

**BEFORE THE
PHILADELPHIA WATER, SEWER AND STORMWATER RATE BOARD**

In the Matter of the Philadelphia Water Department's Proposed Change in Water, Wastewater, and Stormwater Rates and Related Charges **Fiscal Years 2026 – 2027 Rates and Charges to Become Effective : September 1, 2025 and September 1, 2026**

**PUBLIC ADVOCATES DISCOVERY REQUESTS
&
REQUESTS FOR PRODUCTION OF DOCUMENTS**

PA-VIII-1. Please provide a detailed description of how, if at all, PWD coordinates its Lead Service Line Replacement initiatives with the City's Licensing and Inspection agency.

PA-VIII-2. Please provide the city-wide Lead Service Line Replacement plan that include a prioritization of areas for Lead Service Line Replacement. Separately provide a detailed explanation of what it means for an area to be "prioritized."

PA-VIII-3. On a quarterly basis for the most recently completed three Fiscal Years, and for the current Fiscal Year (year-to-date), please provide a list of the 50 PWD accounts (residential or otherwise) that have the highest dollar value of unpaid arrears. For each account, provide:

- a. The service address; and,
- b. The dollars of unpaid balance as of the date they were listed.

PA-VIII-4. Reference: 2024 TAP-R Settlement, para. 36: Please provide an illustrative copy of all written materials that "encourage" TAP participants to participate in the Low-Income Conservation Plan (LICAP).

PA-VIII-5. Reference: 2024 TAP-R Settlement, para. 36: Please provide a detailed description of all "incentives" for TAP participants to participate in LICAP. Separately indicate which of these incentives have been newly adopted and/or expanded since the Settlement of the 2024 TAP-R proceeding.

PA-VIII-6. Reference: 2024 TAP-R Settlement, para. 36: Please provide the LICAP budget for the time period prior to the settlement of the 2024 TAP-R proceeding and the LICAP budget subsequent to the TAP-R proceeding demonstrating that PWD is encouraging TAP participants to participate in LICAP through "greater. . .incentives to participate."

PA-VIII-7. Reference: 2024 TAP-R Settlement, para. 36: Please provide all written documents setting forth PWD's "strategies to reach high usage TAP participants in order to deploy available water conservation and leak repair assistance."

PA-VIII-8. Reference: 2024 TAP-R Settlement, para. 36: Please provide, by year:

- a. For each of the past three most recently completed Fiscal Years, the actual LICAP expenditures disaggregated by water conservation and leak repair assistance;
- b. For the current Fiscal Year (year-to-date), the budgeted and actual LICAP expenditures disaggregated by water conservation and leak repair assistance;
- c. For each of the upcoming three Fiscal Years, the budgeted LICAP expenditures disaggregated by water conservation and leak repair assistance.

PA-VIII-9. Reference: 2024 TAP-R Settlement, para. 36: Please provide a detailed definition of "high usage" for purposes of identifying "high usage TAP participants in order to reply available conservation and leak repair assistance." Provide a detailed explanation of the identification of this usage as the definition of "high usage."

PA-VIII-10. Reference: 2024 TAP-R Settlement, para. 36: Please provide by month, for each of the most recent 12 months, the number of "high usage" TAP participants for whom PWD has developed "strategies to reach. . . in order to deploy available water conservation and leak detection repair assistance."

PA-VIII-11. Reference: 2024 TAP-R Settlement, para. 36: Given that the 2024 TAP-R Settlement provided that "new TAP participants will be the focus of customer conservation efforts through programs *such as* the Low Income Conservation Assistance Program," please provide a detailed description of all water conservation programs other than LICAP participation in which new TAP participants will be the focus.

PA-VIII-12. Reference: 2024 TAP-R Settlement, para. 36: Please provide a detailed description of who constitutes a "new TAP participant" for purpose of the Settlement agreement that "new TAP participants will be the focus of customer conservation efforts through programs such as the Low-Income Conservation Assistance Program."

