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## **Public Advocate Guide for Customer Participation** **2021 Philadelphia Water Rate Case**

### **What is the Water Department 2021 Rate Case?**

- The Philadelphia Water Department (PWD) filed formal notice of its request for \$141 million in rate increases on February 16, 2021. If approved, a typical residential customer's monthly bill will go up by more than 17.5%.
- The Rate Case is the process to evaluate PWD's request, which must be approved, modified or rejected by the independent Philadelphia Water, Sewer & Storm Water Rate Board.
- The Board has hired a Hearing Officer to oversee the Rate Case.
- The Rate Case must include open and transparent processes and procedures for public comment on proposed rates and charges.
- The Board also appointed a Public Advocate (Community Legal Services) to represent the interests of PWD's residential customers and small commercial customers (generally, those without individually assessed stormwater charges) in the Rate Case.
- Any individual, corporation or entity affected by PWD's proposed rates can participate in the Rate Case.

### **How can individual customers participate in the 2021 Rate Case?**

- **Submit written comments** – any individual can file written comments stating their opinions and/or concerns about the proposed rate increase. The deadline to file comments in the 2021 Rate Case has not yet been set. Information on how to submit comments is online: <https://www.phila.gov/media/20210204183958/Public-Notice-2021-V2.pdf>.
- **Attend a public hearing** – The Board is required to hold at least four public hearings to take comments from the public on PWD's proposed rate increase. You may submit written or oral comments at the public hearing. Public hearings are still being scheduled and will be held virtually because of the ongoing public health crisis. PWD has proposed hearings to begin in early March.
- **Formally participate** – any individual affected by the proposed rates may request to participate in the technical phase of the Rate Case. If you want to participate in the technical phase, you must notify the Board of your intention by February 23, 2021. Thereafter, you would need permission from the Board to participate.
- **Share your concerns with the Public Advocate** – the Public Advocate does not represent individual customers in the Rate Case, but wants to hear from residential and small business customers. You can submit your questions or concerns about the 2021 Rate Case to the Public Advocate by emailing [publicadvocate@clsphila.org](mailto:publicadvocate@clsphila.org).



### **What happens if a customer formally participates in the rate case?**

- If you notify the Board by February 23, 2021 of your intention to participate in the technical phase of the 2021 Rate Case, or if you get permission from the Board to participate in the case, you will be considered a participant.
- As a participant you will be included in correspondence, meetings, and hearings regarding the Rate Case. You will also receive notice of important dates for events in the Rate Case.
- Participants have a right to:
  - Submit written discovery questions to PWD or other participants
  - Cross-examine witnesses in the Rate Case
  - Present written testimony
  - Submit a legal brief
  - Submit comments or exceptions to the Hearing Officer's rate report
  - Appeal the Board's final decision
- As a participant, others may ask questions of you, and may cross-examine you regarding your interests in and/or positions regarding the Rate Case.

### **What can a participant ask about in discovery?**

- Participants have a right to question PWD about information regarding any matter relevant to the proceeding, including information PWD has provided with its filing and the basis for PWD's proposal. They also have the right to ask questions of other participants.
- Written discovery questions should be as specific as possible. Discovery questions typically ask for explanation or documentation regarding an assertion made by PWD or another participant. Discovery questions from past cases are available on the Rate Board's website.
- Participants can submit written questions directed to PWD or other participants by email to the service list maintained by the Hearing Officer.
- Objections to discovery questions are due within three business days.
- The Hearing Officer will establish the timeline for responses to written questions.

### **What is the role of the Public Advocate in the Rate Case?**

- The Public Advocate represents the interests of residential and small commercial customers. The Public Advocate will assess how increased water rates will impact this large group of customers. Because the Public Advocate does not represent individual customers, you can raise concerns about your experiences with PWD or the Water Revenue Bureau as described in this guide. You may also use the Water Revenue Bureau's dispute process to address concerns regarding customer service, billing, shut offs or payment assistance.
- As Public Advocate, Community Legal Services has hired a team of experts to assist us in evaluating PWD's request for rate increases.
- The Public Advocate participates in all phases of the Rate Case and zealously advocates on behalf of PWD's residential and small user customers.