

Tirlochan S Walia

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Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
HARRISBURG, PA 17120

Dated: June 26, 2023

Subject: Tirlochan S. Walia v. The Pittsburgh Water and Sewer Authority; OPINION AND ORDER dated June 15, 2023. (F-2022-3032572)

Dear Secretary Chiavetta,

“So the Complainant seems to understand PWSA’s PUC-approved usage billing practices but wishes that PWSA rounded customer’s usage for billing. PWSA has agreed in its most recent 2021 rate case to consider alternative rate structures, specifically the removal of minimum charges in our next future base rate case. So we did suggest that Mr. Walia file a formal complaint in PWSA’s next base rate case to suggest how his concerns could be validated in a future rate structure for Pittsburgh Water and Sewer.”¹

Is this arrogance or hubris on the part of PWSA, I have to rule out ignorance. It is continuation of a pattern of trivializing the serious and material distortion and misuse/abuse of the PUC approved tariff:

“PWSA has testified that the Authority carries over any gallon usage above the 1,000-gallon minimum but less than a full 1,000-gallon increment. PWSA averred that a customer who consumes 2,005 gallons in a billing cycle, would be billed for 2,000 gallons, including the 1,000-gallon minimum, and the additional five gallons would be carried over to the next billing cycle. Tr. at 51. We note that this is not in the tariff. We require PWSA to explain why this billing practice is carried out when it is not in accordance with the tariff.”²

By proffering calculated example of 5 gallons per month above full 1,000 gallons, does PWSA realize it will take 16.66 years to accumulate billable 1,000 gallons (hardly worth the exercise — it will be just that).

In the attached table (Enclsr) I show a more realistic affect on monthly revenue of PWSA — result of distorting PUC approved tariff. (For the purposes of this submission I have labeled the gallons not billed in a given month as ‘Transient Gallons’ — these gallons are billed when they accumulate to 1,000 gallons, irrespective of the month of actual consumption.)

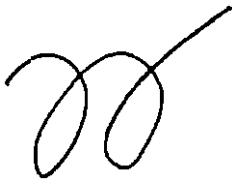
B) “In the *April 2023 Order*, we noted the following regarding tariffs:
A public utility’s Commission-approved tariff is prima facie reasonable, has the full force of law, and is binding on the utility and the customer. 66 Pa. C.S. § 316; *Kossmann v. Pa. Pub. Util. Comm’n*, 694 a.2d 1147 (Pa. Cmwlth. 1997); *Stiteler v. Bell Tel. Co of Pa.*, 379 a.2d 339 (Pa. Cmwlth. 1977).”³

Since 'tariff' has the full force of law (emphasis added), it follows that tampering with, distorting, misusing, and abusing 'tariff' is not just an administrative infraction, it is an illegal act. In light of the PWSA's callously dismissive demeanor to the issues raised in my complaint, I ask that the commission give a serious consideration to see if civil penalty and/or other sanctions are warranted. I do not ask this lightly and am fully cognizant of the PUC mission:

"The mission of the Pennsylvania Public Utility Commission is to balance the needs of consumers and utilities; ensure safe and reliable utility service at reasonable rates; protect the public interest; educate consumers to make independent and informed utility choices; further economic development; and foster new technologies and competitive markets in an environmentally sound manner."

Actually, my request is because of that mission. After all, how can PUC carry out its assigned mission if it does not have true financial and operational picture of PWSA.

Sincerely,

A handwritten signature in black ink, consisting of two large, overlapping loops followed by a short horizontal stroke.

Enclsr:

Copy: Karen O. Moury, esqr., Eckert Seamans Cherin & Mellot, LLC
Hon. Conrad A. Johnson, Administrative Law Judge. PA Public Utility Commission

¹Tirlochan S. Walia v. The Pittsburgh Water and Sewer Authority; OPINION AND ORDER dated June 15, 2023, p 11.

²ibid pp 11-12.

³ibid p 13

**'TRANSIENT' GALLON REVENUE
PER 100,000 CUSTOMERS**

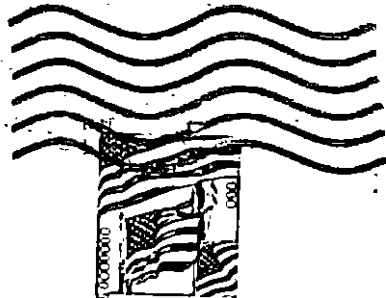
'TRANSIENT' GALLONS	PROBABILITY ADDITIONAL CHARGE	ADDITIONAL CHARGE RATE	ADDITIONAL REVENUE PER MONTH
50	.05	14.64	\$73,200
100	0.1	14.64	146,400
200	0.2	14.64	292,800
300	0.3	14.64	439,200
400	0.4	14.64	585,600
500	0.5	14.64	732,000

Additional Revenue = Probability Additional Charge x 100,000 x Additional Charge Rate

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