PA-VIII-13. Reference: 2024 TAP-R Settlement, para. 36: By year for each of the most recent three Fiscal Years and for each of the three upcoming three Fiscal Years, please identify in dollar amounts the "water conservation and leak repair assistance" that is "available" to be "deployed."

PA-VIII-14. Reference: 2024 TAP-R Settlement, para. 36: Separately provide a detailed description of how the “availability” of “water conservation and leak repair assistance” will be adjusted on a between-rate-case basis to reflect changing levels of “new TAP enrollment” in order to comply with the Settlement agreement that “new TAP participants will be the focus of customer conservation efforts through programs such as the Low Income Conservation Assistance Program (LICAP). . .”

PA-VIII-15. Reference: 2024 TAP-R Settlement, para. 36: Confirm or deny. Each dollar of reduction from a water bill for a TAP participant results in a dollar decrease in TAP credits to be charged to ratepayers. If your response is anything other than an unqualified “confirm,” please provide a detailed explanation of the basis for the response.

PA-VIII-16. Reference: 2024 TAP-R Settlement, para. 36: By month for each of the most recent 12 months, please provide:

- a. The number of TAP participants who received assistance through LICAP;
- b. The number of “new TAP participants” who received assistance through LICAP.

PA-VIII-17. Please provide for the most recent 12 months available, the AR Aging by Postal Zone Reports. Separately provide a detailed definition or description of the “postal zones” identified in the report.

PA-VIII-18. By month for the most recent twelve months available, please provide the following:

- a. The number of month-end Raise Your Hand customers;
- b. The number of nonpayment disconnect notices issued to customers who have since been identified as Raise Your Hand customers;
- c. The number of nonpayment disconnections to customers who have since been identified as Raise Your Hand customers;
- d. The number of reconnections after a disconnection to Raise Your Hand customers;
- e. The number of bills issued to Raise Your Hand customers;
- f. The number of payments received from (or on behalf of) Raise Your Hand customers;
- g. The dollars of bills for current service issued to Raise Your Hand customers;
- h. The dollars of payments received from (or on behalf of) Raise Your Hand customers;
- i. The number of Raise Your Hand customers charged a late payment charge;
- j. The dollars of late payment charges billed to Raise Your Hand customers.
- k. The total number of Raise Your Hand customers with arrears;
- l. The total dollars of arrears billed to Raise Your Hand customers.

- PA-VIII-19. Please provide the same information as requested in the immediately preceding data request, except for residential customers as a whole.
- PA-VIII-20. Please provide a detailed description of how the income of a minor child is treated for purposes of determining TAP income eligibility and monthly TAP bill amount.
- PA-VIII-21. In assessing the gross household income for purposes of determining TAP eligibility and monthly TAP bill amount, please provide a detailed explanation of how the income of minor children, if any, is identified and removed from gross household income.
- PA-VIII-22. Please provide all written:
- a. Standard operating procedures regarding how to determine gross household income for purposes of determining TAP eligibility.
 - b. Staff procedure manuals and/or staff training materials for how to determine gross household income for purposes of determining TAP eligibility.
- PA-VIII-23. Please provide, by month for each month July 2022 to present inclusive:
- a. The total amount of lien filing fees PWD has paid to perfect liens on all residential accounts;
 - b. The total amount of lien filing fees PWD has paid to perfect liens on all accounts that were TAP accounts at the time the lien was perfected;
- PA-VIII-24. By month for the months July 2022 to present inclusive, please provide in Excel format:
- a. The number of TAP participants with a pre-program arrearage balance which balance is subject to future forgiveness;
 - b. The number of TAP participants with a pre-program arrearage balance which balance is subject to future forgiveness and which balance had been made subject to a perfected lien;
 - c. The dollars of TAP pre-program arrearage balances which balances are subject to future forgiveness and which balances have been made subject to a perfected lien.
- PA-VIII-25. Please provide a detailed description of what occurs to a perfected lien for an unpaid PWD bill if a PWD customer enrolls in TAP with the customer's pre-program arrears subject to future forgiveness.
- PA-VIII-26. By year for the years Fiscal Year 2020, 2021, 2022 and 2023 (YTD), in Excel format, please provide:
- a. The number of perfected liens satisfied;
 - b. The number of perfected liens vacated;

- c. The dollars of perfected liens satisfied;
- d. The dollars of perfected liens vacated.

