



September 7, 2021

VIA E-File

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, Filing Room
Harrisburg, PA 17120

Re: PA Public Utility Commission v. Pittsburgh Water and Sewer Authority
Docket Nos. R-2021-3024773, R-2021-3024774, R-2021-3024779

Dear Secretary Chiavetta,

In accordance with 52 Pa. Code § 5.412a and the Post-Hearing Order and Errata entered August 17, 2021 and August 18, 2021, attached hereto, please accept for filing **Pittsburgh United St. No. 1-R - Rebuttal Testimony of Harry Geller** that was duly admitted into the record at the hearing held in the above-captioned proceeding on August 13, 2021, before Administrative Law Judge Eranda Vero.

A copy of this letter is being served on ALJ Vero and the parties of record consistent with the attached Certificate of Service. Please contact me with any questions or concerns.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ria M. Pereira".

Ria M. Pereira, Esq.
Counsel for Pittsburgh United

CC: Certificate of Service (Cover Letter/ COS only)
Honorable Eranda Vero (Cover Letter/ COS only)
Pamela McNeal, pmcneal@pa.gov (Cover Letter/ COS only)

Enclosures.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2021-3024773
	:	R-2021-3024774
Pittsburgh Water and Sewer Authority	:	R-2021-3024779
	:	

Certificate of Service

I hereby certify I have on this day served copies of **Compliance Filing, 52 Pa. Code § 5.412a, Pittsburgh United Statement 1-R**, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) and consistent with the Commission’s Emergency Order issued on March 20, 2020, in the manner and upon the persons listed below.

VIA EMAIL ONLY

<p>Daniel Clearfield, Esq. Deanne M. O'Dell, Esq. Karen Moury, Esq. Lauren M. Burge, Esquire Sarah Stoner, Esq. Eckert Seamans Cherin & Mellott, LLC 213 Market Street, 8th Floor Harrisburg, PA 17101 dodell@eckertseamans.com dclearfield@eckertseamans.com kmoury@eckertseamans.com lburge@eckertseamans.com SStoner@eckertseamans.com</p>	<p>Teresa Reed Wagner Erin Fure, Esq. Office of Small Business Advocate Forum Place 555 Walnut Street, 1st Floor Harrisburg, PA 17101 tereswagne@pa.gov efure@pa.gov</p>
<p>Gina L. Miller, Esq. Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street, 2nd Floor Harrisburg, PA 17120 ginmiller@pa.gov</p>	<p>Christine M. Hoover, Esq. Erin L. Gannon, Esq. Lauren E. Guerra, Esq. Office of Consumer Advocate 555 Walnut Street 5th Floor, Forum Place Harrisburg, PA 17101 choover@paoca.org lguerra@paoca.org egannon@paoca.org OCAPWSA2021@paoca.org</p>

<p>Yvonne Hilton, Esq. John F. Doherty, Esq. Lawrence H. Baumiller, Esq. City of Pittsburgh Department of Law 313 City-County Building 414 Grant Street Pittsburgh, PA 15219 yvonne.hilton@pittsburghpa.gov john.doherty@pittsburghpa.gov lawrence.baumiller@pittsburghpa.gov</p>	<p>Whitney E. Snyder, Esq. Kevin J. McKeon, Esq. Thomas J. Sniscak, Esq. Hawke McKeon and Sniscak, LLP 100 N. 10th Street Harrisburg, PA 17101 wesnyder@hmslegal.com kjmckeon@hmslegal.com tjsniscak@hmslegal.com</p>
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<p>Brian Kalcic Excel Consulting 225 S. Meramec Avenue, Suite 720T St. Louis, MO 63105 excel.consulting@sbcglobal.net</p>	<p>Administrative Law Judge Eranda Vero 801 Market Street Suite 4063 Philadelphia, PA 19107 evero@pa.gov cc: Pamela McNeal, pmcneal@pa.gov</p>

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for Pittsburgh United



Ria M. Pereira, PA ID 316771
118 Locust Street, Harrisburg, PA 17101
717-236-9486 / pulp@pautilitylawproject.org

Date: September 7, 2021

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
:
v. : **Docket Nos.** **R-2021-3024773**
: **R-2021-3024774**
: **R-2021-3024779**
Pittsburgh Water and Sewer Authority :

REBUTTAL TESTIMONY OF HARRY GELLER
ON BEHALF OF
PITTSBURGH UNITED

July 29, 2021

PREPARED REBUTTAL TESTIMONY OF HARRY GELLER

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Q: Please state your name, occupation, and business address.

A: My name is Harry Geller. I am an attorney. I am the former Director of the Pennsylvania Utility Law Project. I am currently retired but serve as Senior Counsel to the Pennsylvania Utility Law Project (PULP) and as a consultant to legal aid programs and their clients. I maintain an office at 118 Locust St., Harrisburg, PA 17101.

Q: Did you previously submit testimony in this proceeding?

A: Yes. I submitted direct testimony that is pre-marked as Pittsburgh United Statement 1.

Q: What is the purpose of your rebuttal testimony?

A: My rebuttal testimony responds to the direct testimony of Office of Small Business Advocate (OSBA) witness, Brian Kalcic regarding the cost allocation of PWSA’s bill discount program (BDP).¹

This rebuttal testimony is not intended to address every issue raised or otherwise discussed by OSBA’s witness or other parties’ witnesses in direct testimony. Absence of a response to any specific recommendation or position of any witness does not indicate my agreement. Unless required for context in providing a further response to direct testimony, I will not reiterate the extensive arguments and evidence that I provided in my direct testimony. To the extent an argument raised by any party in rebuttal is already sufficiently addressed in my direct testimony, I do not intend to respond, and stand on the evaluation, analysis, and recommendations contained in my direct testimony.

