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VIA eFiling

September 1, 2020

Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

Re: Amended Policy Statement on Diversity at Major Jurisdictional Utilities
Docket No. M-2020-3018089

Dear Secretary Chiavetta:

Pennsylvania-American Water Company is submitting the attached Comments in response to the Pennsylvania Public Utility Commission's Proposed Policy Statement and Order entered May 21, 2020, at the above-captioned docket.

Should you have any questions concerning this filing, please contact me.

Sincerely,

Susan Simms Marsh

Attachment

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AMENDED POLICY STATEMENT ON :
DIVERSITY AT MAJOR JURISDICTIONAL : DOCKET NO. M-2020-3018089
UTILITIES :

COMMENTS OF PENNSYLVANIA-AMERICAN WATER COMPANY
ON THE AMENDED POLICY STATEMENT ON DIVERSITY AT MAJOR
JURISDICTIONAL UTILITIES

I. INTRODUCTION

Pennsylvania-American Water Company (“PAWC” or the “Company”) submits these Comments in response to Ordering Paragraph No. 4 of the Proposed Policy Statement and Order entered by the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) on May 21, 2020, in the above-reference docket (“Order”) and published in the Pennsylvania Bulletin on July 18, 2020. The Order solicits comments on amending the Commission’s Statement of Policy on Diversity at Major Jurisdiction Utility Companies, 52 Pa. Code §§ 69.801-69.809 (“Policy Statement”).

II. AMENDMENTS TO THE POLICY STATEMENT

§ 69.802 Definitions.

The Commission specifically proposes to add the following definitions to Section 69.802: disabled person, LGBTQ and veteran. Although used throughout the Policy Statement, disabled person was not previously defined. This Commission proposes adopting the Americans with Disabilities Act’s (ADA), 42 U.S.C.A. § 12102, definition and citing directly to the ADA in order for the definition of “disabled person” to stay current in the

future. When referring to people in the LGBTQ community, the PUC proposes to use the definition as stated in Black's Law Dictionary 11th Edition. And to create uniformity when using the term veteran, the Commission proposes adopting the definition of veteran as defined in 51 Pa.C.S. § 9601. In addition to adding the above definitions, the PUC proposes to update the definition of "diversity" by explicitly identifying the following groups: minorities, women, persons with disabilities, LGBTQ and veterans. The Commission also proposes to amend the definition of "Minority-Owned Business Enterprise" to specifically include Subcontinent Asian-Americans and Asian Pacific-Americans in the list of minority groups.

The Company supports the Commission's proposed changes to the definitions in Section 69.802. PAWC encourages, honors and celebrates differences in our employees, including but not limited to race or ethnicity, gender or gender identity/expression, spiritual practice, age, nationality, military or veteran status, sexual orientation, physical, mental, intellectual, or learning abilities, education, and personal style.¹ Therefore, we believe the following proposed amendments to the definition section of the Policy Statement are most appropriate:

- Including definitions for disabled person, LGBTQ and veteran;
- The expansion of diversity to include LGBTQ and veterans and
- The inclusion of Subcontinent Asian-Americans and Asian Pacific-Americans within the definition of Minority-Owned Business Enterprise.

¹ We invite you to view our video entitled *Beautifully Different*, where we celebrate the diversity of our workforce. Beautifully Different - American Water's Inclusion and Diversity Video: <https://www.youtube.com/watch?v=T8eLYxxaMw4>

At PAWC, we think creating an environment where differences are embraced and where every person feels engaged and included, makes us safer, stronger, and more successful. PAWC is an equal opportunity employer and provides reasonable accommodations to individuals with physical and mental disabilities from the very beginning of our recruiting process such as submitting resumes. And, accommodations continue as necessary throughout their employment. We seek to foster an environment where our people can work safely, both physically and emotionally, generate great ideas, provide the best customer service, and make a difference in the communities we serve. We are a proud partner of Disability: IN, a national non-profit that unites business around disability inclusion in the workplace, supply chain and marketplace. In July 2019, American Water, PAWC's parent company, was recognized as a top scorer on the Disability Equality Index and considered a best place to work for disability inclusion.

PAWC does not tolerate discrimination and that includes our employees who are members of the LGBTQ community. So, it is without hesitation that we support the inclusion of LGBTQ within the Commission's definition of diversity. The Company has a partnership with Out & Equal, an organization working exclusively on LGBTQ workplace equality. Out & Equal helps organizations build inclusive and welcoming work environments that creates a culture of belonging for all. Their mission is to provide LGBTQ executive leadership development, comprehensive diversity and inclusion training and professional networking opportunities that help LGBTQ people thrive.

PAWC appreciates the service of our veterans and support their inclusion into the definition of diversity. Military families and spouses are valued members of our community and we welcome their experience and diversity of skills. The Company is committed to

hiring military talent and supporting veteran-owned businesses. The U.S. Veterans Magazine and Military Times Magazine has recognized American Water for industry leading support of veterans. Additionally, it is our great honor to have achieved the 2020 Military Friendly Gold Employer designation by VIQTORY.

§ 69.809 Filings.

PAWC supports the Commission’s proposal to revise Section 69.809 to request the following from major jurisdictional utility companies when they report on their diversity programs:

- (1) A copy of any corporate policy committed to improving diversity in the workplace and in the procurement process;
- (2) A description of any training implemented on diversity initiatives in employment and in the contract of goods and services;
- (3) A standardized format to account for diverse employee numbers;
- (4) A description of any diversity recruiting strategies;
- (5) A description of any diversity promotion efforts;
- (6) A description of any diversity retention efforts;
- (7) A brief description of any involvement with organizations promoting diversity.
- (8) A brief summary of diverse-owned businesses the company contracts with for goods and services. Include percentage of dollars spent with diverse-owned businesses versus non-diverse businesses.²

With regards to number eight (8) above, PAWC respectfully informs the Commission that “diverse-owned” is not a term defined within the Policy Statement. Recognizing the spirit of what number eight (8) is intended to capture, the Company will provide information on

² This number (8) was not listed in the Commission’s Order discussing the changes but was included in Annex A of the proposed Policy Statement.

dollars spent with entities it deems diverse. Additionally, there are many minorities at non-diverse businesses whose careers are impacted by their business development opportunities. Therefore, the Company also believes the Commission should acknowledge dollars spent that are attributed to minorities at non-diverse businesses. This spend helps promote diversity at non-diverse businesses.

The PUC also proposes the use of a new standardized form modeled after the Security and Exchange Commission's ("SEC") Diversity Assessment Report for Entities Regulated by the SEC. PAWC supports the use of this standardized format to report our diverse workforce demographics. We believe reporting in a uniform format will assist everyone in measuring year-to-year performance of these critically important diverse metrics. It should be noted that employees and vendors, self-identify, so the information provided may not capture all of the data the Commission is seeking.

III. CONCLUSION

As a major jurisdictional utility, we serve a broad and diverse customer base. Recently recognized as the 2019 Diversity Champion Business of the Year by the Greater Wilkes-Barre Chamber, diversity of backgrounds, ideas, thoughts and experiences is vital to our culture and the way PAWC does business. Therefore, the Company supports the inclusion of disabled person, LGBTQ and veteran, the expansion of diversity to include LGBTQ and veterans and the inclusion of Subcontinent Asian-Americans and Asian Pacific-Americans within the definition of Minority-Owned Business Enterprise. Additionally, the Commission's proposed changes to diversity related filings and the use of a standardized

form modeled after the one utilized by the SEC to report important demographic data, is supported by PAWC.

Respectfully submitted,



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Dated: September 1, 2020