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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 IX, Questions 1 – 15, 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 IX, Questions 1 through 15 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 IX**

The Pittsburgh Water and Sewer Authority (“PWSA”) hereby objects to Pittsburgh United’s (United) Interrogatories Set IX, Questions 1 through 15 served on September 7, 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 program of corrosion control as well as to identify and replace 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. As part of its efforts to respond to lead levels, PWSA has also proposed an orthophosphate corrosion control plan, which is pending PA Department of Environmental Protection approval.

OBJECTIONS:

PWSA objects to United Set IX Questions 1 through 15 on the following grounds:

(a) United Set IX Questions 1 through 15 are beyond the scope of this proceeding and irrelevant. 52 Pa. Code § 5.321(c).

United Set IX Questions 1 through 15 ask extremely detailed questions that all relate to PWSA’s present and future plans to remove and replace lead service line and associated equipment and to control corrosion in its system, which is viewed as being a significant cause of unacceptably high lead levels in drinking water. 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.<sup>1</sup>

As such these detailed questions about PWSA's lead service line replacement program and its corrosion control program (directly related to the lead level issue) 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-1 and 26-27, which requested information about the budgeted amounts for lead service line replacement and corrosion control 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 15 in Set IX 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 15 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 and corrosion control 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 information demanded and to produce it in the form demanded for several of

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<sup>1</sup> FIO at 32 (emphasis added).

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 IX, 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: [Signature]*  
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Dated: September 10, 2018

Counsel for  
The Pittsburgh Water and Sewer Authority

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

- UNITED IX-1.** For the itemized budget provided in response to UNITED II-70, please describe the expenses that fall within the category of “urgent” in the line item “Urgent/CEP.”
- UNITED IX-2.** What steps does PWSA take to provide a filter to a customer who receives a partial lead service line replacement after the customer expressly refuses to allow PWSA to replace the customer’s private-side lead service line? (See UNITED II-54; UNITED II-1 Att. AA, at 5.)
- UNITED IX-3.** What steps does PWSA take to provide a filter to a customer who receives a partial lead service line replacement after the customer does not respond to PWSA’s attempts to obtain the customer’s consent to replace the customer’s private-side lead service line? (See UNITED II-54; UNITED II-1 Att. AA, at 5.)
- UNITED IX-4.** Please explain how the Engineer’s Estimate for the 2018 Lead Service Line Replacement Program Contract was calculated, and provide any documents relied on in creating that estimate. (UNITED II-1 Att. K.)
- UNITED IX-5.** Why does PWSA allow contractors to use crosslinked polyethylene (PEX) pipes to replace public-side lead service lines? (UNITED II-1 Att. YY, Technical Specifications, § 02515-7.) Please provide any documents relied on in reaching this decision.
- UNITED IX-6.** Why does PWSA prohibit contractors from using PEX pipes to replace private-side lead service lines? (UNITED II-1 Att. YY, Technical Specifications, § 02515-15.) Please provide any documents relied on in reaching this decision.
- UNITED IX-7.** How many customers who initially received partial lead service line replacements subsequently had their private-side lead service lines replaced at no charge? (UNITED II-1-69 Att. BBB, at 1.)
- UNITED IX-8.** Has PWSA estimated the number of customers who have a service line composed of lead on the private side and a non-lead material on the public side? If so, what is PWSA’s estimate?
- UNITED IX-9.** PWSA expects its “first [interim orthophosphate corrosion control] facility” to begin operating three months after PWSA receives a construction permit from DEP. (UNITED IV-3.) What is this “first facility”? When does PWSA expect the remaining two orthophosphate corrosion control facilities to begin operating? (See UNITED IV-4 Att. B, Engineer’s Report, § 2.3.)



- UNITED IX-10.** Please describe PWSA’s plans for constructing “a larger scale” orthophosphate corrosion control treatment system and explain why this larger system is needed. (UNITED IV-4 Att. B, at 58.)
- UNITED IX-11.** Please provide the results of PWSA’s lead and copper monitoring conducted between January 1, 2018 and June 30, 2018, as requested by UNITED IV-31. Please include the total number of sites tested, the location of each site, and the monitoring result for each site.
- UNITED IX-12.** How many customers does PWSA expect to seek reimbursement for the cost of replacing private-side lead service lines between July 1, 2016 and December 31, 2018? Is there a maximum number of customers who can receive reimbursement through this program? (See UNITED II-1 Att. BBB, at 2; UNITED II-70.)
- UNITED IX-13.** How many times has a curb-box inspection revealed that a public- or private-side service line was made of lead when the historical records for that service line indicated that all or part of it was made of a non-lead material? (See UNITED II-1 Att. BB, Table 3, at 16.)
- UNITED IX-14.** How many times has an excavation revealed that a public- or private-side service line was made of lead when the historical records for that service line indicated that all or part of the service line was made of a non-lead material? (See UNITED II-1 Att. BB, Tables 4, 5, & 6, at 16.)
- UNITED IX-15.** Please explain the bases for the assumptions stated in UNITED IV-41 Att. A regarding:
- a. The percentage of multi-tenant residences;
  - b. The percentage of post-construction samples exceeding the lead action level; and
  - c. The percentage of post-construction sample kits returned by customers for testing.