

Philadelphia Water, Sewer and Storm Water Rate Board
May Monthly Meeting Notes
5/10/2023, by Zoom (Online and Telephone) Only
Open for public participation via Zoom

Board Members Present

Irwin “Sonny” Popowsky, Chair
Tony Ewing, Vice Chair
McCullough “Mac” Williams III
Debra McCarty

Non-Board Members Present

Marcy Chestnut
Robert Ballenger
Andre Dasent
Daniel W. Cantú-Hertzler
Daniela Rakhlina-Powsner
Adriana Gonzalez
Edward Markus
Steven Liang

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

1. Mr. Popowsky introduced the draft minutes from the March 8, 2023, monthly meeting in Ms. Pozefsky’s absence. There were no corrections or additions to the minutes. Mr. Ewing moved to approve the minutes. Ms. McCarty seconded the motion. The minutes were approved 4-0.

2. Ms. Chestnut gave an update on the status of the 2023 General Rate Proceeding and TAP-R Reconciliation Proceeding. On May 8, 2023, she had submitted her Hearing Officer Report in the TAP-R Proceeding, recommending that the Board adopt the proposed rates resulting from the settlement agreement between the Public Advocate and the Water Department. The next step was for Participants to file exceptions to the report, which were due May 16, 2023.

In the General Rate Proceeding, Ms. Chestnut reported that both the Public and Technical Hearings had been concluded and participants’ briefs were due on May 16th. The Hearing Officer Report was due to be released on June 6th, though Ms. Chestnut stated she intended to release it earlier. Exceptions to the Report were due June 9th. The Board would consider the Reports and Exceptions at its June 14 meeting, and vote on final Rate Determinations at a special meeting on June 21.

Mr. Popowsky asked Mr. Liang to publish notice of such a special meeting for June 21st at 3:00 p.m..

Mr. Williams asked for an explanation of the Rate Determination process. Mr. Popowsky explained that the Hearing Officer Report, along with Participant Exceptions, will be distributed to the Board. The information in those documents would be used for the development of polling sheets, which will identify the Hearing Officer’s recommendations and any exceptions to those

recommendations. At its meeting on June 14, 2023, the Board will discuss each issue raised and then have a preliminary vote to adopt, reject, or modify each recommendation. After the preliminary votes a final rate determination will be drafted and voted on for each of the two rate proceedings at the June 21st Special Meeting. The Board's determinations will then be filed with the Department of Records and disseminated to the public. The Rate Board's determinations may be subject to appeal to the Philadelphia Court of Common Pleas.

Mr. Ballenger and Mr. Dasent noted that they were attempting to negotiate stipulations that might reasonably reduce the number of issues for the Board to vote on.

3. Mr. Popowsky opened the meeting to members of the Public. There were no public comments.

Mr. Cantú-Hertzler and Mr. Popowsky thanked Mr. Liang for his service to the Board even in the midst of law school exams.

Mr. Popowsky asked if there were any other matters to be brought before the Board. Hearing none, the meeting was adjourned at 3:30 p.m.