¹ OSBA St. 1 at 12-20, 37-39, 43.

1 **Q: How is your rebuttal testimony organized?**

2 A: First, I will address how PWSA proposes to allocate the costs of its Bill Discount
3 Program (BDP) across customer classes. I will then summarize parties' responses to PWSA's
4 proposed allocation and discuss if the Commission has provided any guidance related to the class
5 allocation of universal service costs. Finally, I will analyze OSBA's recommendation related to
6 the allocation of costs per rate classes and discuss my recommendations related to the same.

7 **Q: How has PWSA proposed to allocate the costs of its BDP?**

8 A: PWSA has proposed to continue to recover the cost of its BDP from both residential and
9 non-residential customer classes.² The cost of the BDP is allocated to customer classes
10 proportionally by the Adjusted Cost of Service and are recovered by all customer classes through
11 volumetric rates.³

12 **Q: Please summarize the response from the other parties to this proposal.**

13 A: OSBA witness Brian Kalcic responded to this recommendation in his direct testimony.⁴
14 Mr. Kalcic disagreed with PWSA's proposal that BDP costs should be recovered from non-
15 residential customer classes.⁵ Mr. Kalcic asserted that the Commission has a "long-standing
16 policy" that directs CAP-related costs to be recovered solely from residential classes and cited a
17 number of older Commission decisions in support of this contention.⁶ Mr. Kalcic further claimed
18 that recovering PWSA's proposed BDP costs solely from residential customers would not render
19 the Authority's average residential water and wastewater bills unaffordable.⁷

² See Exhibits HJS-9W, JJS-11W, HJS-8WW, HJS-10WW, HJS-3-SW.

³ Id.

⁴ See OSBA St. 1 at 13-19.

⁵ Id. at 13.

⁶ Id. at 13-14.

⁷ Id. at 15-16.

1 OCA Witness Roger Colton recommended that the issue of how to allocate universal
2 service costs be deferred to a future rate case due in part to the ongoing slow recovery from the
3 economic impacts of the COVID-19 pandemic, which continues to plague Pennsylvania.⁸

4 **Q: Has the Commission given any recent directives on this issue?**

5 A: Yes. I am advised by counsel that, in the recent Final CAP Policy Statement and Order,
6 the Commission addressed recovery of CAP costs.⁹ I understand from Counsel that the
7 Commission did not specifically order utilities to propose a specific allocation, but explicitly
8 indicated that it is appropriate to consider recovery of the costs of customer assistance programs
9 from all ratepayer classes.¹⁰ The Commission directed that utilities and stakeholders should be
10 prepared to address CAP cost recovery in utility-specific rate cases and stated that “the
11 Commission will no longer routinely exempt non-residential classes from universal service
12 obligations.”¹¹

13 To be clear, in noting the Commission’s recent Final CAP Policy Statement and Order, I
14 am not arguing a legal position on universal service cost recovery. Rather, my testimony on this
15 issue is focused on the policy reasons why cross-class recovery of universal service programs is
16 appropriate, as I will explain in further detail below.

17 **Q: How do you respond to the assertion that PWSA’s universal service costs should be
18 recovered solely from the residential customer class?**

19 A: I disagree. It is inappropriate to require the residential class to shoulder the burden of
20 universal service programs meant to remediate the impacts of poverty and utility insecurity, the
21 effects of which affect all customer classes. Poverty is a broad social problem, affecting all

⁸ See OCA St. 4 at 61.

⁹ Final CAP Policy Statement and Order at 97; see also 52 Pa. Code §§ 69.625(1), 69.266(b).

¹⁰ Final CAP Policy Statement and Order at 7.

¹¹ Id; see also 66 Pa. C.S. § 69.266(b).

1 customers and requiring holistic societal solutions. Utility insecurity is a pervasive problem with
 2 long-term and far-ranging consequences for low income households and the surrounding
 3 communities in which they live and work.¹² Families who are unable to afford critical utility
 4 services are more prone to a variety of adverse consequences, including increased rates of health
 5 complications and hospitalization, eviction, and food insecurity.¹³ For children in low income
 6 households, utility insecurity has been linked to long-term health consequences and developmental
 7 delays.¹⁴ Moreover, communities of color continue to experience utility insecurity at
 8 disproportionately higher levels.¹⁵ The utility insecurity faced by low income and minority
 9 households has only been exacerbated as a result of the COVID-19 pandemic.¹⁶ In addition to the

¹² See Nina Lakhani, Revealed: millions of Americans can't afford water as bills rise 80% in a decade (June 23, 2020), available at <https://www.theguardian.com/us-news/2020/jun/23/millions-of-americans-cant-afford-water-bills-rise>; Nina Lakhani and Juweek Adolphe, Key findings: the Guardian's water poverty investigation in 12 US cities (June 26, 2020), available at <https://www.theguardian.com/us-news/2020/jun/26/running-drinking-water-poverty-us-cities>; Kirsten Verclas and Eric Hsieh, From utility disconnection to universal access, *The Electricity Journal*, Volume 31, Issue 6, at 1-8 (July 2018), available at <https://www.sciencedirect.com/science/article/abs/pii/S104061901830143X>.

