



COMMONWEALTH OF PENNSYLVANIA

June 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 for filing please find the Prehearing Memorandum, 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**

Pittsburgh Water and Sewer Authority’s	:	
Petition for Pilot Private Service Line	:	P-2022-3030253
Leak Repair and Expanded Conservation	:	
Program for Low Income Customers	:	

**OFFICE OF SMALL BUSINESS ADVOCATE
PREHEARING MEMORANDUM**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Erin K. Fure.

Please address all correspondence as follows:

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Assistant Small Business Advocate
Office of Small Business Advocate
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II. FILING BACKGROUND

On January 3, 2022, the Pittsburgh Water and Sewer Authority (“PWSA” or the “Authority”) filed a *Petition* in which it seeks approval to implement a Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low Income Customers (“Pilot Program”) as well as authorization to track costs of the Pilot Program as a regulatory asset for future base rate recovery.

The Commission’s Bureau of Investigation and Enforcement (“I&E”) filed an Answer to the *Petition* on January 21, 2022.

On January 24, 2022, Pittsburgh United filed an Answer and Petition to Intervene.

On January 24, 2022, the OSBA filed an Answer, Notice of Appearance, Notice of Intervention, and Public Statement.

On January 24, 2022, the Office of Consumer Advocate (“OCA”) filed an Answer to the *Petition*.

On June 14, 2022, a Notice was issued that a telephonic Prehearing Conference was scheduled for June 27, 2022 before Administrative Law Judge (“ALJ”) Eranda Vero and ALJ Gail M. Chiodo.

On June 14, 2022, ALJ Vero and ALJ Chiodo issued a Prehearing Conference Order.

III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Brian Kalcic
Excel Consulting
7330 Dorset Avenue
St. Louis, MO 63105
(314) 863-3209
excel.consulting@sbcglobal.net

The OSBA will participate in the case to assure that the interests of small business customers of the Authority are adequately represented and protected. As the Pilot Program stems from the Commission-approved Joint Petition for Settlement (“*Settlement*”) reached in the Authority’s 2020 base rate case (Docket No. R-2020-3017951), the OSBA will also participate in this case to ensure the terms of the *Settlement* are followed.

As appropriate and necessary, the OSBA will investigate and analyze the claims and proposals of the Authority and other parties through discovery, through the cross-examination of witnesses appearing for those parties, through the filing of testimony, and through briefing. The OSBA will particularly focus on any issue where the impact on the interests of the Authority’s small business consumers would be unjustifiably different than, or disproportionate to, the impact on another class of customers, or otherwise lacking in reasonableness or basic fairness.

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date¹ as satisfying the in-hand requirement. The OSBA requests that electronic copies be provided to its witness identified above. The OSBA also requests that all parties serve an electronic copy of all interrogatory responses upon the OSBA and the OSBA witnesses identified above.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

V. DISCOVERY

The OSBA does not propose any discovery modifications in this proceeding, but will work with the parties to develop any mutually agreeable discovery modifications.

VI. SETTLEMENT

The OSBA is willing to continue to engage in settlement discussions at the appropriate time, as necessary.

VII. HEARING AND BRIEFING SCHEDULE

The OSBA has cooperated with the other parties to develop a procedural schedule. The OSBA is in agreement with the procedural schedule proposed by the Authority in its Prehearing Memorandum.

Respectfully submitted,

/s/ Erin K. Fure

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

Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

Dated: June 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 : **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 Eranda Vero
The Honorable Gail Chiodo
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/s/ Erin K. Fure

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DATE: June 24, 2022