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September 10, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: PA PUC v. Pittsburgh Water and Sewer Authority
Docket Nos. R-2018-3002645 and R-2018-3002647

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Pittsburgh Water and Sewer Authority's ("PWSA") Objections to the Pittsburgh United's Interrogatories, Set VIII, Questions 1 - 38, with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

pp: 

Daniel Clearfield

DC/jls
Enclosure

cc: Certificate of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of PWSA's Objections to Interrogatories of Pittsburgh United Set VIII, Questions 1 through 38 upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

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Daniel Clearfield, Esq.

Dated: September 10, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	
v.	:	Docket No. R-2018-3002645, <i>et al.</i>
	:	
Pittsburgh Water and Sewer Authority - Water	:	
	:	
Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	
v.	:	Docket No. R-2018-3002647, <i>et al.</i>
	:	
Pittsburgh Water and Sewer Authority -	:	
Wastewater	:	

**PITTSBURGH WATER AND SEWER AUTHORITY’S OBJECTIONS
TO PITTSBURGH UNITED’S INTERROGATORIES, SET VIII**

The Pittsburgh Water and Sewer Authority (“PWSA”) hereby objects to Pittsburgh United’s (United) Interrogatories Set VIII, Questions 1 through 38 served on September 4, 2018. (PWSA communicated to Pittsburgh United its intention to object on September 7, 2018 consistent with the July 20, 2018 Prehearing Order). Without waiver of these objections, PWSA will attempt to respond to these questions to the extent that the question is not overly broad and/or burdensome.

INTERROGATORIES

United’s Interrogatories, set forth as Attachment “A” hereto, request extensive and detailed information concerning PWSA’s procedures for identifying and replacing lead service lines and related facilities. In 2016, PWSA launched a lead line replacement program through its construction budget allocation and is in the process of implementing the “second year” of the 7% remaining lead service lines. More recently, PWSA has agreed to undertake a Private Lead Line Replacement Community Environmental Project (“CEP”) pursuant to a November 2017 Consent

Order and Agreement Between PWSA and the Pennsylvania Department of Environmental Protection (“DEP”). This program is not yet underway and will be administered by a third party, Dollar Energy Fund, Inc.

OBJECTIONS:

PWSA objects to United Set VIII Questions 1 through 38 on the following grounds:

(a) United Set VIII Questions 1 through 38 are beyond the scope of this proceeding and irrelevant. 52 Pa. Code § 5.321(c).

United Set VIII Questions 1 through 38 ask extremely detailed questions that all relate to PWSA’s present and future plans to identify and replace lead service line and associated equipment. A detailed inquiry of this nature is well beyond the scope of this Tariff proceeding, the purpose of which is to set the rate levels for PWSA and to approve its initial Tariff. In its Final Implementation Order (“FIO”), the PUC directed that PWSA’s Compliance Plan shall include “a plan to address lead levels in the water supply and the replacement of lead service lines... .” FIO, pg. 45, Ordering Paragraph 6. The PUC’s FIO also stated that

While the Commission will provide stakeholders with flexibility to coordinate issues between the tariff filings and compliance plans, the Commission nevertheless expects stakeholders to address and develop issues related to public health and safety in detail in the compliance plans. Namely, while PWSA may address the issue in its water tariff filing, the Commission directs PWSA to develop and propose a comprehensive plan to address lead levels in its

water supply and the replacement of lead service lines as a part of its water operations and infrastructure comprehensive plan.¹

As such these detailed questions about PWSA's lead service line replacement program are neither relevant to the subject matter of this proceeding (the reasonableness of PWSA's rate increase and the reasonableness of its initial Tariff) and are not reasonably calculated to lead to the discovery of admissible evidence. Importantly, PWSA did not object to, and provided responses to United Set IV Questions 26-27, which requested information about the budgeted amounts for lead service line replacement that are contained in PWSA's Future Test Year ("FTY") and Fully Projected Future Test Year ("FPFTY"). It is obvious that United's Questions 1 through 38 in Set VIII do not deal in any way with the FTY or FPFTY expenditures but instead are designed to "audit" the PWSA efforts (which, importantly, have already been fully reviewed and directed by another agency – DEP).

(b) United Set Questions 1 through 38 are unreasonably burdensome and would require an expensive special investigation. 52 Pa. Code § 5.361(a)(2), (4).

A review of the questions shows that many demand detailed and extensive data about PWSA's lead service line efforts. Moreover, several of these questions would require an extremely time consuming and difficult effort to produce in the form demanded by United. PWSA's initial estimate is that it would take several weeks, and scores of hours to locate the

¹ FIO at 32 (emphasis added).

information demanded and to produce it in the form demanded for several of the questions.

