



COMMONWEALTH OF PENNSYLVANIA

October 18, 2018

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Implementation of Chapter 32 of the Public Utility Code Re Pittsburgh Water And Sewer Authority / Docket Nos. M-2018-2640802, M-2018-2640803

Dear Secretary Chiavetta:

Enclosed please find the Answer, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceedings.

Copies will be served on all known parties in these proceedings, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Implementation of Chapter 32 of the Public : Docket No. M-2018-2640802
Utility Code Re Pittsburgh Water And Sewer : Docket No. M-2018-2640803
Authority :

**ANSWER OF THE OFFICE OF SMALL BUSINESS ADVOCATE
TO PETITION OF THE PITTSBURGH WATER AND SEWER AUTHORITY
FOR APPROVAL OF ITS COMPLIANCE PLAN**

Pursuant to 52 Pa. Code §5.61(e), the Office of Small Business Advocate (“OSBA”) hereby answers the Petition of the Pittsburgh Water and Sewer Authority (“PWSA”) for Approval of its Compliance Plan filed with the Pennsylvania Public Utility Commission (“Commission”) on September 28, 2018, and avers the following in support thereof:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. In the Petition, the Company seeks approval of its Compliance Plan (“Compliance Plan”), filed pursuant to Section 3204(b) of the Public Utility Code. The Compliance Plan proposes a plan to achieve full regulatory compliance with the Commission’s legal and regulatory requirements.¹


3. The OSBA is participating in this proceeding to ensure that the Compliance Plan developed by PWSA is fair and equitable to small business customers.

¹ Section 3204(b) requires that the compliance plan also include a long-term infrastructure improvement plan (“LTIP”), which was filed by PWSA contemporaneously with its Compliance Plan.

WHEREFORE, in view of the foregoing, the Office of Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Direct the Office of Administrative Law Judge to hold hearings on the Petition and prepare an initial decision;
- B. Deny approval of PWSA's Compliance Plan unless it is found to be reasonable and equitable to small business customers; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,


Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525

Date: October 18, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Implementation of Chapter 32 of the Public : Docket No. M-2018-2640802
Utility Code Re Pittsburgh Water And Sewer : Docket No. M-2018-2640803
Authority :

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the "Act"). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (the "Commission") or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an Answer to the Petition of Pittsburgh Water and Sewer Authority ("PWSA") for Approval of its Compliance Plan.

The Small Business Advocate files this Answer in order to protect the interests of the PWSA's small business customers. A thorough inquiry by the Commission into all of the elements of the PWSA's Compliance Plan is necessary to ensure that it is lawful, just, reasonable, and not unduly discriminatory.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate the reasonableness of the proposed Compliance Plan. The Small Business Advocate will ask the Commission to deny any elements of the proposed

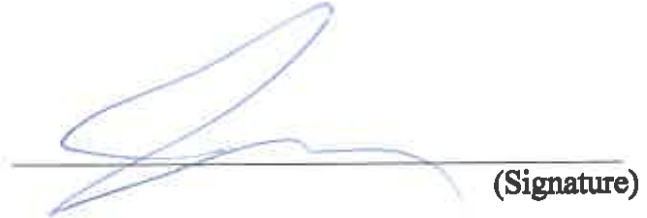
Compliance Plan that apply to small business customers that are not proven by PWSA to be lawful, just, reasonable, and not unduly discriminatory to PWSA's small business customers.

Dated: October 18, 2018

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: October 18, 2018



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Implementation of Chapter 32 of the Public : **Docket No. M-2018-2640802**
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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
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DATE: October 18, 2018

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