

Philadelphia Water, Sewer, and Storm Water Rate Board
Meeting Notes
9/17/15

Present:

Bernard Brunwasser, Chair
Lee Huang
Sonny Popowsky
Nancy Winkler
Frances Beckley, Esquire

Also Attending:

Steve Hann via conference call
Jon Davis via conference call
Christine Knapp
Jaclyn Rogers
Melissa LaBuda
Marie McNeill
Andre Dasent
Ji Jun
Thu Tran
Rob Ballenger

Frances Beckley, Steve Hann, and Jon Davis had a separate meeting on the development of regulations for the new rate process. Mr. Hann briefed the Board on the items discussed at the separate meeting, reviewed the steps in the rate setting process, and presented options for the Board to consider as they develop new regulations.

Under the new legislation, the Philadelphia Water Department (PWD) is required to provide written notice to City Council and the Board at least 30 days prior to filing notice of proposed rate changes. The Board has 120 days from the date of PWD's filing with the Department of Records to conduct public meetings, hear public and expert testimony and decide whether to accept, reject or modify the proposed rate increase. At the time of the initial filing, public notice must be posted so interveners can identify themselves and file with the Records Department as parties to the case. The abbreviated schedule will impact the time available for written discovery.

The Board must decide when and where to schedule public hearings, how the hearings will be conducted, and whether all Board members must be present. In past rate proceedings, daytime meetings were held in center city, and night meetings took place in neighborhood locations. The hearings must end in time to give the Board ample opportunity to deliberate and announce their decision by the 120 day deadline. The Board must deliberate as a group in public under the Sunshine Law. Mr. Hann suggested a three minute limit for testimony be included in the regulations. This allows sufficient time for meaningful comment and provides consistency throughout all the rate case hearings. When a Hearing Officer is selected, he or she will run the public meetings and monitor the time for testimony. The Hearing Officer will also determine if comments are relevant or redundant. Representatives from the Water Revenue Bureau will be asked to attend the public hearings to answer questions. A minimum of four public hearings are required under existing regulations.

PWD will present its case in writing in place of testimony at the technical hearings. The Board will request PWD representatives attend the first technical hearing to answer questions from the Board and registered parties in the rate case.

Mr. Hann will draft new regulations using the information shared today and forward to Board members before the October 1 meeting.

Responses to the Requests for Proposal (RFPs) for the Hearing Officer, Public Advocate and Technical Expert are due October 2. A special advertised meeting can be held for the purpose of interviewing responders. A sub-committee may be formed if all five members of the Board cannot take part in the interviews. October 8 was marked as a tentative date for interviews and will be discussed further at the next Board meeting. Interviews must conclude by October 23 so contracts with the selected vendors can be conformed by January 1, 2016.

The next meeting of the Rate Board is scheduled for October 1, 2015.