



Teresa K. Harrold
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VIA eFiling

October 3, 2024

Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

Re: *Nunc Pro Tunc* Petition of Pennsylvania-American Water Company for
Limited Waiver of 52 Pa. Code § 56.11(a) and Related Tariff Provisions

Docket No. P-2024-_____

Dear Secretary Chiavetta:

On behalf of Pennsylvania-American Water Company ("Company"), I am eFiling the above captioned Petition requesting a limited waiver of 52 Pa. Code § 56.11(a) and Rules 10.1 and 8 of the Company's water and wastewater tariffs.

The filing has been served on the parties listed on the enclosed Certificate of Service.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa K. Harrold".

Teresa K. Harrold

Enclosures

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nunc Pro Tunc Petition of Pennsylvania- :
American Water Company for Limited : Docket No. P-2024-_____
Waiver of 52 Pa. Code § 56.11(a) and :
Related Tariff Provisions :

***NUNC PRO TUNC* PETITION OF PENNSYLVANIA-AMERICAN WATER COMPANY
FOR LIMITED WAIVER OF 52 PA. CODE § 56.11(A) AND RELATED TARIFF
PROVISIONS**

Pursuant to 52 Pa. Code § 5.43, Pennsylvania-American Water Company (“PAWC” or the “Company”) respectfully petitions the Pennsylvania Public Utility Commission (“PUC” or “Commission”) for a limited waiver of 52 Pa. Code § 56.11(a) and Rules 10.1 and 8 of PAWC’s water and wastewater tariffs.¹ As discussed further below, the requested waiver is related to a technical issue that impacted a subset of bills from August 26, 2024 to September 12, 2024.

I. BACKGROUND

1. PAWC is a regulated public utility corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania, and is engaged in the business of collecting, treating, storing, supplying, distributing and selling water to the public, and collecting, treating, transporting and disposing of wastewater for the public. Water and wastewater service are furnished by PAWC in a service territory encompassing more than 417 communities in 37 counties across the Commonwealth. PAWC serves a combined population of over 2,300,000.

¹ Tariff Water-PA P.U.C. No. 5; Tariff Wastewater PA P.U.C. No. 16.

2. 52 Pa. Code § 56.11(a) states that “a public utility shall render a bill once every billing period to every residential customer in accordance with approved rate schedules.”

3. “Billing period” is defined, in relevant part, as “in the case of water and wastewater service, a billing period may be monthly, bimonthly or quarterly as provided in the tariff of the public utility. Customers shall be permitted to receive bills monthly and be notified of their rights thereto.”²

4. Similarly, PAWC’s water tariff states that “the Company shall render a bill once every billing period to every Customer in accordance with approved rate schedules.”³

5. PAWC’s wastewater tariff provides “the Company shall render a bill once every billing period to every Customer in accordance with approved rate schedules.”⁴

6. PAWC issues monthly bills to the majority of its water and wastewater customers. All residential customers are billed on a monthly basis. Some non-residential customers are billed on a quarterly basis instead.

7. Between August 26, 2024 and September 12, 2024, upgrades to two systems used for billing caused a technical issue that resulted in a subset of customers not receiving a paper bill or notification of their electronic bill.

8. A numerical breakdown of the impacted accounts is below:

Time Period	Bills Created	Bills Sent As Normal	Print Bills Not Mailed	E-Bill Notification Not Sent
8/26/2024 - 9/12/2024	376,541	280,107	78,443	17,991

² 52 Pa. Code § 56.2.

³ Supplement No. 40 to Tariff Water-PA P.U.C. No. 5, Fourth Revised Page 58 (Rule 10.1).

⁴ Supplement No. 43 to Tariff Wastewater PA P.U.C. No. 16, Fourth Revised Page 31 (Rule 8).

9. During this period, impacted customers could still view their bills and obtain copies through other means:

- a. Bills could be viewed online on PAWC's MyWater customer portal; and
- b. If the customer called the Company's Customer Service Center, Customer Care Agents ("CCAs") could view bills, process payments, and mail paper copies of bills to customers.

