



**VIA E-FILING**

September 1, 2020

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

**RE: Comments of Aqua Pennsylvania, Inc.  
Amended Policy Statement on Diversity at Major Jurisdictional Utilities  
Docket No. M-2020-3018089**

Dear Secretary Chiavetta:

Enclosed please find the Comments of Aqua Pennsylvania, Inc. to the Pennsylvania Public Utility Commission's ("PUC" or the "Commission") May 21, 2020 Proposed Policy Statement and Order regarding the Commission's Diversity Policy Statement.

If you have any questions regarding this filing, please contact me at 610-645-1130.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex Stahl".

Alexander R. Stahl  
Regulatory Counsel

Enclosure

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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Comments of

Aqua Pennsylvania, Inc.

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**COMMENTS OF AQUA PENNSYLVANIA, INC.  
TO THE  
May 21, 2020 PROPOSED POLICY STATEMENT ORDER**

**I.     INTRODUCTION**

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) appreciates the opportunity to comment on the Pennsylvania Public Utility Commission’s (“PUC” or the “Commission”) Proposed Policy Statement and Order entered May 21, 2020 in Docket No. M-2020-3018089 (“Proposed Order”), regarding the Commission’s proposal to update the existing policy statement.

At the Commission’s February 6, 2020 public meeting, the Commission directed the Law Bureau to prepare an amended policy statement in 52 Pa. Code §§ 69.801-69.809.<sup>1</sup> The Commission issued its Proposed Policy Statement and Order on May 21, 2020, seeking comment from interested parties.

Aqua serves approximately 443,000 water customers in Pennsylvania. Aqua’s water systems include approximately 5,800 miles of main. Aqua’s wastewater subsidiary, Aqua Pennsylvania Wastewater, Inc., serves approximately 38,000 connections in Pennsylvania. Aqua’s water and wastewater systems serve both rural and urban areas.

Aqua commends the Commission for their continued initiatives to make improvements to the Commission’s Diversity Policy Statement. It is with this background that Aqua provides the following suggestions and clarifying comments for the Commission’s consideration.

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<sup>1</sup> Motion of Chairman Gladys Brown Dutrieuille., Docket No. L-2020-3017284 (Feb. 6, 2020).

## II. GENERAL COMMENT

The Company supports the Commission's proposal to update the Diversity Policy Statement. The Company notes that while Attachment A to the Proposed Order stated that it was modeled after the Security and Exchange Commission's ("SEC") Diversity Assessment Report for Entities Regulated by the SEC<sup>2</sup>, there are differences between the demographic groups included in the SEC's Diversity Assessment Report and the Commission's Attachment A. Since the SEC's Diversity Assessment Report for Entities Regulated by the SEC is based<sup>3</sup> on the Equal Employment Opportunity Commission's ("EEOC") EEO-1 Report<sup>4</sup>, the Company proposes that the Commission's reporting structure match that of the SEC and EEOC as many companies are already required to report under these same requirements. This would allow for consistent reporting under the same demographic groups without having to have separate reporting to different regulatory agencies. The Company recognizes that in amending the demographic categories, the definition section of the Policy Statement would have to be likewise updated to reflect the definitions used by the EEOC.<sup>5</sup>

The Company supports updating the Diversity Policy Statement and will continue to work with the Commission on improvements to its Policy Statement.

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<sup>2</sup> SEC Diversity Assessment Report for Entities Regulated by the SEC, <https://www.sec.gov/files/OMWI-DAR-FORM.pdf> (Aug. 25, 2020).

<sup>3</sup> See Section II, Footnote 2 of the SEC's Diversity Assessment Report for Entities Regulated by the SEC, attached to these comments as Appendix A.

<sup>4</sup> Equal Employment Opportunity Commission, [http://www.eeoc.gov/sites/default/files/migrated\\_files/employers/eeo1survey/eeo1-2-2.pdf](http://www.eeoc.gov/sites/default/files/migrated_files/employers/eeo1survey/eeo1-2-2.pdf) (Aug. 25, 2020). The EEOC's EEO-1 Sample Form is attached as Appendix B to these comments.

<sup>5</sup> Equal Employment Opportunity Commission, EEO-1 Instruction Booklet, <https://www.eeoc.gov/employers/eeo-1-survey/eeo-1-instruction-booklet> (Aug. 25, 2020).

### III. CONCLUSION

Aqua appreciates the opportunity to comment on the Proposed Policy Statement and Order and asks that the Commission consider its comments. Aqua looks forward to continuing to work with the Commission on these issues. Please direct any questions with regard to these comments to the undersigned.

Respectfully submitted,



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Alexander R. Stahl  
Aqua Pennsylvania, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010  
Phone: 610-645-1130  
[AStahl@AquaAmerica.com](mailto:AStahl@AquaAmerica.com)

Dated: September 1, 2020

# APPENDIX A



# Diversity Assessment Report for Entities Regulated by the SEC

## Section II: Diversity Profile of Regulated Entity

### A. Demographic Composition of Workforce<sup>2</sup> (as reported on the most recent EEO-1 Report)

EEO-1 Job Categories	Gender		Race and Ethnicity						
			Hispanic or Latino (%)	Not Hispanic or Latino					
	Male (%)	Female (%)		White (%)	Black or African American (%)	Native Hawaiian or Other Pacific Islander (%)	Asian (%)	American Indian or Alaska Native (%)	Two or more races (%)
Executive/Senior Level Officials and Managers									
First/Mid-Level Officials and Managers									
Professionals									
Technicians									
Administrative Support Workers									
All others									

### B. Supplier Diversity by Percentage of Contracting Dollars (most recent calendar year)

Of the firm's total annual procurement spend with all vendors and suppliers for the period covered by this assessment, please provide the percentage with minority-owned and women-owned businesses compared to the total procurement spend with all vendors and suppliers.

