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| **PENNSYLVANIA PUBLIC UTILITY COMMISSION****HARRISBURG, PENNSYLVANIA 17120** |
| **Pennsylvania Public Utility Commission, et al** **v.****City of Bethlehem – Water Department** |  |  **Public Meeting April 15, 2021** **3020256-OSA** **Docket Nos. R-2020-3020256,**  **C-2020-3021583, C-2020-3021576** |
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**STATEMENT OF COMMISSIONER RALPH V. YANORA**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Recommended Decision of Administrative Law Judge Steven K. Haas, issued on February 11, 2021, and the Exceptions and Reply Exceptions filed thereto, in the above-captioned proceeding. Exceptions to the Recommended Decision were filed by the City of Bethlehem (City) and the Office of Consumer Advocate (OCA) on February 24, 2021. Replies to Exceptions were filed by the City, the OCA, and the Commission’s Bureau of Investigation and Enforcement (I&E) on March 2, 2021. Also before the Commission is the Joint Petition for Approval of Partial Settlement of Rate Investigation (Joint Settlement) filed by the City and I&E.

In addition to the Joint Settlement, the City entered into a Stipulation with the OCA to address certain quality of service issues that were a concern of the OCA, including a valve exercising schedule, fire hydrant testing, pressure surveys, unaccounted for water (UFW) measurement, customer complaints, and customer meter age. Specifically, the City agreed to take the following actions to comply fully with the Stipulation:

* 1. The City will exercise approximately 900 valves per year in the jurisdictional areas so that all valves are exercised at least once in a 5-year period.
	2. The City will establish and document an ongoing program and schedule for maintenance or replacement of inoperable valves identified as such in the annual valve exercise program, subject to availability of resources to affect such improvements.
	3. For the sixty-five (65) fire hydrants in its jurisdictional areas that cannot provide minimum flow of 500 gpm at 20 psig, the City will test these hydrants no later than October 31, 2021 to confirm capacity and will appropriately mark those that do not meet the minimum flow and pressure requirements as recommended.
	4. Regarding the City’s four small community well systems, the City will perform pressure surveys in accordance with regulatory requirements starting in calendar year 2021.
	5. Going forward, and starting with the UFW calculation for calendar year 2020, the City will begin using the Commission Section 500 method for the purpose of assisting the Commission in its review of future rate cases. The City will take steps to maintain UFW below 20% and, in its next base rate case, if UFW is above 20%, provide a narrative explanation of possible reasons for it.
	6. The City shall establish and maintain a single complaint log in live Excel format that satisfies 52 Pa. Code § 65.3. The following categories shall be part of the log so that the data can be sorted by date and location: dirty water, taste, odor, color, customer property damage, leaking meter, request for meter testing, request for water testing, incomplete surface restoration, and lead service lines.
	7. The City will submit a schedule to OCA and the Commission indicating the number and size of meters that need to be replaced or tested in order to comply with the requirements of 52 Pa. Code § 65.8. within seven years. The schedule will be submitted within 6 months of the entry of an order in this proceeding.[[1]](#footnote-2)

I commend the parties for reaching a mutual agreement on these important issues and appreciate the City’s commitment to compliance with Commission Regulations. I encourage continued focus on these types of safety and reliability issues across the water industry.

**Date: April 15, 2021**  

 **COMMISSIONER**

1. Attachment B to the City’s Main Brief filed December 30, 2020. [↑](#footnote-ref-2)