10. Once this technical issue was discovered, credits for any automatically assessed late payment charges and dunning locks to prevent collections activity, including any subsequent late payment charges, were placed on all impacted accounts through the end of 2024.

11. For all impacted accounts, the Company's next regularly scheduled bills have already or will issue to the customers as normal. If the customer did not make a payment during the prior billing period, the bill will be for all water and/or wastewater usage from the last two billing periods. Customers will not be responsible to pay any late payment charges.

12. In recognition of the fact that a larger balance due may present a challenge for lower income households, PAWC contributed an additional \$100,000 to its H2O Help to Others Hardship Fund, which is now available to customers.

13. Impacted customers from all customer classes also may request a payment plan of up to 12 months through MyWater or by calling the Customer Service Center. Impacted customers who did not pay their prior bill will receive a letter notifying them that this payment arrangement option is available. A copy of the letters that are being sent to impacted customers is attached hereto as **Exhibit A**.

II. LEGAL AUTHORITY

14. Pursuant to 52 Pa. Code § 5.43, a petition for waiver of a Commission regulation must set forth the petitioner's interest, the relevant legal authority, the purpose of the petition, and the factual grounds for the waiver.

15. 52 Pa. Code § 5.43 also requires that petitions for waiver be served on the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate.

16. The Commission may grant a petition for waiver of regulations and/or tariff provisions that is in the public interest under the Commission's statutory authority to rescind or modify regulations or orders.⁵

III. THE COMMISSION SHOULD GRANT PENNSYLVANIA-AMERICAN WATER COMPANY A LIMITED WAIVER OF 52 PA. CODE § 56.11(A) AND PAWC'S RELATED TARIFF PROVISIONS

17. The Commission should grant PAWC's requested limited waiver of 52 Pa. Code § 56.11(a) and Rules 10.1 and 8 of PAWC's water and wastewater tariffs because it is consistent with the public interest.

18. PAWC is requesting this limited waiver for the period of August 26, 2024 to September 12, 2024 when a subset of customers were not mailed copies of their bills or electronically notified when their electronic bills were available to be viewed. However, these bills were issued as normal and at all times customers could have accessed their bills on MyWater or by calling the Customer Service Center and requesting a paper copy of their bill.

⁵ *Petition of PECO Energy Company for Temporary Waiver of Regulations Related to the Required Days In a Billing Period*, Docket No. P-2014-2446292 (Order entered Dec. 4, 2014), p. 3; *see also* 66 Pa. C.S. § 501(a).

19. No customers will be negatively impacted by this limited waiver. Dunning locks to prevent collection activity were placed on all impacted accounts. Any customers who did not make a payment as a result of not receiving a copy of their bill will have any assessed late payment charges credited back to their accounts and the option to take advantage of a payment plan of up to 12 months.

20. For all impacted accounts, the Company's next regularly scheduled bills have already or will issue to the customers as normal. If the customer did not make a payment during the prior billing period, the bill will be for all water and/or wastewater usage from the last two billing periods.

21. To avoid customer confusion, PAWC does not intend to mail copies of the bills that did not go out between August 26, 2024 and September 12, 2024. Instead, all impacted customers are being mailed a letter explaining the issue that occurred. See **Exhibit A**.

22. This limited waiver is in the public interest because PAWC contributed an additional \$100,000 to its H2O Help to Others Hardship Fund to assist any impacted customers with household incomes at or below 250% of federal poverty income guidelines. PAWC recognizes that lower income households may struggle to pay for two months of water or wastewater usage at once. This Hardship Fund contribution is aimed to assist these customers who unexpectedly received a bill for two months of usage.

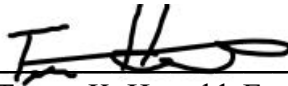
23. In addition, PAWC is offering payment arrangements of up to 12 months to impacted customers from all customer classes. Impacted customers who did not pay their prior bill are being notified that this payment arrangement option is available. See **Exhibit A**.