¹³ See Final Report, Recommendations for Implementation of a Statewide Low-Income Water Rate Assistance Program (Feb. 2020) at pp 15-17 (when water is unaffordable, families consume less than is healthy or sacrifice other necessities), available at https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/docs/ab401_report.pdf; Dahlia Rockowitz, Chris Askew-Merwin, Malavika Sahai *et al.*, Household Water Security in Metropolitan Detroit: Measuring the Affordability Gap, University of Michigan Poverty Solutions (Aug. 2018) at 3 (low-income households make untenable trade-offs to pay water bills), available at <https://poverty.umich.edu/10/files/2018/08/PovertySolutions-PolicyBrief-0818-r2.pdf>; Environmental and Climate Justice Program, NAACP, Lights Out In The Cold: Reforming Utility Shut-Off Policies as If Human Rights Matter (March 2017), available at <https://naacp.org/resources/lights-out-cold>.

¹⁴ See e.g., Diana Hernandez, editorial, Energy Insecurity: A Framework for Understanding Energy, the Built Environment, and Health Among Vulnerable Populations in the Context of Climate Change, *American Journal of Public Health*, Vol.103, No 4 (April 2013) (while the author talks about energy insecurity, there are parallels with water insecurity), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3673265/pdf/AJPH.2012.301179.pdf>;

Diana Hernández, Yumiko Aratani, and Yang Jiang, Energy Insecurity Among Families with Children (January 2014), available at http://www.nccp.org/publications/pdf/text_1086.pdf.

¹⁵ See Lillian Holmes, Morgan Shimabuku, Laura Feinstein *et al.*, Water and the COVID-19 Pandemic Equity Dimensions of Utility Disconnections in the U.S., Pacific Institute (July 2020), available at <https://pacinst.org/publication/equity-dimensions-of-disconnections/>; Environmental and Climate Justice Program, NAACP, Lights Out In The Cold: Reforming Utility Shut-Off Policies as If Human Rights Matter (March 2017), available at <https://naacp.org/resources/lights-out-cold>.

¹⁶ See, e.g., CDC COVID-19 Fact Sheet, Cleaning And Disinfecting Your Home: Everyday Steps and Extra Steps When Someone Is Sick (Updated May 27, 2020) (recommendations include cleaning surfaces with soap and water, laundering clothes and washing hands, also includes instructions for bleach disinfecting solution using bleach and water), available at

1 enhanced risks of COVID-19 infection brought about by the inability to appropriately and
 2 regularly wash, water shut-offs have also been documented to lead to other severe public health
 3 risks such as Hepatitis A outbreaks and skin and soft-tissue diseases.¹⁷

4 While universal service program participants may derive the most direct benefits from
 5 universal service programs, these programs provide important societal benefits that are also
 6 enjoyed by non-residential ratepayers that should not be ignored. Many universal service program
 7 participants are employed – yet do not receive a wage that is adequate to afford basic household
 8 needs.¹⁸ Many others are retired Seniors that do not receive enough in Social Security or retirement
 9 benefits to afford basic life necessities, such as utility services. Moreover, low income customers
 10 faced with utility insecurity often struggle to cope with heightened levels of stress, anxiety, and
 11 depression, and must take time away from work to arrange payments, locate or apply for assistance
 12 programs, and arrange for reconnections¹⁹ – all of which significantly undermine worker

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html> ; N.F. Mendoza, US home water use up 21% daily during COVID-19 crisis, Tech Republic (June 2, 2020) available at.com https://www.techrepublic.com/article/us-home-water-use-up-21-daily-during-covid-19-crisis/?mc_cid=203b67e30d&mc_eid=5b35ea314a; Elise Gout and Cathleen Kelly, Center for American Progress, Bridging the Water Access Gap Through COVID-19 Relief (August 5, 2020), available at <https://www.americanprogress.org/issues/green/news/2020/08/05/488705/bridging-water-access-gap-covid-19-relief/>; Mushi, Vivian, and Magdalena Shao, Tailoring of the ongoing water, sanitation and hygiene interventions for prevention and control of COVID-19, Tropical medicine and health, vol. 48 47 (Jun. 2020), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7296519/>.

¹⁷ See Recommendations for Implementation of a Statewide Low-Income Water Rate Assistance Program at 16 (describes public health implications of shut-offs and water-related illness), available at https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/docs/ab401_report.pdf.

¹⁸ See, e.g., MIT's Living Wage Calculator for Pennsylvania (a one adult, one child household would need to earn \$24.30/hour to earn a wage that could cover basic expenses in PA, but the average wage for the federal poverty threshold is \$8.13/hour, and the minimum wage in PA is \$7.25/hour), available at <https://livingwage.mit.edu/states/42>.

¹⁹ See Dahlia Rockowitz, Chris Askew-Merwin, Malavika Sahai *et al*, Household Water Security in Metropolitan Detroit: Measuring the Affordability Gap, University of Michigan Poverty Solutions (Aug. 2018) at 4 (correlation between water insecurity and psychological distress), available at <https://poverty.umich.edu/research-publications/policy-briefs/household-water-security-in-metropolitan-detroit-measuring-the-affordability-gap/>; see also, Diana Hernandez, Understanding 'energy insecurity' and why it matters to health, Social Science & Medicine, Volume 167, October 2016 (similar utility insecurity stress with energy), available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5114037/> ; Ariel Drebohl & Lauren Ross, ACEEE, Lifting the High Energy Burden in America's Largest Cities: How Energy Efficiency Can Improve Low-income and Underserved Communities, at 13 (April 2016), <https://www.aceee.org/sites/default/files/publications/researchreports/u1602.pdf>.

