

# Morgan Lewis

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November 13, 2020

## **VIA eFILING**

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

**Re: Pennsylvania Public Utility Commission v.  
Pennsylvania-American Water Company  
Docket Nos. R-2020-3019369 and R-2020-3019371**

Dear Secretary Chiavetta:

Enclosed for filing is the **Stipulation between Pennsylvania-American Water Company and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** (the "CAUSE-PA Stipulation"), in the above-referenced matters. The CAUSE-PA Stipulation was initially filed with the Commission on Tuesday, November 10, 2020 with the Main Brief of Respondent Pennsylvania-American Water Company in this proceeding.

We are re-submitting the CAUSE-PA Stipulation as a separate filing under a revised cover letter and with a revised Certificate of Service at the Secretary's Bureau's request.

As evidenced by the enclosed Certificate of Service, copies of the CAUSE-PA Stipulation have been served on Administrative Law Judge Conrad A. Johnson and all parties of record.

If you have any questions, please contact me directly at (215) 963-5384. Thank you.

Sincerely,



Kenneth M. Kulak

Enclosures

c: Per Certificate of Service (w/encls.)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>PENNSYLVANIA PUBLIC UTILITY COMMISSION</b>	:	<b>Docket No. R-2020-3019369</b>
	:	<b>Docket No. R-2020-3019371</b>
	:	
<b>v.</b>	:	
	:	
<b>PENNSYLVANIA-AMERICAN WATER COMPANY</b>	:	
	:	

**CERTIFICATE OF SERVICE**

I hereby certify and affirm that I have this day served copies of the **Stipulation between Pennsylvania-American Water Company and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** in the above-referenced proceedings on the following persons, in the manner specified below, in accordance with the requirements of 52 Pa. Code § 1.54:

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Dated: November 13, 2020

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA PUBLIC UTILITY  
COMMISSION**

**v.**

**PENNSYLVANIA-AMERICAN WATER  
COMPANY**

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**DOCKET NOS. R-2020-3019369  
R-2020-3019371**

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**STIPULATION**

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Pennsylvania-American Water Company (“PAWC” or the “Company”) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) (together, the “Stipulating Parties”), by their respective counsel, hereby enter into this Stipulation to address issues raised by CAUSE-PA in the above-referenced water and wastewater base rate proceeding. The Stipulating Parties request that Administrative Law Judge Conrad A. Johnson (the “ALJ”) and the Pennsylvania Public Utility Commission (the “Commission”) approve and adopt this Stipulation.

**I. TERMS OF THE STIPULATION**

**A. Tenant Issues and Protections**

1. PAWC will revise its 10-day, 3-day, and 48-hour termination notices to include a reference to, and explanation of, tenant rights pursuant to the Discontinuance of Services to Leased Premises Act (“DSLPA”).

2. PAWC will prepare a draft bill insert to inform landlords of their obligation to notify the Company when a premise is occupied by a tenant. PAWC will share the draft bill insert with the low-income advisory group for input and feedback prior to finalizing the bill insert.

3. Within 60 days of a final order in this proceeding, PAWC will create and implement a standard form that a landlord will submit, with a notarized signature, swearing under penalty of law that the unit is unoccupied, that will be used when a landlord requests voluntary discontinuance of service. PAWC will modify internal policies to incorporate all the voluntary discontinuance requirements of the DSLPA.

4. PAWC will ask all applicants for service whether the property is or will be occupied by a tenant.

5. PAWC will accept a driver's license, photo identification, medical assistance or food stamp identification or any similar document issued by any public agency, which contains the name and address of the tenant, as acceptable identification to establish tenancy for purposes of the DSLPA.

6. PAWC will utilize the procedures under 66 Pa. C.S. § 1532 to require landlord ratepayers to provide the names and addresses of tenants of dwelling units and will notify those tenants of any impending termination in accordance with the DLSPA.

7. PAWC will revise its policies and procedures so that PAWC will immediately restore service and provide affected tenants with the requisite 30-day notice and the opportunity to exercise their rights under DSLPA whenever: (1) PAWC disconnects or terminates service to a landlord ratepayer premise at the request of a landlord ratepayer and later determines the unit is tenant occupied or (2) PAWC disconnects or terminates service to a tenant occupied landlord ratepayer unit due to nonpayment by the landlord ratepayer without first serving the 30-day tenant notice.

8. PAWC will evaluate extending the Chapter 14 and 56 protections for customers with PFAs or similar court order to tenants who exercise their right to continued service under DSLPA.

9. PAWC will revise its policies, procedures, and associated training materials:
  - a. To indicate that, if PAWC terminates service to tenant occupied landlord ratepayer units without providing correct notice under the DSLPA, PAWC will restore service, deliver the required notices, and provide the time required under DSLPA for the tenant to make payment.
  - b. To incorporate the voluntary discountenance requirements of the DSLPA.
  - c. To ensure that tenants are not required to appear in person to demonstrate tenancy or exercise their rights under DSLPA.



## II. CONCLUSION

THEREFORE, the Stipulating Parties, by their respective counsel, hereby evidence their agreement to the terms of the Stipulation set forth above and request respectfully request that the Commission adopt the Stipulation in the Final Order in this case.

Respectfully submitted,



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Dated: November 9, 2020