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October 24, 2022

**Via Electronic Filing**

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Implementation of Chapter 32 of the Public Utility Code RE: Pittsburgh Water  
and Sewer Authority; Docket Nos. M-2018-2640802 and M-2018-2640803  
**COMPLIANCE TARIFF**

Dear Secretary Chiavetta:

On behalf of The Pittsburgh Water and Sewer Authority (“PWSA”) and pursuant to the final Order entered August 25, 2022 in the above-captioned matter regarding PWSA’s Stage 2 Compliance Plan: Stormwater, enclosed for electronic filing please find PWSA’s Compliance Tariff (including Clean and Redline versions): Supplement No. 2 to Tariff Storm Water – Pa. P.U.C. No. 1. This Compliance Tariff adds line extension provisions pursuant to the June 9, 2022 Joint Petition for Settlement in this proceeding,<sup>1</sup> which was subsequently approved by the August 25, 2022 Order.

Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Lauren M. Burge

Enclosure

cc: Hon. Eranda Vero w/enc. (via email only)  
Hon. Gail M. Chiodo w/enc. (via email only)  
Certificate of Service (via email only)

<sup>1</sup> Joint Petition for Settlement at ¶ III.C.1; *see also* the July 19, 2022 Recommended Decision at 14-17.

## CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of PWSA's Compliance Tariff (clean and redline) upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

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/s/ Lauren M. Burge

Lauren M. Burge, Esq.

Dated: October 24, 2022

The Pittsburgh Water  
and Sewer Authority

Supplement No. 2  
Tariff Storm Water - Pa. P.U.C. No. 1  
Second Revised Page No. 1  
Canceling First Revised Page No. 1

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THE PITTSBURGH WATER AND SEWER AUTHORITY

RATES, RULES AND REGULATIONS GOVERNING

THE PROVISION OF STORM WATER COLLECTION, CONVEYANCE,

TREATMENT AND/OR DISPOSAL SERVICE

TO THE PUBLIC IN THE TERRITORY DESCRIBED HEREIN

Issued: TBD

Effective: TBD

By: William J. Pickering, Chief Executive Officer  
1200 Penn Avenue, Pittsburgh, PA 15222  
Tel: 412-255-8800

NOTICE

This tariff makes changes in rules and regulations as approved  
by the Commission in its Final Order dated August 25, 2022 at  
Docket Nos. M-2018-2640802 and M-2018-2640803

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The Pittsburgh Water  
and Sewer Authority

Supplement No. 2  
Tariff Storm Water - Pa. P.U.C. No. 1  
Second Revised Page No. 2  
Canceling First Revised Page No. 2

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LIST OF CHANGES

**TABLE OF CONTENTS (PAGE NO. 4)**

Revised to reflect the addition of Part III, Section G - Main Extensions, and revised page numbers for Sections H and I.

**PART II: DEFINITIONS (PAGE NO. 18A)**

Added definition of "Bona Fide Service Applicant" (for line extension purposes).

**PART III: RULES AND REGULATIONS, SECTION G - MAIN EXTENSIONS (PAGE NOS. 40, 40A, 40B, 40C)**

Added Section G - Main Extensions; moved Section H (Reserved) to Page No. 40B, and previous language of Section I to Page No. 40C.

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**(C) - Change**

5. Authority Storm Water Sewers or Public Storm Sewers: The Authority has a duty to operate, maintain, inspect, repair, replace or abandon only those Storm Sewers that are a part of or connected to the public Sewer System and that fall into one of the following classifications: (a) Storm Sewers leased to the Authority by the City under the Capital Lease Agreement effective July 27, 1995, as amended; (b) Storm Sewers constructed by the City or the Authority for public use since July 27, 1995; and (c) Storm Sewers dedicated to public use and accepted by the Authority on or after July 27, 1995.
6. Automatic Meter Reading: Metering using technologies that automatically read and collect data from metering devices and transfer that data to a central database for billing and other purposes.
7. Best Management Practices or BMPs: Activities, facilities, designs, measures, practices, procedures, or combination thereof determined to be the most effective and practicable used to manage storm water runoff, control sediment, stabilize soil, reduce nonpoint source pollution and/or meet state water quality requirements. Refer to Pennsylvania Department of Environmental Protection's suggested guidelines for storm water quality as defined in the current edition of the Pennsylvania Stormwater Best Management Practices Manual.
8. Bona Fide Service Applicant: (For Line Extension Purposes) A person or entity applying for wastewater conveyance service or a storm water line extension to an existing or proposed structure served by PWSA as of December 21, 2017 for which a valid occupancy or building permit has been issued if the structure is either a primary residence of the applicant or a place of business. An applicant shall not be deemed a bona fide service applicant if:
  - a. applicant is requesting wastewater conveyance service or storm water line extension to a building lot, subdivision or a secondary residence;
  - b. The request for service is part of a plan for the development of a residential dwelling or subdivision; or
  - c. The applicant is requesting special utility service.