PA-VIII-27. By year for the years Fiscal Year 2020, 2021, 2022, and 2023 (YTD), in Excel format, please provide:

- a. The number of active TAP accounts for which a new lien was perfected while the customer was an active TAP participant;
- b. The number of active TAP accounts for which a new lien was perfected prior to the time the customer became an active TAP participant;
- c. The number of active TAP accounts whose perfected lien was satisfied while the customer was an active TAP participant;
- d. The number of active TAP accounts whose perfected lien was vacated while the customer was an active TAP participant;
- e. The dollars of TAP accounts for which a new lien was perfected while the customer was an active TAP participant;
- f. The dollars of TAP accounts whose perfected lien was satisfied while the customer was an active TAP participant;
- g. The dollars of TAP accounts whose perfected lien was vacated while the customer was an active TAP participant.

PA-VIII-28. Please provide by month since July 2022:

- a. The number of TAP customers whose arrears pre-existing as of the date they enrolled in TAP were sufficient to qualify them for imposition of a municipal lien according to PWD policy;
- b. The number of TAP customers identified immediately above for whom PWD perfected a lien for those preexisting arrears;
- c. For TAP customers identified in response to subparagraph “b” above, the number of liens perfected on the associated service addresses following enrollment in TAP;
- d. The aggregate dollars of unpaid bills underlying the liens identified in response to subparagraph “c” above;
- e. The number of TAP customers identified in response to subparagraph “b” above for whom the lien based on pre-existing arrears was later satisfied by payment of the underlying debt;
- f. The aggregate dollars of unpaid bills associated with the liens identified in response to subparagraph “c” above for which the lien was removed as having been paid in full subsequent to PWD filing the lien;
- g. Regarding the liens identified in response to subparagraph “c” above, the aggregate dollars of fees charged to customers with those pre-existing debts which fees reflected the cost of filing the lien;

- h. Regarding liens identified in response to subparagraph “c” above, the cost basis for any/all charges imposed on customer accounts associated with the perfection of the lien;
- i. The number of TAP customers for whom the liens identified in subparagraph “c” above was subsequently cancelled or otherwise removed for reasons other than the payment of the underlying debt.

PA-VIII-29. Please provide a detailed description of the policy of PWD (including WRB) on whether or not to perfect a lien on the unpaid water bills of a TAP participant as of:

- a. July 1, 2017;
- b. July 1, 2021;
- c. July 1, 2022;
- d. July 1, 2024.

PA-VIII-30. If there was a change in policy from one date to the next as identified above, please identify the date on which the policy was changed, identify the person or entity making final approval of the change in policy, and provide a detailed description of the basis for the change in policy.

PA-VIII-31. Please provide, on a monthly basis, in an active Excel spreadsheet with all formulae intact, current through the most recent month available, a list of all active TAP participants who, subsequent to July 1, 2022, had a lien filed in that month for an unpaid water bill, identifying the following data for each customer:

- a. The total number of liens, along with the date on which they were filed, for unpaid water bills;
- b. For each separate lien, the amount of unpaid water bill made subject to the lien;
- c. For each separate lien, the amount of the lien filing fee charged to PWD;
- d. For each separate lien, the amount of the lien filing fee billed to the TAP participant;
- e. Whether each separate lien was for a pre-existing arrearage (i.e., arrears existing at the time the customer became a TAP participant) and if so, how much;
- f. Whether the lien was subsequently removed or otherwise cancelled because of a payment-in-full of the lien amount;
- g. The dollar amount of the lien that was removed or otherwise cancelled due to a payment-in-full of the lien amount;
- h. Whether the lien was subsequently removed or otherwise cancelled for reasons other than full payment of the lien amount;
- i. The dollar amount of the lien that was removed or otherwise cancelled for reasons other than full payment of the lien amount;