1 productivity. Universal service programs also help utility companies to control uncollectible
2 expenses, helping to bridge the gap in these circumstances, which benefits all customers. Thus,
3 each of us, regardless of rate class, receives the benefits derived by a healthy and productive
4 community- making it sound policy for all customers to share in the cost of providing universal
5 access to our most vulnerable residents.

6 The effects of poverty on our society and entire economy, and the critical importance of
7 water and sanitation services, has come into focus through the COVID-19 pandemic. As I
8 discussed in my direct testimony, lack of running water prevents people from being able to sanitize
9 properly and creates a significant threat to health and safety and is especially dangerous for the
10 most vulnerable in our communities, including seniors and individuals with underlying health
11 issues.²⁰

12 Universal service programs provide not only a safety net for at-need residential customers
13 but also broad societal benefits for all customer classes (industry, business, commerce, educational
14 institutions, hospitals, local and state governments, and other residential customers) in specific and
15 identifiable ways. In turn, the responsibility to provide universal access to life-sustaining utility
16 services should be shared by all utility consumers – not simply residential customers.

17 **Q: Does the fact that PWSA is a publicly owned water utility have any bearing on how**
18 **low income program costs are recovered?**

19 A: Yes, to an extent. The fact that PWSA is a publicly owned and operated utility under the
20 jurisdiction of the Commission is a relevant factor for consideration in this context. PWSA has a
21 public Board of Directors, which operates as the governing body for the Authority. According to
22 PWSA, this Board is responsible, in part, for “providing strategic direction and oversight to the

²⁰ CAUSE-PA St. 1 at 21.

1 PWSA management team, as well as adopting the Authority’s annual operating and capital
2 budgets, approving contracts, and setting rates.”²¹ The decision to recover BDP costs from all
3 ratepayers was a policy decision of a public board. Importantly, the only other publicly owned
4 utility subject to PUC regulation, Philadelphia Gas Works (PGW), is also the only other
5 regulated public utility that currently recovers universal service programming from all ratepayers
6 -rather than residential ratepayers alone.²²

7 **Q: What is your recommendation regarding the cost allocation of PWSA’s low income**
8 **programming?**

9 A: I recommend that PWSA continue to recover the cost of its BDP from both residential
10 and non-residential customer classes.

11 **Q: Does this conclude your rebuttal testimony?**

12 A: Yes.

²¹ PWSA, Board & Board Meetings, available at <https://www.pgh2o.com/about-us/board-board-meetings>.

²² See, e.g., 2018 Report on Universal Service Programs & Collections Performance, at 78.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2021-3024773
	:	R-2021-3024774
	:	R-2021-3024779
Pittsburgh Water and Sewer Authority	:	

VERIFICATION

I, Harry Geller, Esq., verify that:

- Pittsburgh United Statement No. 1, the prepared Direct Testimony of Harry Geller, consisting of 50 pages of testimony, Exhibit 1-a, 1-b, and 1-c, and Appendices A and B.
- Pittsburgh United Statement No. 1-R, the prepared Rebuttal Testimony of Harry Geller, consisting of 7 pages of testimony.
- Pittsburgh United Statement No. 1-SR, the prepared Surrebutal Testimony of Harry Geller, consisting of 19 pages of testimony.

were prepared by me or under my direct supervision, and are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Harry Geller, Esq.
118 Locust Street
Harrisburg, PA 17101

Date: August 11, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024773
	:	C-2021-3025473
v.	:	C-2021-3025516
	:	
Pittsburgh Water and Sewer Authority - Water	:	

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024774
	:	C-2021-3025471
v.	:	C-2021-3025517
	:	
Pittsburgh Water and Sewer Authority - Wastewater:	:	

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024779
	:	C-2021-3025474
v.	:	C-2021-3025521
	:	
Pittsburgh Water and Sewer Authority - Stormwater:	:	

POST-HEARING ORDER

Admitting Evidence Introduced
at Evidentiary Hearing

On April 13, 2021, Pittsburgh Water and Sewer Authority (“PWSA”) filed with the Pennsylvania Public Utility Commission: (1) a water base rate case at Docket No. R-2021-3024773; (2) a wastewater base rate case at Docket No. R-2021-3024774; (3) a stormwater base rate case at Docket No. R-2021-3024779, (4) a Petition for Waiver of Statutory Definition of Fully Projected Future Test Year; and (5) a Petition for Consolidation of Water, Wastewater, and Stormwater Rate Proceedings and For Authorization to Use Combined Water, Wastewater, and Stormwater Revenue Requirements.