(C)

**(C) - Change**

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Section F - Reserved

Section G - Main Extensions

(C)

Bona Fide Service Applicant(s) and/or Non-Bona Fide Service Applicant(s) who desire to or are required to connect to the Authority's Wastewater conveyance system or Storm Water Collection System (a "Main Extension Applicant") must comply with the following conditions:

1. A Main Extension Applicant shall provide prior notice to the Authority. Notice shall be written and made on the application and permit forms contained in the Authority's Procedures Manual for Developers, which is located on the Authority's website. The appropriate forms can be completed and any applicable fees paid at the Authority's permit counter, First Floor, Penn Liberty Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222.
2. A Main Extension Applicant shall pay all applicable fees set forth in Part I, Section H at the time of payment and shall be payable at the time of application for connection or at a time to which the property owner and the Authority agree. 53 Pa.C.S. § 5607(d)(24).

The above-described fees shall be in addition to any charges assessed against the property in the construction of a sewer or water main by the Authority under 53 Pa.C.S. § 5607(d)(21), (22) as well as any other user charges imposed by the Authority. See 53 Pa.C.S. § 5607(d)(24).

3. The Authority may, in its exercise of its sole discretion, require that construction shall not commence until the Main Extension Applicant has posted appropriate financial security in accordance with 53 Pa.C.S. § 5607(d)(23), (30).
4. The Authority may, in its exercise of its sole discretion, limit the availability of Storm Water line extensions to instances in which the necessary facilities and capacity to accommodate the extension are available.

**(C) - Change**

5. The Authority may, in its exercise of its sole discretion, require the Main Extension Applicant to reimburse the Authority for reasonable and necessary expenses the Authority incurs as a result of the extension. 53 Pa.C.S. § 5607(d)(30). (C)
6. Consistent with 53 Pa.C.S. § 5607(d)(30), where the Authority's system is to be extended at the expense of the owner of properties or where the Authority otherwise would construct customer facilities (other than water meter installation), a Main Extension Applicant shall have the right to construct the extension or install the customer facilities himself or through a subcontractor approved by the Authority, which approval shall not be unreasonably withheld. The Authority shall have the right, at its option, to perform the construction itself only if the Authority provides the extension or customer facilities at a lower cost and within the same timetable specified or proposed by the property owner or his approved subcontractor. Construction by the Main Extension Applicant shall be in accordance with an agreement for the extension of the Authority's system and plans and specifications approved by the Authority and shall be undertaken only pursuant to the existing regulations, requirements, rules and standards of the Authority applicable to such construction. Construction shall be subject to inspection by an inspector authorized to approve similar construction and employed by the Authority during construction. When a main is to be extended at the expense of the Main Extension Application, the Main Extension Applicant may be required to deposit with the Authority, in advance of construction, the Authority's estimated reasonable and necessary cost of reviewing plans, construction inspections, administrative, legal and engineering services.
7. Upon completion of construction, the Main Extension Applicant shall dedicate and the Authority shall accept the extension of the Authority's system if dedication of facilities and the installation complies with the plans, specifications, and regulations of the Authority and the agreement. 53 Pa.C.S. § 5607(d)(30).