TOTAL Amount (\$)	Minority-Owned Businesses						Women-Owned Businesses (%)	All Other Businesses (%)
	Hispanic or Latino (%)	Black or African American (%)	Native Hawaiian or Other Pacific Islander (%)	Asian (%)	American Indian or Alaska Native (%)	Two or more races (%)		

<sup>2</sup> Section II of the Diversity Assessment Report requests workforce demographic data using the same categories for race and ethnicity that the EEOC adopted for the EEO-1 Report, and are consistent with the minimum standards for maintaining, collecting and presenting data on race and ethnicity prescribed by the Office of Management and Budget. See Revised Standards for the Classification of Federal Data on Race and Ethnicity, 62 FR 5872 (October 30, 1997).

# APPENDIX B



Joint Reporting  
Committee

- Equal Employment  
Opportunity Com-  
mission
- Office of Federal  
Contract Compli-  
ance Programs (Labor)

## EQUAL EMPLOYMENT OPPORTUNITY

### EMPLOYER INFORMATION REPORT EEO-1

Standard Form 100  
REV. 01/2008

O.M.B. No. 3048-0007  
FORM APPROVAL: www.reginfo.gov/public/do/PRAMain  
100-214

#### Section A—TYPE OF REPORT

Refer to instructions for number and types of reports to be filed.

1. Indicate by marking in the appropriate box the type of reporting unit for which this copy of the form is submitted (MARK ONLY ONE BOX).

(1) ☐ Single-establishment Employer Report

Multi-establishment Employer:

- (2) ☐ Consolidated Report (Required)  
(3) ☐ Headquarters Unit Report (Required)  
(4) ☐ Individual Establishment Report (submit one for each establishment with 50 or more employees)  
(5) ☐ Special Report

2. Total number of reports being filed by this Company (Answer on Consolidated Report only) \_\_\_\_\_

#### Section B—COMPANY IDENTIFICATION (To be answered by all employers)

##### 1. Parent Company

a. Name of parent company (owns or controls establishment in item 2) omit if same as label

OFFICE  
USE  
ONLY

Address (Number and street)

City or town

State

ZIP code

##### 2. Establishment for which this report is filed. (Omit if same as label)

a. Name of establishment

Address (Number and street)

City or Town

County

State

ZIP code

b. Employer identification No. (IRS 9-DIGIT TAX NUMBER)

c. Was an EEO-1 report filed for this establishment last year? ☐ Yes ☐ No

#### Section C—EMPLOYERS WHO ARE REQUIRED TO FILE (To be answered by all employers)

- ☐ Yes ☐ No 1. Does the entire company have at least 100 employees in the payroll period for which you are reporting?
- ☐ Yes ☐ No 2. Is your company affiliated through common ownership and/or centralized management with other entities in an enterprise with a total employment of 100 or more?
- ☐ Yes ☐ No 3. Does the company or any of its establishments (a) have 50 or more employees AND (b) is not exempt as provided by 41 CFR 60-1.5, AND either (1) is a prime government contractor or first-tier subcontractor, and has a contract, subcontract, or purchase order amounting to \$50,000 or more, or (2) serves as a depository of Government funds in any amount or is a financial institution which is an issuing and paying agent for U.S. Savings Bonds and Savings Notes?

If the response to question C-3 is yes, please enter your Dun and Bradstreet identification number (if you have one):

NOTE: If the answer is yes to questions 1, 2, or 3, complete the entire form, otherwise skip to Section G.

**Section D-EMPLOYMENT DATA**

Employment at this establishment - Report all permanent full- and part-time employees including apprentices and on-the-job trainees unless specifically excluded as set forth in the instructions. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered as zeros.

Job Categories	Number of Employees (Report employees in only one category)															
	Race/Ethnicity															
	Hispanic or Latino		Not-Hispanic or Latino												Total Col A - N	
			Male						Female							
	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races		
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
Executive/Senior Level Officials and Managers 1.1																
First/Mid-Level Officials and Managers 1.2																
Professionals 2																
Technicians 3																
Sales Workers 4																
Administrative Support Workers 5																
Craft Workers 6																
Operatives 7																
Laborers and Helpers 8																
Service Workers 9																
<b>TOTAL</b> 10																
<b>PREVIOUS YEAR TOTAL</b> 11																

1. Date(s) of payroll period used: \_\_\_\_\_ (Omit on the Consolidated Report.)

**Section E - ESTABLISHMENT INFORMATION (Omit on the Consolidated Report.)**

1. What is the major activity of this establishment? (Be specific, i.e., manufacturing steel castings, retail grocer, wholesale plumbing supplies, title insurance, etc. Include the specific type of product or type of service provided, as well as the principal business or industrial activity.)

**Section F - REMARKS**

Use this item to give any identification data appearing on the last EEO-1 report which differs from that given above, explain major changes in composition of reporting units and other pertinent information.

**Section G - CERTIFICATION**

- Check 1 ☐ All reports are accurate and were prepared in accordance with the instructions. (Check on Consolidated Report only.)  
 one 2 ☐ This report is accurate and was prepared in accordance with the instructions.

Name of Certifying Official	Title	Signature	Date
Name of person to contact regarding this report	Title	Address (Number and Street)	
City and State	Zip Code	Telephone No. (including Area Code and Extension)	Email Address