

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held January 18, 2024

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair, Statement
Ralph V. Yanora
Kathryn L. Zerfuss
John F. Coleman, Jr.

Pennsylvania Public Utility Commission	:	R-2023-3039919 (stormwater)
Office of Small Business Advocate	:	C-2023-3040789
Office of Consumer Advocate	:	C-2023-3040847
Jonathan Bergholz	:	C-2023-3041708
Katherine Shingler	:	C-2023-3041815
	:	
v.	:	
	:	
The Pittsburgh Water and Sewer Authority	:	

Pennsylvania Public Utility Commission	:	R-2023-3039920 (water)
Office of Small Business Advocate	:	C-2023-3040785
Office of Consumer Advocate	:	C-2023-3040845
Lisa Banal	:	C-2023- 3041703
Jonathan Bergholz	:	C-2023- 3041707
Katherine Shingler	:	C-2023- 3041817
Renee Abrams	:	C-2023- 3041818
	:	
v.	:	
	:	
The Pittsburgh Water and Sewer Authority	:	

Pennsylvania Public Utility Commission	:	R-2023-3039921 (wastewater)
Office of Small Business Advocate	:	C-2023-3040780
Office of Consumer Advocate	:	C-2023-3040846
Jonathan Bergholz	:	C-2023- 3041709
Katherine Shingler	:	C-2023- 3041816
	:	
v.	:	
	:	
The Pittsburgh Water and Sewer Authority	:	
	:	
Petition of the Pittsburgh Water and Sewer Authority for Authorization to Increase Water and Wastewater DSIC Charge Caps to 7.5%	:	P-2023-3040734 (water)
	:	P-2023-3040735 (wastewater)
	:	
	:	
Petition of the Pittsburgh Water and Sewer Authority for Authorization to Implement a Customer Assistance Charge	:	P-2023-3040578
	:	

ORDER

BY THE COMMISSION:

We adopt as our action the Recommended Decision of Administrative Law Judge Gail M. Chiodo dated November 28, 2023;

THEREFORE,

IT IS RECOMMENDED:

1. That the Joint Petition for Settlement filed on October 30, 2023, by The Pittsburgh Water and Sewer Authority, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, Pittsburgh United’s Our Water

Table, the City of Pittsburgh, and the School District of Pittsburgh, be granted, and the Settlement be approved and adopted, with the modifications set forth herein.

2. That The Pittsburgh Water and Sewer Authority is authorized to file tariffs, tariff supplements or tariff revisions containing rates, rules and regulations, consistent with the Joint Petition for Settlement, to produce an increase of \$35,997,325 in base rate revenue, effective February 15, 2024, consistent with the rates, rules and regulations set forth in Appendices E (Water), F (Wastewater) and G (Storm Water) to the Joint Petition for Settlement with the modifications set forth below.

3. That The Pittsburgh Water and Sewer Authority shall be permitted to file tariffs in the form set forth in Appendices E (Water), F (Wastewater), and G (Storm Water) to the Joint Petition for Settlement, with the modifications set forth below, to become effective upon at least one day's notice, for service rendered on and after February 15, 2024, so as to produce an annual increase in revenues consistent with this Order.

4. That, within twenty (20) days of the entry of the Final Order in this proceeding, The Pittsburgh Water and Sewer Authority shall file proofs of revenues and supporting calculations for water, wastewater, and stormwater services, respectively, detailing The Pittsburgh Water and Sewer Authority's authorized operating revenues under present and Settlement rates, broken down by base rate revenues, distribution system improvement charge revenues, and other revenues.

5. That The Pittsburgh Water and Sewer Authority is directed that any tariff or tariff supplement filing to incorporate a PennVest loan into The Pittsburgh Water and Sewer Authority's PennVest Charge must be filed with the Commission upon at least sixty (60) days' notice of such filing.

6. That The Pittsburgh Water and Sewer Authority is directed that prior to or in conjunction with The Pittsburgh Water and Sewer Authority's first tariff or tariff supplement filing to incorporate a PennVest loan into The Pittsburgh Water and Sewer Authority's PennVest

Charge, The Pittsburgh Water and Sewer Authority shall revise its PennVest Charge to: (1) either explicitly exempt wholesale customers from The Pittsburgh Water and Sewer Authority's PennVest Charge, or recalculate The Pittsburgh Water and Sewer Authority's PennVest Charge by incorporating wholesale customers into PennVest Charge calculations; and (2) propose any rate changes necessary to modify the PennVest Charge formula definitions for "Consumption" and "Conveyance" to include estimated consumption for unmetered customers and to impose flat rate charges and credits for unmetered customers based on estimated consumption.