**(C) - Change**

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8. Where a Main Extension Applicant constructs or causes to be constructed at his expense any extension of a sewer or water system of an authority, the Authority shall provide for the reimbursement to the Main Extension Applicant when the owner of another property not in the development for which the extension was constructed connects a service line directly to the extension within ten years of the date of the dedication of the extension to the Authority in accordance with 53 Pa.C.S. § 5607(d) (31). **(C)**
9. The Authority may charge the cost of construction of a sewer or water main constructed by the Authority against the properties benefited, improved or accommodated by the construction in accordance with 53 Pa.C.S. § 5607(d) (21), (22)S.

Section H - Reserved

**(C) - Change**

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[text on this page moved from prior Page No. 40]

(C)

Section I - Service Continuity

1. Regularity of Service: The Authority may, at any time, interrupt service in case of accident or for the purpose of making connections, alterations, repairs or changes, or for other reasons. The Authority will, pursuant to Commission regulations at 52 Pa. Code § 67.1 and as circumstances permit, notify customers to be affected by service interruptions. The Authority reserves the right to restrict the use of service whenever the public welfare may require it.

2. Liability for Service Interruptions:

a. Limitation of Damages: The Authority's liability to a Customer for any loss or damage from any excess or deficiency in the storm water service due to any cause other than willful misconduct or negligence by the Authority, its employees or agents shall be limited to an amount no more than the customer charge or minimum bill for the period in question. The Authority will undertake to use reasonable care and diligence in order to prevent and avoid interruptions in storm water service, but cannot and does not guarantee that such will not occur. The Authority shall not be considered in any manner an insurer of property or persons against loss or damage by storm water, or otherwise. The Authority shall not be liable in any action where the loss or damage involves an act of God, force majeure or does not involve a duty of the Authority.

b. Responsibility for Customer Facilities: The Authority shall not be liable for any loss or damage caused by reason of any breaks, leaks, stoppages or other defects in property owner or customer-owned facilities including pipes, joints, fixtures or other installations except

(C) - Change

The Pittsburgh Water  
and Sewer Authority

Supplement No. ~~1~~2  
Tariff Storm Water - Pa. P.U.C. No. 1  
~~First~~Second Revised Page No. 1  
Canceling ~~Original~~First Revised Page No.  
1

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THE PITTSBURGH WATER AND SEWER AUTHORITY

RATES, RULES AND REGULATIONS GOVERNING  
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LIST OF CHANGES

TABLE OF CONTENTS (PAGE No. 4)

Revised to reflect the addition of Part III, Section G - Main Extensions, and revised page numbers for Sections H and I.

**PART II: DEFINITIONS (PAGE Nos ~~No. 18, 18A, 19, 24, 25, AND 29~~)**

~~Revised definitions of Applicant and Customer to reflect 66 Pa.C.S. § 1403. Revised definitions of Occupant and Person and added definition of Automatic Meter Reading to reflect 52 Pa. Code § 56.2. Revised definition of Protected Tenant to remove statement that the applicability of The Utility Service Tenants Rights Act (USTRA), 68 Pa. S.A. § 399.1 - 399.18, as amended, is subject to further Commission review.~~

Added definition of "Bona Fide Service Applicant" (for line extension purposes).

**PART III: RULES AND REGULATIONS, SECTION A - ~~STORM WATER SERVICE, PARAGRAPH No. 3 - SERVICE STIPULATIONS FOR RESIDENTIAL TENANTS AND NON-OWNER OCCUPANTS~~ G - MAIN EXTENSIONS (PAGE NOS. ~~3140, 3240A, 32A40B, 40C~~)**

~~Revised to reflect that PWSA will not require payment of an outstanding balance as a condition of furnishing new service unless the applicant is legally responsible for the outstanding balance.~~

Added Section G - Main Extensions; moved Section H (Reserved) to Page No. 40B, and previous language of Section I to Page No. 40C.

~~Revised to reflect that Tenants or Non-Owner Occupants may become customers by submitting either an Owner/Tenant Form or other proof of tenancy, and identifying forms of proof of tenancy that may be provided to establish service.~~

~~Added a term stating that PWSA will notify the Tenant applicant that the property owner will receive copies of certain bills and notices.~~

~~Adding terms stating that PWSA will notify the Tenant applicant of the option to opt out of notices being sent to the property owner, and identifying the limited notices that may be sent to~~

The Pittsburgh Water  
and Sewer Authority

Supplement No. ~~1~~2  
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~~the property owner in the Tenant applicant or Tenant customer  
opts out.~~

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6. Automatic Meter Reading: Metering using technologies that automatically read and collect data from metering devices and transfer that data to a central database for billing and other purposes.
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  - a. applicant is requesting wastewater conveyance service or storm water line extension to a building lot, subdivision or a secondary residence;
  - b. The request for service is part of a plan for the development of a residential dwelling or subdivision; or
  - c. The applicant is requesting special utility service.