Pursuant to the Rate Filing, PWSA is asking the Commission for approval to increase its combined water, wastewater and stormwater rates by \$32.2 million, to be phased-in in 2022 and 2023. In particular, PWSA's Supplement No. 7 to Tariff Water – Pa. P.U.C. No. 1 proposes a rate increase that would increase PWSA's total annual operating revenues for water service by approximately \$12.6 million, or 10%, through rates effective January 12, 2022, and by approximately \$12.9 million, or 9.3%, through rates effective January 12, 2023. Next, PWSA's Supplement No. 6 Tariff Wastewater - Pa. P.U.C. No. 1 proposes a rate decrease that will reduce PWSA's total annual operating revenues for wastewater service by approximately \$7.8 million, or 10.6%, through rates effective January 12, 2022, and by approximately \$7.5 million, or 11.4%, through rates effective January 12, 2023. Finally, PWSA filed Tariff Storm Water - Pa. P.U.C. No. 1 proposing a rate increase that will raise PWSA's total annual operating revenues for stormwater service by approximately \$17.8 million through rates effective January 12, 2022, and by approximately \$5.9 million, through rates effective January 12, 2023.

On August 13, 2021, the presiding officer conducted the evidentiary hearing. During the evidentiary hearing, various parties identified and moved to admit evidence in the form of written statements and exhibits. All parties present waived the right to cross-examine the evidence. Accordingly, the evidence was marked and admitted into the hearing record by order of the presiding officer, without objection from any party.

The presiding officer directed the parties submitting evidence to electronically file the evidence with the Commission within two weeks of the date of this Post-Hearing Order along with a cover letter which notes the admission at the evidentiary hearing on August 13, 2021, and the issuance of the Post-Hearing Order.

AND NOW, having received evidence into the hearing record from PWSA, the statutory advocates and other active parties on August 13, 2021, without an objection; and

FURTHER, because the admitted evidence must be included in the hearing record for this proceeding; and

Appendix A

Pittsburgh Water and Sewer

Direct Testimony (dated 4/13/21)

- PWSA St. No. 1 - Direct Testimony of William J. Pickering – Exhibits WJP-1, WJP-2
- PWSA St. No. 2 – Direct Testimony of Edward Barca – Exhibits EB-1 to EB-10
- PWSA St. No. 3 – Direct Testimony of Tom Huestis – Appendix A, TH-1 to TH-5
- PWSA St. No. 4 – Direct Testimony of Harold Smith – Exhibits HJS-1 to HJS-4, HJS-1W to HJS-19W, HJS-1WW to HJS-18WW, HJS-1SW to HJS-9SW
- PWSA St. No. 5 – Direct Testimony of Barry King – Exhibits BK-1, BK-2
- PWSA St. No. 6 – Direct Testimony of Julie Quigley – Exhibits JAQ-1 to JAQ-6
- PWSA St. No. 7 – Direct Testimony of Tony Igwe – Appendix A, Exhibits TI-1 to TI-5
- PWSA St. No. 8 – Direct Testimony of Keith Readling – Appendix A, Exhibit KR-1

Supplemental Direct Testimony (dated 6/14/21)

- PWSA St. No. 2-SD – Supplemental Direct Testimony of Edward Barca
- PWSA St. No. 5-SD – Supplemental Direct Testimony of Barry King
- PWSA St. No. 7-SD – Supplemental Direct Testimony of Tony Igwe - Exhibit TI-6
- PWSA St. No. 8-SD – Supplemental Direct Testimony of Keith Readling

Rebuttal Testimony (dated 7/29/21 and 7/30/21)

- PWSA St. No. 1-R (rev. 7/30/21)-Rebuttal Testimony of William J. Pickering – Exhibit WJP-3
- PWSA St. No. 2-R – Rebuttal Testimony of Edward Barca – Exhibits EB-11 to EB-16
- PWSA St. No. 3-R (rev. 8/4/21) - Rebuttal Testimony of Thomas F. Huestis - Exhibits TH-6, TH-7
- PWSA St. No. 4-R - Rebuttal Testimony of Harold Smith – Exhibit HJS-1-R to HJS-3-R, HJS-1W-R to HJS-19W-R, HJS-1WW-R to HJS-18WW-R, HJS-1SW-R to HJS-9SW-R
- PWSA St. No. 5-R – Rebuttal Testimony of Barry King – Exhibits BK-3
- PWSA St. No. 6-R – Rebuttal Testimony of Julie Quigley – Exhibits JAQ-7 to JAQ-11
- PWSA St. No. 7-R – Rebuttal Testimony of Tony Igwe – Exhibit TI-7
- PWSA St. No. 8-R – Rebuttal Testimony of Keith Readling

Surrebuttal Testimony (dated 8/6/21)

- PWSA St. No. 2-SR - Surrebuttal Testimony of Edward Barca

Rejoinder Testimony (dated 8/10/21)

- PWSA St. No. 2-RJ – Rejoinder Testimony of Edward Barca – Exhibits EB-17 to EB-21
- PWSA St. No. 3-RJ - Rejoinder Testimony of Thomas F. Huestis
- PWSA St. No. 5-RJ - Rejoinder Testimony of Barry King – Exhibits BK-4 to BK-6

- PWSA St. No. 6-RJ – Rejoinder Testimony of Julie A. Quigley
- PWSA St. No. 8-RJ – Rejoinder Testimony of Keith Readling Non (**PWSA**)

Bureau of Investigation and Enforcement (I&E)

Direct Testimony

- I&E St. No. 1 – Direct Testimony of Anthony Spadaccio – I&E Exhibit No. 1
- I&E St. No. 2 – Direct Testimony of D.C. Patel - I&E Exhibit No. 2
- I&E St. No. 3 – Direct Testimony of Ethan H. Cline – I&E Exhibit No. 3
- I&E St. No. 4 – Direct Testimony of Israel E. Gray – I&E Exhibit No. 4

