

Philadelphia Water, Sewer and Storm Water Rate Board  
May 10, 2024 Monthly Meeting Notes  
by Zoom (Online and Telephone) Only  
Open for public participation via Zoom

Board Members Present

Irwin “Sonny” Popowsky, Chair  
Abby Pozefsky, Secretary  
Debra McCarty  
McCullough “Mac” Williams III

Others Present

Robert Ballenger  
Marcy Chestnut  
Andre Dasent  
Dan Cantú-Hertzler  
Carl Shultz  
Deland L. Bryant – Zoom Administrator

Mr. Popowsky called the meeting to order at 3:01 p.m.

1. Mr. Popowsky asked for any corrections or additions to the draft minutes from the April 10, 2024, meeting of the Water Rate Board. There being none, Ms. Pozefsky moved to approve the minutes. Ms. McCarty seconded the motion. The minutes were approved unanimously, 4-0.

2. Mr. Popowsky turned to the next item on the agenda, an update regarding the TAP-R Reconciliation Proceedings. Mr. Popowsky stated that the Board will vote on issues in that Proceeding at its next scheduled meeting, on June 12, 2024. Mr. Popowsky noted that a tentative meeting had been scheduled for June 19, 2024, to vote on the Board’s Rate Determination, but that Ms. McCarty had advised him that June 19 is Juneteenth, a City Holiday. Mr. Popowsky suggested that the Board should reschedule the meeting for June 26, 2024, and that Mr. Bryant should take the necessary steps to advertise the meeting and post it on the Board’s website. Mr. Popowsky asked for a Motion to approve this schedule change. Mr. Williams so moved, and Ms. Pozefsky seconded his motion, which was approved, 4-0. Mr. Popowsky requested that Mr. Bryant and Mr. Cantú-Hertzler schedule and provide notice of the June 26, 2024 meeting in the appropriate newspapers and on the Water Rate Board website.

3. Mr. Popowsky asked the Hearing Officer, Ms. Chestnut, for further update on the TAP-R proceeding. Ms. Chestnut suggested that, since the date of the Board meeting will be pushed back, extra time could be allotted for certain tasks to alleviate the compressed nature of the schedule. The Public and Technical Hearings are scheduled for Friday May 10, 2024, and possibly May 13, 2024, if needed. The Hearing Officer Report is due June 3, 2024, under the current schedule; Ms. Chestnut requested that this deadline be extended by a day or two. Ms. Chestnut confirmed the June 12, 2024 date for the Board’s deliberation.

The Hearing Officer noted that the proceedings are going according to schedule. To date 18 people have indicated they would like to participate in the Public Hearing, and an additional 25 have submitted written comments. The Hearing Officer thanked Mr. Bryant for compiling the information related to the public participants and comments. All testimony has been submitted and most discovery has been completed.

Mr. Popowsky stated that the Public Hearing will start at 10:00 AM on May 10, 2024, and if it is finished at a reasonable time, then the Technical Hearing will commence. If necessary, the Public and/or the Technical Hearings could be continued to Monday May 13, 2024.

Mr. Popowsky opened the meeting to Board members' comments or concerns regarding the proceedings. Ms. McCarty asked Mr. Bryant when he thought audio of the Zoom hearings would be posted. Mr. Bryant stated that the recordings of the Public and Technical Hearings should be posted to the Water Rate Board website approximately two days after being submitted to the website's administrators. Ms. Chestnut stated that both the Public and Technical Hearings are on the record with the court reporter. Mr. Cantú-Hertzler confirmed that there will be a transcript of the proceedings, with a 3-day turnaround requested. While the Zoom audio of the hearings will be posted, the transcript will serve as the official record. Video from the Zoom hearings will not be posted to the website.

4. Mr. Popowsky asked whether the Water Department or the Public Advocate (Community Legal Services), had any comments at this time. Mr. Dasent, for the Department, commented that the Department and the Public Advocate would both attempt to resolve any obstacles that may arise related to preparation for the hearings. Mr. Ballenger, for the Public Advocate, requested the Zoom hearings be in "presentation mode," to keep unwanted interruptions to a minimum. Mr. Popowsky asked Mr. Bryant to check the various settings and ensure this issue is addressed. Mr. Bryant confirmed that he will handle the matter.

5. Mr. Popowsky noted that Mr. Cantú-Hertzler had recently informed Board members of City of Philadelphia ethics training and acknowledgments. He encouraged Board members to reach out to Mr. Cantú-Hertzler with any questions.

6. Mr. Popowsky asked if there were any other matters to be brought before the Board. There were no comments from the Board members, participants, or other members of the public.

7. Mr. Popowsky asked for a motion to adjourn. Ms. Pozefsky moved and Ms. McCarty seconded the motion, which was approved 4-0. The meeting was adjourned at 3:30 PM.