- j. Whether the customer is an active TAP participant as of the most current month available;
- k. Whether the customer was disconnected for nonpayment subsequent to the date on which a lien was placed.

PA-VIII-32. For charges imposed on TAP participants reflecting the cost of filing a lien for unpaid arrears pre-existing as of the date they applied for TAP, please explain whether those charges:

- a. Are added to the arrearage balance subject to arrearage forgiveness;
- b. Are added to the bill for current service over and above the bill for current service;
- c. Are treated in some other fashion (please provide a detailed explanation of that treatment).

PA-VIII-33. For lien filing fees billed to PWD on or after July 1, 2022, provide:

- a. The per lien filing fee billed to PWD;
- b. The total dollar amount of lien filing fees billed to PWD;
- c. The total dollar amount of lien filing fees billed to TAP participants;
- d. The total dollar amount of lien filing fees billed to TAP participants that were included in TAP credits;
- e. The total dollar amount of lien filing fees billed to TAP participants that were recovered through the TAP-R rider.

PA-VIII-34. Please provide a detailed description of the statutory interest charged, if at all, on dollars of unpaid bills pre-existing as of the date a TAP participant applied for TAP subject to a lien.

PA-VIII-35. For the dollars of statutory interest charged, if at all, on dollars of unpaid bills pre-existing as of the date a TAP participant applied for TAP, please explain whether those charges:

- a. Are added to the arrearage balance subject to forgiveness;
- b. Are added to the bill for current service over and above the bill for current service;
- c. Are treated in some other fashion (please provide a detailed explanation of that treatment).

PA-VIII-36. Please provide a detailed description of the extent to which charges associated with a PWD lien for unpaid arrears pre-existing as of the date the TAP participant applied for TAP, would be recovered through PWD's TAP-R rider:

- a. If the charges are comprised of the cost of filing the lien;

- b. If the charges are comprised of statutory interest charged on the arrears subject to the lien.

PA-VIII-37. Please provide a detailed description of any current policy of PWD on whether or not to perfect a lien on the unpaid bills of a TAP participant for arrears pre-existing at the time of TAP enrollment.

PA-VIII-38. Please provide a detailed explanation of:

- a. Whether PWD accepts payments to retire liens that have been placed based on arrears that have been identified as being pre-program arrears for TAP participants but that have not yet been forgiven.
- b. If such payments are received, provide an additional detailed explanation of how those payments are treated once forgiveness has been earned. For example, are those payments refunded, or are the arrears subject to forgiveness reduced by the amount of the payment, or are those revenues treated in some other fashion?

PA-VIII-39. Please provided a detailed explanation of:

- a. Whether PWD perfects a lien for unpaid arrears of active TAP participants when those arrears are subject to potential future forgiveness;
- b. If PWD does perfect a lien for unpaid arrears of active TAP participants when those arrears are subject to forgiveness, the treatment of those liens when and to the extent that arrearage forgiveness of the arrears subject to the lien is earned.

PA-VIII-40. By month for each month July 2022 to present, please provide:

- a. The number of residential accounts that were charged both a statutory interest charge on a lien for an outstanding arrears and a late fee pursuant to PWD tariff;
- b. The aggregated dollars charged to residential accounts that were charged both an interest charge on a lien for an outstanding arrears and a late fee pursuant to PWD tariff.