Notwithstanding these objections, and without waiver thereof, in an effort to be cooperative PWSA will attempt to answer all of the questions in Set VIII, to the extent that they can reasonably be responded to. Moreover, this cooperative production is without waiver of its position that the review of PWSA's lead service line program has been directed by the PUC to occur in its Compliance Plan proceeding.

Respectfully submitted,

pp: 

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Dated: September 10, 2018

Counsel for
The Pittsburgh Water and Sewer Authority

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

- UNITED VIII-1.** Please provide the Microsoft Excel spreadsheets and Access databases underlying the model used to estimate the number of lead service lines in PWSA's system. (See UNITED-II-1 Att. BB, Att. A, at 8.)
- UNITED VIII-2.** When will PWSA complete its historical record digitization and transcription for private-side service lines? (See UNITED II-1 Att. BB, Att. A, at 7.)
- UNITED VIII-3.** Is there a difference between "digitizing" and "examin[ing]" historical records of service lines? (See UNITED II-1 Att. BB, Att. A, at 7; UNITED II-13.) If so, please describe what it means for PWSA to "examine[]" a historical record, and how many historical records remain to be examined. (See UNITED II-13.)
- UNITED VIII-4.** Of the 48,890 historical records examined by PWSA (see UNITED II-13), please provide both the number of public-side service lines and the number of private-side service lines identified as:
- a. Lead;
 - b. Galvanized steel or iron;
 - c. Copper;
 - d. Any other material; and
 - e. Unknown material or inconclusive result.
- UNITED VIII-5.** If PWSA reviews a historical record for a service line and that record lists expected service line material, does PWSA notify the relevant customer using that service line? If so, how is the customer notified? Please explain the notification process, if different, for lead, copper, and galvanized steel or iron service lines.
- UNITED VIII-6.** Do the procedures identified in response to UNITED II-15 apply equally to public- and private-side service lines? If not, please describe the procedures or protocols PWSA follows if its review of historical records indicates that a private-side service line is expected to be made of:
- a. Lead;
 - b. Galvanized steel or iron;
 - c. Copper; or
 - d. Unknown material.
- UNITED VIII-7.** Is the historical record for a service line examined before a curb box inspection on that line is conducted? If not, explain why not.

- UNITED VIII-8.** Other than the process described at UNITED II-15, please describe whether there are any other circumstances under which PWSA will select a service line for curb box inspection.
- UNITED VIII-9.** How many curb box inspections have been conducted on service lines for which the historical record is unavailable or indicates an unknown service line material? (See UNITED II-15.)
- UNITED VIII-10.** Of the curb box inspections identified in UNITED VIII-9, please provide the number of public- and private-side service lines identified by those inspections as:
- a. Lead;
 - b. Galvanized steel or iron;
 - c. Copper;
 - d. Any other material; and
 - e. Unknown material or inconclusive result.
- UNITED VIII-11.** Does PWSA update its estimate of the number of lead service lines in its system based on the results of curb box inspections conducted? If so, how?
- UNITED VIII-12.** Does PWSA update its estimate of the number of lead service lines in its system as it continues to digitize and examine historical records? If so, how?
- UNITED VIII-13.** Does PWSA update its estimate of the number of lead service lines in its system based on the results of excavations conducted? If so, how?
- UNITED VIII-14.** Does PWSA have any documents or analysis on whether the age of water infrastructure (e.g. fire hydrants, water mains, water meters) in a given area predicts the presence or absence of lead service lines in that area? If so, please provide all documents.
- UNITED VIII-15.** When selecting a curb box inspection work location, how does PWSA weigh or consider the factors listed in response to UNITED II-19? Please provide any additional criteria or protocols that guide the selection process.
- UNITED VIII-16.** For a curb box inspection work order issued to a contractor, who chooses which curb boxes are inspected? (See UNITED II-19.) How are they chosen?
- UNITED VIII-17.** Please explain why PWSA does not perform curb box inspections on residential properties of more than 4 units (see UNITED II-19), and provide any documents supporting that decision.