Rebuttal Testimony

- I&E St. No. 2-R – Rebuttal Testimony of D.C. Patel

Surrebuttal Testimony

- I&E St. 1-SR – Surrebuttal Testimony of Anthony Spadaccio - I&E Exhibit No. 1-SR
- I&E St. No. 2-SR – Surrebuttal Testimony of D.C. Patel
- I&E St. No. 3-SR – Surrebuttal Testimony of Ethan H. Cline – I&E Exhibit No. 3-SR
- I&E St. No. 4-SR – Surrebuttal Testimony of Israel E. Gray – I&E Exhibit No. 4-SR
- Verification Statement of Anthony Spadaccio
- Verification Statement of D.C. Patel
- Verification Statement of Ethan H. Cline
- Verification Statement of Israel E. Gray

Office of Consumer Advocate

Direct Testimony

- OCA St. No. 1 – Direct Testimony of Dante Mugrace - Schedules DM-1 to DM-20
- OCA St. No. 2 - Direct Testimony of David S. Habr - Exhibits DSH-1 through DSH-5
- OCA St. No.3 – Direct Testimony of Scott J. Rubin – Appendix A and Schedules SJR-1 to SJR-7
- OCA St. No. 4 – Direct Testimony of Roger D. Colton – Appendix A
- OCA St. No. 5 (rev. 7/23/21) – Direct Testimony of Barbara R. Alexander – Exhibits BA-1 through BA-3
- OCA St. No. 6 – Direct Testimony of Terry L. Fought – Appendix A and Exhibits TLF-1 through TLF-8
- OCA St. No. 7 – Direct Testimony of Morgan N. DeAngelo – Appendix A

Rebuttal Testimony

- OCA St. No. 3R – Rebuttal Testimony of Scott J. Rubin – Schedules SJR-8 through SJR-10

- OCA St. No. 4R – Rebuttal Testimony of Roger D. Colton

Surrebuttal Testimony

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- OCA St. No. 7SR – Surrebuttal Testimony of Morgan N. DeAngelo

Office of Small Business Advocate

Direct Testimony

- OSBA St. No. 1 – Direct Testimony of Brian Kalcic – Exhibit BK-1 (Schedules BK-1W through BK-4W; Schedules BK-1WW through BK-4WW; Schedules BK-1SW through BK-4SW), Referenced Interrogatories, an appendix and Mr. Kalcic’s signed Verification

Rebuttal Testimony

- OSBA St. No. 1-R – Rebuttal Testimony of Brian Kalcic – Exhibit BK-1R (Schedule BK-2SW Corrected; Schedule BK-4SW Corrected; Schedule BK-4WW Corrected), Referenced Interrogatories, and Mr. Kalcic’s signed Verification

Surrebuttal Testimony

- OSBA St. No. 1-S – Surrebuttal Testimony of Brian Kalcic – Exhibit BK-1S (Schedule BK-1W-S; Schedule BK-2W-S; Schedule BK-4W-S) and Mr. Kalcic’s signed Verification

R-2021-3024773, et al. - PA PUBLIC UTILITY COMMISSION v. THE PITTSBURGH
WATER AND SEWER AUTHORITY

Revised: August 9, 2021

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024773
	:	C-2021-3025473
v.	:	C-2021-3025516
	:	
Pittsburgh Water and Sewer Authority - Water	:	

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024774
	:	C-2021-3025471
v.	:	C-2021-3025517
	:	
Pittsburgh Water and Sewer Authority - Wastewater:	:	

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024779
	:	C-2021-3025474
v.	:	C-2021-3025521
	:	
Pittsburgh Water and Sewer Authority - Stormwater:	:	

ERRATA

A review of the document issued in the above-captioned proceedings on August 17, 2021, revealed an error in the document. Specifically, Appendix A failed to include the evidence moved into the record at the August 13, 2021, hearing by Pittsburgh United and admitted into the record by the presiding officer. This error has been corrected with a new heading added to Appendix A listing the written, pre-served testimony submitted by Pittsburgh United along with accompanying exhibits and appendices, witness verifications, as well as the Joint Stipulation of Pittsburgh United and the Pittsburgh Water and Sewer Authority and United/PWSA Joint Stipulation Appendix A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024773
	:	C-2021-3025473
v.	:	C-2021-3025516
	:	
Pittsburgh Water and Sewer Authority - Water	:	

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024774
	:	C-2021-3025471
v.	:	C-2021-3025517
	:	
Pittsburgh Water and Sewer Authority - Wastewater:	:	

Pennsylvania Public Utility Commission, <i>et al</i>	:	R-2021-3024779
	:	C-2021-3025474
v.	:	C-2021-3025521
	:	
Pittsburgh Water and Sewer Authority - Stormwater:	:	

POST-HEARING ORDER

Admitting Evidence Introduced
at Evidentiary Hearing

On April 13, 2021, Pittsburgh Water and Sewer Authority (“PWSA”) filed with the Pennsylvania Public Utility Commission: (1) a water base rate case at Docket No. R-2021-3024773; (2) a wastewater base rate case at Docket No. R-2021-3024774; (3) a stormwater base rate case at Docket No. R-2021-3024779, (4) a Petition for Waiver of Statutory Definition of Fully Projected Future Test Year; and (5) a Petition for Consolidation of Water, Wastewater, and Stormwater Rate Proceedings and For Authorization to Use Combined Water, Wastewater, and Stormwater Revenue Requirements.

