



COMMONWEALTH OF PENNSYLVANIA

January 24, 2022

**E-FILED**

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

**Re: Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery / Docket No. P-2022-3030253**

Dear Secretary Chiavetta:

Enclosed please find the Answer, Notice of Intervention, Public Statement and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Erin K. Fure

Erin K. Fure  
Assistant Small Business Advocate  
Attorney ID No. 312245

*Enclosures*

cc: Brian Kalcic  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery** :  
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: **Docket Nos. P-2022-3030253**  
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**ANSWER OF THE SMALL BUSINESS ADVOCATE**

Pursuant to 52 Pa. Code §5.61, the Office of Small Business Advocate (“OSBA”) files this Answer in response to the Petition of the Pittsburgh Water and Sewer Authority for Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery (“*Petition*”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on January 3, 2022.

**I. INTRODUCTION AND OVERVIEW**

The averments in the unnumbered paragraphs set forth on pages 2 through 4 of the *Petition* constitute a prayer for relief to which no response is required. To the extent a response is required, the averments in the unnumbered paragraphs are denied, and strict proof thereof is demanded.

**II. BACKGROUND OF PWSA**

1. Admitted.
2. Admitted.

3. Admitted.

4. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 4. To the extent a response is required, the averments in Paragraph 4 are denied, and strict proof thereof is demanded.

5. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 5. To the extent a response is required, the averments in Paragraph 5 are denied, and strict proof thereof is demanded.

**A. Existing Low Income Customer Assistance Programs**

6. Admitted.

7. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 7. To the extent a response is required, the averments in Paragraph 7 are denied, and strict proof thereof is demanded.

8. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 8. To the extent a response is required, the averments in Paragraph 8 are denied, and strict proof thereof is demanded.

9. Admitted in part. It is admitted that in PWSA's 2020 rate case, the Commission approved the creation of a PGH20 Cares team. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the remaining averments in Paragraph 9. To the extent a response is required, the remaining averments in Paragraph 9 are denied, and strict proof thereof is demanded.

10. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 10. To the extent a response is required, the averments in Paragraph 10 are denied, and strict proof thereof is demanded.

11. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 11. To the extent a response is required, the averments in Paragraph 11 are denied, and strict proof thereof is demanded.

12. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 12. To the extent a response is required, the averments in Paragraph 12 are denied, and strict proof thereof is demanded.

13. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 13. To the extent a response is required, the averments in Paragraph 13 are denied, and strict proof thereof is demanded.

14. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 14. To the extent a response is required, the averments in Paragraph 14 are denied, and strict proof thereof is demanded.

**B. Existing Conservation Efforts**

15. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 15. To the extent a response is required, the averments in Paragraph 15 are denied, and strict proof thereof is demanded.

16. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 16. To the extent a response is required, the averments in Paragraph 16 are denied, and strict proof thereof is demanded.

17. The averments in Paragraph 17 constitute a prayer for relief to which no response is required.

### III. PROPOSED PILOT PROGRAM

18. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 18. To the extent a response is required, the averments in Paragraph 18 are denied, and strict proof thereof is demanded.

#### A. Eligibility

19. The averments in Paragraph 19 constitute a prayer for relief to which no response is required.

20. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 20. To the extent a response is required, the averments in Paragraph 20 are denied, and strict proof thereof is demanded.

21. The averments in Paragraph 21 constitute a prayer for relief to which no response is required.

22. The averments in Paragraph 22 constitute a prayer for relief to which no response is required.

23. The averments in Paragraph 23 constitute a prayer for relief to which no response is required.

24. The averments in Paragraph 24 constitute a prayer for relief to which no response is required.

25. The averments in Paragraph 25 constitute a prayer for relief to which no response is required.

26. The averments in Paragraph 26 constitute a prayer for relief to which no response is required.

27. The averments in Paragraph 27 constitute a prayer for relief to which no response is required.

28. The averments in Paragraph 28 constitute a prayer for relief to which no response is required.

29. The averments in Paragraph 29 constitute a prayer for relief to which no response is required.

**B. Services Offered**

30. The averments in Paragraph 30 constitute a prayer for relief to which no response is required.

31. The averments in Paragraph 31 constitute a prayer for relief to which no response is required.

32. The averments in Paragraph 32 constitute a prayer for relief to which no response is required.

33. The averments in Paragraph 33 constitute a prayer for relief to which no response is required.

**C. Process for Providing Services**

34. The averments in Paragraph 34 constitute a prayer for relief to which no response is required.

35. The averments in Paragraph 35 constitute a prayer for relief to which no response is required.

**D. Education and Outreach**

36. The averments in Paragraph 36 constitute a prayer for relief to which no response is required.

37. The averments in Paragraph 37 constitute a prayer for relief to which no response is required.

**E. Budget**

38. The averments in Paragraph 38 constitute a prayer for relief to which no response is required.

39. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 39. To the extent a response is required, the averments in Paragraph 39 are denied, and strict proof thereof is demanded.

