish to raise issues such as how rates are set, those matters fall within the Board's authority and are addressed only through a base rate proceeding. He added that, while participants are free to propose alternative methods of funding the TAP rate, such questions are outside the Board's authority.
10. Mr. Popowsky asked whether there were any other comments from the Board. There were none. Mr. Popowsky then called a vote on whether to accept the Hearing Officer's recommendations. The vote carried 4-0.
11. Mr. Popowsky asked the Board whether they had any other matters to raise. There were none.
12. Mr. Popowsky asked whether there were any other matters to be raised by the Participants or members of the public who were present. Mr. Ballenger expressed gratitude to the Hearing Officer and the Board. Mr. Dasent also expressed gratitude to the Hearing Officer and noted that, following the Board's Final Determination on July 1, 2026, PWD would file revised tariffs at the Board's direction.

13. Mr. Popowsky indicated that the Board would prepare a Final Rate Determination and there would be a final vote on that Determination at the Board's meeting on July 1, 2026.
14. Mr. Popowsky asked whether there were any additional matters to be brought before the Board. Ms. Sophy expressed gratitude to everyone for their professionalism.
15. Mr. Popowsky asked for a motion to adjourn the meeting. Ms. McCarty moved to adjourn, and Mr. Ewing seconded the motion, which carried 4-0. The meeting was adjourned at 3:16 p.m.