Pursuant to the Rate Filing, PWSA is asking the Commission for approval to increase its combined water, wastewater and stormwater rates by \$32.2 million, to be phased-in in 2022 and 2023. In particular, PWSA's Supplement No. 7 to Tariff Water – Pa. P.U.C. No. 1 proposes a rate increase that would increase PWSA's total annual operating revenues for water service by approximately \$12.6 million, or 10%, through rates effective January 12, 2022, and by approximately \$12.9 million, or 9.3%, through rates effective January 12, 2023. Next, PWSA's Supplement No. 6 Tariff Wastewater - Pa. P.U.C. No. 1 proposes a rate decrease that will reduce PWSA's total annual operating revenues for wastewater service by approximately \$7.8 million, or 10.6%, through rates effective January 12, 2022, and by approximately \$7.5 million, or 11.4%, through rates effective January 12, 2023. Finally, PWSA filed Tariff Storm Water - Pa. P.U.C. No. 1 proposing a rate increase that will raise PWSA's total annual operating revenues for stormwater service by approximately \$17.8 million through rates effective January 12, 2022, and by approximately \$5.9 million, through rates effective January 12, 2023.

On August 13, 2021, the presiding officer conducted the evidentiary hearing. During the evidentiary hearing, various parties identified and moved to admit evidence in the form of written statements and exhibits. All parties present waived the right to cross-examine the evidence. Accordingly, the evidence was marked and admitted into the hearing record by order of the presiding officer, without objection from any party.

The presiding officer directed the parties submitting evidence to electronically file the evidence with the Commission within two weeks of the date of this Post-Hearing Order along with a cover letter which notes the admission at the evidentiary hearing on August 13, 2021, and the issuance of the Post-Hearing Order.

AND NOW, having received evidence into the hearing record from PWSA, the statutory advocates and other active parties on August 13, 2021, without an objection; and

FURTHER, because the admitted evidence must be included in the hearing record for this proceeding; and

FURTHER, because no further hearing is to be scheduled in this proceeding.

THEREFORE,

IT IS ORDERED:

1. That all parties which sponsored and moved for the admission of the evidence at the evidentiary hearing conducted on August 13, 2021, shall reference this Post-Hearing Order when filing electronically (through eFile) with the Commission all of the items listed in Appendix A, attached, within 14 days of the date of this Order.

2. That any party wishing to place evidence into the hearing record, when the evidence is marked as “Confidential”, “Highly Confidential” or “Proprietary”, shall ensure the evidence is clearly marked as “Confidential”, “Highly Confidential” or “Proprietary” and shall reference this Post-Hearing Order when electronically mailing the evidence directly to the Commission’s Secretary, Rosemary Chiavetta, for inclusion in the Commission’s hearing record in a protected file.

Date: August 18, 2021

/s/
Eranda Vero
Administrative Law Judge

Appendix A

Pittsburgh Water and Sewer Authority

Direct Testimony (dated 4/13/21)

- PWSA St. No. 1 - Direct Testimony of William J. Pickering – Exhibits WJP-1, WJP-2
- PWSA St. No. 2 – Direct Testimony of Edward Barca – Exhibits EB-1 to EB-10
- PWSA St. No. 3 – Direct Testimony of Tom Huestis – Appendix A, TH-1 to TH-5
- PWSA St. No. 4 – Direct Testimony of Harold Smith – Exhibits HJS-1 to HJS-4, HJS-1W to HJS-19W, HJS-1WW to HJS-18WW, HJS-1SW to HJS-9SW
- PWSA St. No. 5 – Direct Testimony of Barry King – Exhibits BK-1, BK-2
- PWSA St. No. 6 – Direct Testimony of Julie Quigley – Exhibits JAQ-1 to JAQ-6
- PWSA St. No. 7 – Direct Testimony of Tony Igwe – Appendix A, Exhibits TI-1 to TI-5
- PWSA St. No. 8 – Direct Testimony of Keith Readling – Appendix A, Exhibit KR-1

Supplemental Direct Testimony (dated 6/14/21)

- PWSA St. No. 2-SD – Supplemental Direct Testimony of Edward Barca
- PWSA St. No. 5-SD – Supplemental Direct Testimony of Barry King
- PWSA St. No. 7-SD – Supplemental Direct Testimony of Tony Igwe - Exhibit TI-6
- PWSA St. No. 8-SD – Supplemental Direct Testimony of Keith Readling

Rebuttal Testimony (dated 7/29/21 and 7/30/21)

- PWSA St. No. 1-R (rev. 7/30/21)-Rebuttal Testimony of William J. Pickering – Exhibit WJP-3
- PWSA St. No. 2-R – Rebuttal Testimony of Edward Barca – Exhibits EB-11 to EB-16
- PWSA St. No. 3-R (rev. 8/4/21) - Rebuttal Testimony of Thomas F. Huestis - Exhibits TH-6, TH-7
- PWSA St. No. 4-R - Rebuttal Testimony of Harold Smith – Exhibit HJS-1-R to HJS-3-R, HJS-1W-R to HJS-19W-R, HJS-1WW-R to HJS-18WW-R, HJS-1SW-R to HJS-9SW-R
- PWSA St. No. 5-R – Rebuttal Testimony of Barry King – Exhibits BK-3
- PWSA St. No. 6-R – Rebuttal Testimony of Julie Quigley – Exhibits JAQ-7 to JAQ-11
- PWSA St. No. 7-R – Rebuttal Testimony of Tony Igwe – Exhibit TI-7
- PWSA St. No. 8-R – Rebuttal Testimony of Keith Readling