- UNITED VIII-18.** Please explain why the average cost of a curb box inspection conducted by Michael Baker International is almost \$100 more than the average cost of an inspection conducted by Cardno. (See UNITED II-21(f).)
- UNITED VIII-19.** PWSA stated that 11,538 curb box inspections have been completed since June 30, 2016 (see UNITED II-16 Att. A (11,293 inspections completed by contractors); UNITED II-21(a) (245 inspections completed by PWSA work crews). But the response provided to UNITED II-22 contains information for 6,679 inspections. Please provide the information requested at UNITED II-22 for the remaining 4,859 inspections.
- UNITED VIII-20.** On average, how long does it take from when a curb box inspection is completed for the customer to be notified of the inspection results? (See UNITED II-1 Att. TT; UNITED II-21(h) Att. C.)
- UNITED VIII-21.** Please provide any documents relating to whether wipe joints reliably indicate the presence of a lead service line. (See UNITED II-1 Att. X at 3.)
- UNITED VIII-22.** What resources are available to customers with service lines that are composed of lead on the private side only to have those lines replaced at no cost?
- UNITED VIII-23.** Does PWSA replace lines that are composed of lead on the private side only at no cost to customers as part of its 2018 Lead Service Line Replacement Program (see UNITED II-1 Att. BBB)? If not, why?
- UNITED VIII-24.** Did PWSA consider including service lines that are composed of lead on the private-side only in its 2018 Lead Service Line Replacement Program? If so, please provide all documents relating to this decision.
- UNITED VIII-25.** If a curb box inspection yields a result of “unknown” or “not accessible” on either the private or public side of the service line, does PWSA excavate the service line to identify service line composition? If not, what does PWSA do? Please describe any further action taken by PWSA for both the private and public sides of the service line. (See UNITED II-1 Att. TT, at 4; UNITED II-1 Att. Z at 12.)
- UNITED VIII-26.** If a curb box inspection yields a result of “non-lead” on either the private or public side of the service line, does PWSA excavate the service line to identify the service line composition? If not, what does PWSA do? Please describe any further action taken by PWSA for both the private and public sides of the service line. (See UNITED II-1 Att. BB, Att. A, 14; UNITED II-1 Att. X, at 3.)
- UNITED VIII-27.** Because curb box inspections “should not be used to positively identify non-lead service lines” (UNITED II-17), please describe any other

procedures or protocols PWSA follows, other than conducting excavations, if a curb box inspection reveals:

- a. Galvanized steel or iron on either the public or private side of the service line;
- b. Copper on either the public or private side of the service line;
- c. Any other non-lead material on either the public or private side of the service line; or
- d. Unknown material on either the public or private side of the service line.

UNITED VIII-28. Are excavations performed prior to lead service line replacements only, or are they also performed prior to repairs? (See UNITED II 34(c), 34(e).)

UNITED VIII-29. Please describe any other circumstances under which PWSA will schedule a service line for excavation not discussed in response to UNITED VIII-25 through UNITED VIII-28.

UNITED VIII-30. Does PWSA provide surface restoration following an excavation performed to verify service line composition? (See UNITED II-1 Att. II, at 11.)

UNITED VIII-31. For the 2,414 excavations completed as of August 15, 2018 (see UNITED II-34(a)), please provide the number performed on service lines where the curb-box inspection:

- a. Indicated the service line was lead;
- b. Indicated the service line was non-lead; and
- c. Was inconclusive as to the service line material.

UNITED VIII-32. For each of the bids submitted for the 2018 Lead Service Line Replacement Contract, how many public- and private-side lead service line replacements were contractors estimating they could complete for the prices they quoted? (See UNITED II-1 Att. K.)

UNITED VIII-33. Other than the informational packet mailed to customers and the door hanger placed after lead service line replacement, does PWSA take steps to encourage customers to complete water sampling following lead service line replacement? (See UNITED II-1 Att. AA, Att. 2; UNITED II-50 Att. A; UNITED II-51 Att. A-F.)

UNITED VIII-34. Does PWSA track customers' reasons refusing to authorize PWSA to replace their private-side lead service line free of charge? If so, please provide any information PWSA has collected about those reasons. (See UNITED II-1 Att. AA at 5.)

UNITED VIII-35. Will PWSA allocate \$50,047,603.83 for its 2019 Lead Service Line Replacement Program even if PWSA does not receive PennVEST

funding? (UNITED II-70; UNITED II-60 Revised Supplemental Response.)

- UNITED VIII-36.** If a residence has a private-side lead service line and a public-side non-lead service line, is the customer that owns that residence eligible to have the private-side lead service line replaced through the Community Environmental Project? (See UNITED II-1 Att. CCC.)
- UNITED VIII-37.** Why did PWSA choose a lead concentration of 100 parts per billion in post-replacement sampling as the threshold for assisting customers with flushing and providing bottled water? (UNITED II-1 Att. W, at 5.) Please provide any documents related to this decision.
- UNITED VIII-38.** If a customer does not explicitly refuse to allow PWSA to replace the customer's private-side lead service line but instead simply does not respond to PWSA's efforts to obtain the customer's consent, does PWSA proceed with a partial replacement of the public-side service line? (See UNITED II-1 Att. AA at 5.)