(C)

**(C) - Change**

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Section F - Reserved

Section G - ~~Reserved~~Main Extensions

(C)

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1. A Main Extension Applicant shall provide prior notice to the Authority. Notice shall be written and made on the application and permit forms contained in the Authority's Procedures Manual for Developers, which is located on the Authority's website. The appropriate forms can be completed and any applicable fees paid at the Authority's permit counter, First Floor, Penn Liberty Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222.
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The above-described fees shall be in addition to any charges assessed against the property in the construction of a sewer or water main by the Authority under 53 Pa.C.S. § 5607(d) (21), (22) as well as any other user charges imposed by the Authority. See 53 Pa.C.S. § 5607(d) (24).
3. The Authority may, in its exercise of its sole discretion, require that construction shall not commence until the Main Extension Applicant has posted appropriate financial security in accordance with 53 Pa.C.S. § 5607(d) (23), (30).
4. The Authority may, in its exercise of its sole discretion, limit the availability of Storm Water line extensions to

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accommodate the extension are available.

**(C) - Change**

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Authority incurs as a result of the extension. 53 Pa.C.S. §  
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**(C)**

6. Consistent with 53 Pa.C.S. § 5607(d) (30), where the  
Authority's system is to be extended at the expense of the  
owner of properties or where the Authority otherwise would  
construct customer facilities (other than water meter  
installation), a Main Extension Applicant shall have the  
right to construct the extension or install the customer  
facilities himself or through a subcontractor approved by  
the Authority, which approval shall not be unreasonably  
withheld. The Authority shall have the right, at its  
option, to perform the construction itself only if the  
Authority provides the extension or customer facilities at  
a lower cost and within the same timetable specified or  
proposed by the property owner or his approved  
subcontractor. Construction by the Main Extension Applicant  
shall be in accordance with an agreement for the extension  
of the Authority's system and plans and specifications  
approved by the Authority and shall be undertaken only  
pursuant to the existing regulations, requirements, rules  
and standards of the Authority applicable to such  
construction. Construction shall be subject to inspection  
by an inspector authorized to approve similar construction  
and employed by the Authority during construction. When a  
main is to be extended at the expense of the Main Extension  
Application, the Main Extension Applicant may be required  
to deposit with the Authority, in advance of construction,  
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**(C) - Change**

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be constructed at his expense any extension of a sewer or  
water system of an authority, the Authority shall provide  
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Section H - Reserved

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[text on this page moved from prior Page No. 40]

(C)

Section I - Service Continuity

1. Regularity of Service: The Authority may, at any time, interrupt service in case of accident or for the purpose of making connections, alterations, repairs or changes, or for other reasons. The Authority will, pursuant to Commission regulations at 52 Pa. Code § 67.1 and as circumstances permit, notify customers to be affected by service interruptions. The Authority reserves the right to restrict the use of service whenever the public welfare may require it.

2. Liability for Service Interruptions:

- a. Limitation of Damages: The Authority's liability to a Customer for any loss or damage from any excess or deficiency in the storm water service due to any cause other than willful misconduct or negligence by the Authority, its employees or agents shall be limited to an amount no more than the customer charge or minimum bill for the period in question. The Authority will undertake to use reasonable care and diligence in order to prevent and avoid interruptions in storm water service, but cannot and does not guarantee that such will not occur. The Authority shall not be considered in any manner an insurer of property or persons against loss or damage by storm water, or otherwise. The Authority shall not be liable in any action where the loss or damage involves an act of God, force majeure or does not involve a duty of the Authority.
- b. Responsibility for Customer Facilities: The Authority shall not be liable for any loss or damage caused by reason of any breaks, leaks, stoppages or other defects in property owner or customer-owned facilities including pipes, joints, fixtures or other installations except

(C) - Change