PA-VIII-41. In the June 21, 2023 “Rate Determination” for PWD, the Philadelphia Water, Sewer and Stormwater Rate Board determined: “We recognize that the perfection of water and sewer liens ensures that legitimate debts are paid to the Water Fund when property ownership is transferred. We have no authority over the City’s determination of whether liening is appropriate and are mandated to set rates funding such fees (to the First Judicial District) if they are legitimately incurred. We encourage the Department, however, to consult with the Law Department to determine the extent to which liening TAP or TAP-eligible accounts is lawful and, even if so, whether it would be more cost-effective not to lien certain categories of delinquencies. Such discussions may also

consider the extent to which lien blockers would be appropriate. We ask the Department to report to the Board on such discussions.” Please provide:

- a. All written documents indicating the Department consulted with the Law Department to determine the extent to which liening TAP or TAP-eligible accounts is lawful;
- b. All written documents evidencing the Department’s consideration of “whether it would be more cost-effective not to lien certain categories of delinquencies”;
- c. All written documents assessing “whether it would be more cost-effective not to lien certain categories of delinquencies”; and
- d. All “reports” to the Board on Departmental consultations with the Law Department regarding the extent to which liening TAP or TAP-eligible accounts is lawful;
- e. All “reports” to the Board on Departmental consideration of whether it “would be more cost effective not to lien certain categories of delinquencies; and
- f. All “reports” to the Board on Departmental consideration of the “extent to which lien blockers would be appropriate.”

PA-VIII-42. Please identify by page, schedule, column, and line number, the place in the PWD Cost of Service Study (COSS) where TAP surcharge revenues collected from non-TAP customers are included.

PA-VIII-43. Please identify by page, schedule, column, and line number, the place in the PWD COSS where the collectability of TAP surcharge revenues collected from non-TAP customers is considered for purposes of assessing the revenue shortfall upon which the rates in this proceeding are based.

PA-VIII-44. Please identify by page, schedule, column, and line number, the place in the PWD COSS where the \$4,927,000 revenue adjustment approved by the Rate Board in its June 21, 2023 Rate Determination was carried forward and included in the filing for this proceeding.

PA-VIII-45. Confirm or deny. The TAP surcharge revenues collected from non-TAP customers is not included in PWD’s COSS presented in this proceeding. If anything other than an unqualified “confirmed,” please identify the exact dollar amount of TAP surcharge revenues included in the COSS, and identify the exact location in the COSS where that dollar amount is included in the COSS.

PA-VIII-46. Please provide Schedule RFC-4 in an active Excel format with all formulae intact.

PA-VIII-47. Please provide Schedule RDC-7 in an active Excel format with all formulae intact.

PA-VIII-48. Please provide Schedule RFC-12 in an active Excel format with all formulae intact.

PA-VIII-49. Please provide Schedule RFC-13 in an active Excel format with all formulae intact.

PA-VIII-50. In an active Excel spreadsheet, by year for each year Fiscal Year 2017 to Fiscal Year 2022: please provide a restatement of RFC-7 (non-stormwater only) for:

- a. Residential customers not on a Customer Assistance Program;
- b. TAP-only customers;
- c. Low-income customers who are not TAP participants;
- d. Senior citizen discount recipients.
- e. All other Customer Assistance Program recipients,

PA-VIII-51. By year for each fiscal year for which TAP-R revenue has been collected since FY2021 (as well as the current Fiscal Year to date), please provide the collection factor applied to TAP-R billings.

PA-VIII-52. By year for each fiscal year for which TAP-R revenue has been collected since FY2021, as well as the current Fiscal Year to date, please provide for TAP-R billings:

- a. The dollars of billing of TAP-R revenue;
- b. The dollars of receipts of TAP-R revenue.

PA-VIII-53. By year for each fiscal year for which TAP-R revenue was collected, please provide, for TAP-R billings, what the TAP-R receipts would have been had the collectability factor for TAP-R billings been:

- a. 100%;
- b. 96%;
- c. 95%
- d. 90%
- e. 88%
- f. 82%