Surrebuttal Testimony (dated 8/6/21)

- PWSA St. No. 2-SR - Surrebuttal Testimony of Edward Barca

Rejoinder Testimony (dated 8/10/21)

- PWSA St. No. 2-RJ – Rejoinder Testimony of Edward Barca – Exhibits EB-17 to EB-21
- PWSA St. No. 3-RJ - Rejoinder Testimony of Thomas F. Huestis
- PWSA St. No. 5-RJ - Rejoinder Testimony of Barry King – Exhibits BK-4 to BK-6

- PWSA St. No. 6-RJ – Rejoinder Testimony of Julie A. Quigley
- PWSA St. No. 8-RJ – Rejoinder Testimony of Keith Readling Non (**PWSA**)

Bureau of Investigation and Enforcement (I&E)

Direct Testimony

- I&E St. No. 1 – Direct Testimony of Anthony Spadaccio – I&E Exhibit No. 1
- I&E St. No. 2 – Direct Testimony of D.C. Patel - I&E Exhibit No. 2
- I&E St. No. 3 – Direct Testimony of Ethan H. Cline – I&E Exhibit No. 3
- I&E St. No. 4 – Direct Testimony of Israel E. Gray – I&E Exhibit No. 4

Rebuttal Testimony

- I&E St. No. 2-R – Rebuttal Testimony of D.C. Patel

Surrebuttal Testimony

- I&E St. 1-SR – Surrebuttal Testimony of Anthony Spadaccio - I&E Exhibit No. 1-SR
- I&E St. No. 2-SR – Surrebuttal Testimony of D.C. Patel
- I&E St. No. 3-SR – Surrebuttal Testimony of Ethan H. Cline – I&E Exhibit No. 3-SR
- I&E St. No. 4-SR – Surrebuttal Testimony of Israel E. Gray – I&E Exhibit No. 4-SR
- Verification Statement of Anthony Spadaccio
- Verification Statement of D.C. Patel
- Verification Statement of Ethan H. Cline
- Verification Statement of Israel E. Gray

Office of Consumer Advocate

Direct Testimony

- OCA St. No. 1 – Direct Testimony of Dante Mugrace - Schedules DM-1 to DM-20
- OCA St. No. 2 - Direct Testimony of David S. Habr - Exhibits DSH-1 through DSH-5
- OCA St. No.3 – Direct Testimony of Scott J. Rubin – Appendix A and Schedules SJR-1 to SJR-7
- OCA St. No. 4 – Direct Testimony of Roger D. Colton – Appendix A
- OCA St. No. 5 (rev. 7/23/21) – Direct Testimony of Barbara R. Alexander – Exhibits BA-1 through BA-3
- OCA St. No. 6 – Direct Testimony of Terry L. Fought – Appendix A and Exhibits TLF-1 through TLF-8
- OCA St. No. 7 – Direct Testimony of Morgan N. DeAngelo – Appendix A

Rebuttal Testimony

- OCA St. No. 3R – Rebuttal Testimony of Scott J. Rubin – Schedules SJR-8 through SJR-10

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- OCA St. No. 6SR – Surrebuttal Testimony of Terry L. Fought
- OCA St. No. 7SR – Surrebuttal Testimony of Morgan N. DeAngelo

Office of Small Business Advocate

Direct Testimony

- OSBA St. No. 1 – Direct Testimony of Brian Kalcic – Exhibit BK-1 (Schedules BK-1W through BK-4W; Schedules BK-1WW through BK-4WW; Schedules BK-1SW through BK-4SW), Referenced Interrogatories, an appendix and Mr. Kalcic’s signed Verification

Rebuttal Testimony

- OSBA St. No. 1-R – Rebuttal Testimony of Brian Kalcic – Exhibit BK-1R (Schedule BK-2SW Corrected; Schedule BK-4SW Corrected; Schedule BK-4WW Corrected), Referenced Interrogatories, and Mr. Kalcic’s signed Verification

Surrebuttal Testimony

- OSBA St. No. 1-S – Surrebuttal Testimony of Brian Kalcic – Exhibit BK-1S (Schedule BK-1W-S; Schedule BK-2W-S; Schedule BK-4W-S) and Mr. Kalcic’s signed Verification

Pittsburgh United

Direct Testimony

- Pittsburgh United St. No. 1 - Direct Testimony of Harry Geller – Pittsburgh United Exhibit 1 - Appendices A and B.
- Pittsburgh United St. No. 2 - Direct Testimony of Michele C. Adams – Appendices A and B.

Rebuttal Testimony

- Pittsburgh United St. No. 1-R - Rebuttal Testimony of Harry Geller

Surrebuttal Testimony

- Pittsburgh United St. No. 1-SR - Surrebuttal Testimony of Harry Geller
- Pittsburgh United St. No. 2-SR - Surrebuttal Testimony of Michele C. Adams

- Verification of Pittsburgh United expert witness, Harry Geller
- Verification of Pittsburgh United expert witness, Michele C. Adams
- Joint Stipulation of Pittsburgh United and the Pittsburgh Water and Sewer Authority and United/PWSA Joint Stipulation Appendix A

R-2021-3024773, et al. - PA PUBLIC UTILITY COMMISSION v. THE PITTSBURGH
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