40. The averments in Paragraph 40 constitute a prayer for relief to which no response is required.

41. The averments in Paragraph 41 constitute a prayer for relief to which no response is required.

42. The averments in Paragraph 42 constitute a prayer for relief to which no response is required.

43. The averments in Paragraph 43 constitute a prayer for relief to which no response is required.

44. The averments in Paragraph 44 constitute a prayer for relief to which no response is required.

45. The averments in Paragraph 45 constitute a prayer for relief to which no response is required.

#### **IV. APPROVAL OF THE PILOT PROGRAM IS IN THE PUBLIC INTEREST**

46. The averments in Paragraph 46 contain legal conclusions of law to which no response is required.

47. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 47. To the extent a response is required, the averments in Paragraph 47 are denied, and strict proof thereof is demanded.

48. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 48. To the extent a response is required, the averments in Paragraph 48 are denied, and strict proof thereof is demanded.

49. Admitted in part. It is admitted that 52 Pa. Code § 58.1 requires electric and natural gas utilities to establish a fair, effective and efficient energy usage reduction program for their low-income customers. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the remaining averments in Paragraph 49. To the extent a response is required, the remaining averments in Paragraph 49 are denied, and strict proof thereof is demanded.

50. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 50. To the extent a response is required, the averments in Paragraph 50 are denied, and strict proof thereof is demanded.

51. The OSBA is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 51. To the extent a response is required, the averments in Paragraph 51 are denied, and strict proof thereof is demanded.

**V. APPROVAL TO TRACK PILOT PROGRAM COSTS AS REGULATORY ASSET AND SEEK COST RECOVERY IN FUTURE RATE CASE IS IN THE PUBLIC INTEREST**

52. The averments in Paragraph 52 constitute a prayer for relief to which no response is required.

53. The averments in Paragraph 53 contain legal conclusions of law to which no response is required. By way of further response, the cases cited by PWSA speak for themselves.

54. The averments in Paragraph 54 constitute a prayer for relief to which no response is required. To the extent a response is required, the averments in Paragraph 54 are denied and strict proof is demanded.

55. The averments in Paragraph 55 constitute a prayer for relief to which no response is required.

**VI. SUGGESTED PROCEDURAL PROCESS**

56. The averments in Paragraph 56 constitute a prayer for relief to which no response is required.

57. The averments in Paragraph 57 constitute a prayer for relief to which no response is required. By way of further response, the OSBA does not oppose the procedure proposed by PWSA in Paragraph 57.

58. The averments in Paragraph 58 constitute a prayer for relief to which no response is required.

**VII. CONCLUSION**

In view of the foregoing, the Office of Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Direct that further action on the *Petition* be held in abeyance for sixty days or until March 25, 2022 as requested by PWSA or, in the alternative, direct the Office of Administrative Law Judge to hold hearings on the *Petition* and prepare an initial decision; and
- B. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

/s/ Erin K. Fure

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Erin K. Fure  
Attorney ID No. 312245  
Assistant Small Business Advocate

For:  
The Small Business Advocate

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Dated: January 24, 2022

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery** :  
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**NOTICE OF INTERVENTION  
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery, filed on January 3, 2022. In support of this Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50) to represent the interest of small business customers as a party in proceedings before the Commission.
2. Intervention in this case is necessary to ensure that the interests of small business customers served by PWSA are adequately represented.

3. Representing the OSBA in this proceeding is:

Erin K. Fure  
Office of Small Business Advocate  
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(717) 783-2525  
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Respectfully submitted,

/s/ Erin K. Fure

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Erin K. Fure  
Attorney ID No. 312245  
Assistant Small Business Advocate

For:  
The Small Business Advocate

Dated: January 24, 2022

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery** :  
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**PUBLIC STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an Answer to the Petition of Pittsburgh Water and Sewer Authority (“PWSA” or the “Authority”) for approval of a pilot private service line leak repair and expanded conservation program for eligible low income customers and authorization to track costs as a regulatory asset for future base rate recovery.

The Small Business Advocate files this Answer in response to the Authority’s Petition in order to protect the interests of the Authority’s small business customers. A thorough inquiry by the Commission into all of the elements of the Authority’s proposed filing is necessary to ensure

that the relief requested in the filing is lawful, just, reasonable, and not discriminatory to PWSA's small business customers.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the relief sought in PWSA's Petition. The Small Business Advocate will ask the Commission to deny any proposed tariff changes that apply to small business customers that are not proven by PWSA's to be lawful, just, reasonable, and not discriminatory to the Authority's small business customers.

Dated: January 24, 2022

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery** :  
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**VERIFICATION**

I, Erin K. Fure, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: January 24, 2022

/s/ Erin K. Fure

(Signature)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of the Pittsburgh Water and Sewer Authority for Approval of Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers and Authorization to Track Costs as a Regulatory Asset for Future Base Rate Recovery** : **Docket No. P-2022-3030253**  
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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email(*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.  
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/s/ Erin K. Fure

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Erin K. Fure  
Assistant Small Business Advocate  
Attorney ID No. 312245

DATE: January 24, 2022