

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

In the Matter of the Philadelphia Water Department's Proposed Change in Water, Wastewater and Stormwater Rates and Charges	Fiscal Years 2026-2027
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**PHILADELPHIA WATER DEPARTMENT OBJECTIONS TO THE
INFORMATION REQUESTS PROPOUNDED BY LANCE HAVER (SET I)**

The Philadelphia Water Department (“Department” or “PWD”) objects to Interrogatories and Requests for Production of Documents of Lance Haver, Set I (collectively “Haver Set I Information Requests” or “LH Set I”) which were submitted via email on March 21, 2025. The Department requests that the Philadelphia Water, Sewer and Storm Water Rate Board (“Rate Board”), by its Hearing Officer, sustain these Objections and strike or limit the subject discovery requests.

Clarifications

The Department will discuss LH Set I Information Requests and these objections with Mr. Haver. Notwithstanding and without waiver of the Department’s objections to LH Set I Information Requests, the Department will endeavor to further respond to the LH Set I on or about Monday, March 31, 2025.

Objections

The Department’s objections to the LH Set I Information Requests are grouped together in an effort to minimize the repetition of objections.

PWD Vendors

LH-I-5 Please provide a list of all PWD vendors with employees living in Philadelphia; the amount of money spent with each of those vendors and the percentage of all expenditures spent on those Philadelphia vendors.

OBJECTIONS AND RESPONSE:

The Department objects to LH-I-5 as it unduly burdensome and irrelevant to the proceeding. The Department has literally hundreds of vendors. Confirming the locations of all vendor offices (where employees assigned to PWD projects are housed) and then undertaking a head count of vendor employees in Philadelphia would take an inordinate amount of time and to no constructive end.

The Department also objects to LH-I-5 because it is vague and ambiguous. Mr. Haver will have to clarify what he means by “percentage of all expenditures spent on those Philadelphia vendors.” This is unclear.

PWD further objects to this request because no time period is specified in the request — compounding the burden of responding in the limited period allotted for discovery (unlimited time specified). In addition, the requested information is not pertinent to the prospective rates and charges for the Rate Period (Fiscal Year 2026 and Fiscal Year 2027). The Board has limited jurisdiction. The requested information will not assist the Rate Board in determining the prospective rates and charges for the Rate Period.

Notwithstanding the above objections and without waiver thereof, the Department responds to these discovery requests as follows:

The Department does not maintain a separate list of the requested data.

Rate Board Invoices and Payment

LH-I-9 Please explain who at PWD reviews the invoices or requests for payments made by the Water Rate Board.

LH-I-10 Please explain who at PWD evaluates the requests and how she/he decides which request should be paid and which should be rejected.

OBJECTIONS:

The Department objects to LH-I-9 and LH-I-10 on the grounds that the discovery sought will cause unreasonable burden and expense to the Department. The information requests are also unrelated to the Department's request for rate relief. The subject of the above requests (i.e., who at PWD reviews/pays invoices for Rate Board services and the bases for the decision to render payment) is not pertinent to the rate application and will not lead to the production of admissible evidence.

PWD further objects to LH-I-9 and LH-I-10 because such information requests are seeking information and documents over an undefined period of time. These information requests are particularly burdensome given the short period allotted to compile discovery responses in this proceeding.

PWD Contracts for Services

LH-I-10a Please list all the outside legal counsels PWD contracts with, by name and for how many years PWD has contracted with those lawyers.

LH-I-11 Please explain who at PWD decides which lawyers to contract with and what criteria she/he uses to decide which lawyers.

LH-I-12 Please list all lawyers PWD is using who have represented clients opposing rate increases.

LH-I-13 Please list the amounts paid to each law firm and/or lawyer for legal fees budgeted for this rate increases; and the amount spent in the last rate case.

LH-I-14 Please list the name of and the amount of the contributions given to federal and/or state and/or political action committees given by any of the lawyers, law firms or consultants.

LH-I-20 Please provide a list of all rate cases PWD consultants participated in where the consultant recommended against a rate increase, the case and the year in which the consultant found ways to make a rate increase unneeded and unwarranted.

OBJECTIONS AND RESPONSE:

The Department objects to LH-I-10a through LH-I-14 and LH-I-20 on the grounds that the discovery requests are unrelated to the application for rate relief and will cause unreasonable burden and expense to the Department. These discovery requests are seeking information and documents that are neither relevant nor material to the 2025 rate case and will not lead to the production of admissible evidence.

A list of contracts with multiple law firms that provide services to the Department, how long such firms have been engaged and how much each firm has been paid over an unspecified period is not relevant and not material to the PWD proposed changes in rates and charges as set forth in the rate filing.

PWD further objects to LH-I-10a through LH-I-14 and LH-I-20 because no timeframe is stated for these requests. As such, these requests are undefined and impossible to answer in the limited time allotted for discovery.

The subject of the above discovery requests (with regard to PWD's legal representatives, how they are engaged, what positions they may have taken in prior cases, and who they may support politically) is not pertinent to the instant rate application. Discovery requests are appropriately addressed to the Department's filing (e.g., projected revenues, revenue requirements, cost allocation, rate design).

Notwithstanding the above objections and without waiver thereof, the Department responds to these discovery requests as follows:

The Department does not maintain a separate list of the requested data.

Information regarding procurement by the Department is available at:

<https://www.phila.gov/departments/procurement-department/>

Please refer to the following website for available retrospective reports regarding awarded contracts: <https://philawx.phila.gov/ECONTRACT/default.aspx>

Please refer to the following website for available retrospective reports regarding political contributions made by vendors doing business with the City:
<https://philawx.phila.gov/ECONTRACT/default.aspx>

Please also refer to the following reports from the City's use of minority-, women-, and disabled-owned businesses participating on contracts (including the Water Department's contracts):
<https://www.phila.gov/documents/office-of-economic-opportunity-annual-reports/>

Lawyers and law firms are engaged by the City's Law Department, not PWD.

WHEREFORE, the Department formally (i) objects to the discovery requests identified above; (ii) requests that its Objections be sustained; and (iii) requests that it be relieved of the requirement of any further response to same except as described above.

Respectfully submitted,

/s/ Andre C. Dasent

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