7. That The Pittsburgh Water and Sewer Authority is directed to file the following supporting information with the Commission with any tariff supplement filing to incorporate a PennVest loan into The Pittsburgh Water and Sewer Authority's PennVest Charge:

- a. Final and red-lined copies of the proposed tariff or tariff supplement to incorporate the loan into the PVC.
- b. A summary of the terms of the loan, including the loan date, amount, interest rates, term of loan, annual principal and interest payments, and security certificate docket number. The date of each expected interest rate or annual principal and interest payment change must be identified for each loan.
- c. Copies of executed loan agreement documents and final amortization schedules.
- d. A statement that the project funded by the loan is used and useful.
- e. A copy of a proof of revenues and supporting calculations for the affected type of service reflecting PVC revenues under present and proposed rates.
- f. Copies of any supporting documentation used to determine the PVC, including electronic working papers.
- g. A copy of PWSA's customer notice that it issued in accordance with the Settlement's Paragraph 9.A.3.b.ii.(a) and 52 Pa. Code § 53.45(g).
- h. A copy of PWSA's affidavit of customer notice confirming that notice requirements have been met accordance with 52 Pa. Code § 53.45(h).
- i. A copy of a signed verification statement for the information being provided in accordance with 52 Pa. Code § 1.38.

8. That upon review of the supporting data submitted by The Pittsburgh Water and Sewer Authority, the Commission or its designee will, within thirty (30) days of its submission, notify the utility, by Secretarial Letter, of any deficiency in the submission. Upon notice of a deficiency in the supporting data as filed, the utility shall rectify any deficiencies within ten (10) business days. A tariff or tariff supplement not accompanied by required data or otherwise deemed deficient will be rejected unless the Commission, by order and for good cause shown, allows the tariff or tariff supplement to be filed.

9. That once a PennVest loan is incorporated into The Pittsburgh Water and Sewer Authority's tariff, semi-annual adjustments and annual reconciliation filings related to that loan be reviewed by the Commission or its designee. To address future PennVest Charge filings, the Commission should designate the Bureau of Technical Utility Services to review tariff supplement filings to incorporate PennVest loans into The Pittsburgh Water and Sewer Authority's PennVest Charge for analysis and a recommended Order. For all subsequent Section 1307 rate change requests, including semi-annual adjustments and annual reconciliation filings for loans included in The Pittsburgh Water and Sewer Authority's PennVest Charge, the Commission should designate the Bureau of Audits as being responsible for review and appropriate action.

10. That the Formal Complaints of the Office of Consumer Advocate at Docket Nos. C-2023-3040845 (water), C-2023-3040846 (wastewater) and C-2023-3040847 (stormwater) be deemed satisfied and marked closed.

11. That the Formal Complaints of the Office of Small Business Advocate Docket Nos. C-2023-040785 (water) and C-2023-040780 (wastewater), and C-2023-3040789 (stormwater) be deemed satisfied and marked closed.

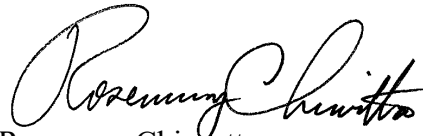
12. That the Formal Complaints of Lisa Banal (C-2023-3041703); Jonathan Bergholz (C-2023-3041707, C-2023-304170, and C-2023-3041709); Katherine Shingler (C-2023-3041815, C-2023-3041816, and C-2023-3041817); and Renee Abrams (C-2023-3041818) be dismissed and mark closed.

13. That upon acceptance and approval by the Commission of the tariffs and allocation of proposed settlement rate increase filed by The Pittsburgh Water and Sewer Authority consistent with this Order, the Commission's investigations at Docket No. R-2023-3039919 (Stormwater), Docket No. R-2023-3039920 (Water) and Docket No. R-2023 3039921 (Wastewater) be terminated and these dockets be marked closed.

14. That the Petition of The Pittsburgh Water and Sewer Authority for Authorization to Increase Water and Wastewater DSIC Charge Caps to 7.5% at Docket No. P-2023-3040734 (Water) and Docket No. P-2023-3040735 (Wastewater) be deemed withdrawn, and these dockets be marked closed.

15. That the Petition of The Pittsburgh Water and Sewer Authority for Authorization to Implement a Customer Assistance Charge at Docket No. P-2023-3040578 be deemed withdrawn and this docket be marked closed.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: January 18, 2024

ORDER ENTERED: January 18, 2024