24. Accordingly, because PAWC is offering multiple payment tools to assist impacted customers, this limited waiver is in the public interest and should be approved by the Commission.

IV. REQUEST FOR RELIEF

WHEREFORE, for the foregoing reasons, Pennsylvania-American Water Company respectfully requests the Pennsylvania Public Utility Commission grant a limited waiver of 52 Pa. Code § 56.11(a) and PAWC's related water and wastewater tariff provisions.

Respectfully submitted,



Dated: October 3, 2024

Teresa K. Harrold, Esq. (PA ID No. 311082)
Elizabeth Rose Triscari, Esq. (PA ID No. 306921)
Pennsylvania American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055
teresa.harrold@amwater.com
elizabeth.triscari@amwater.com

Attorneys for Pennsylvania-American Water Company

EXAMPLE

LETTER TO CUSTOMERS WHO
PAID LAST BILL



PENNSYLVANIA
AMERICAN WATER

P.O. Box 2798, Camden, NJ 08101

10/03/2024

[REDACTED]

ROYERSFORD, PA 19468-3012

For Service To:

Account Number: [REDACTED]

Service Address: [REDACTED]

Limerick, PA 19468-3012

Dear [REDACTED],

Pennsylvania American Water would like to inform you that between August 26 and September 12, a billing system issue resulted in some customers not receiving a paper bill or notification of an electronic bill.

The bill has been available through the Pennsylvania American Water MyWater customer portal for viewing, and American Water customer care agents also were able to provide assistance to any customers who called and needed help during this time.

If you would like a paper copy of your bill, please visit the Pennsylvania American Water MyWater portal or contact our Call Center. If you were assessed any late charges, you will receive a courtesy credit on your account for these charges.

We sincerely apologize for any inconvenience and want to assure you that we have addressed the system issue and have billing system processes in place to help ensure that you don't experience a bill delay in the future.

Esto es un aviso importante sobre su servicio de agua / alcantarilla. Para la ayuda de la traducción, por favor llamas a Pennsylvania American Water al numero 1-800-565-7292.

Sincerely,

Pennsylvania American Water Customer Service

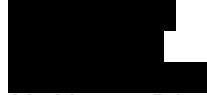
EXAMPLE

LETTER TO CUSTOMERS WHO
DID NOT PAY LAST BILL



P.O. Box 2798, Camden, NJ 08101

10/03/2024



Mc Murray, PA 15317-2733

For Service To:

Account Number:



Service Address:



Mc Murray, PA 15317-2733

Dear [REDACTED],

Pennsylvania American Water would like to inform you that between August 26 and September 12, a billing system issue resulted in some customers not receiving a paper bill or notification of an electronic bill. The bill has been available through the Pennsylvania American Water MyWater customer portal for viewing, and American Water customer care agents also were able to provide assistance to any customers who called and needed help during this time.

We recognize that you might need additional time to pay this bill, therefore we will not be assessing a late charge or initiating any other collection activity for your impacted bill through the end of 2024. You may also choose to take advantage of a payment plan for your impacted bill for up to twelve months. If you were assessed any late charges, you will receive a courtesy credit on your account for these charges.

If you would like a paper copy of your bill or a payment plan, please visit the Pennsylvania American Water MyWater portal or contact our Call Center.

We sincerely apologize for any inconvenience and want to assure you that we have addressed the system issue and have billing system processes in place to help ensure that you don't experience a bill delay in the future.

Esto es un aviso importante sobre su servicio de agua / alcantarilla. Para la ayuda de la traducción, por favor llamas a Pennsylvania American Water al numero 1-800-565-7292.

Sincerely,

Pennsylvania American Water Customer Service

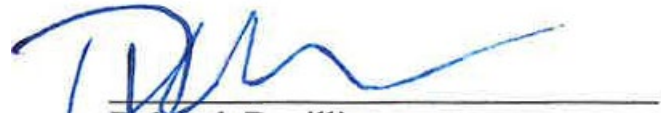
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: *Nunc Pro Tunc* Petition of :
Pennsylvania-American Water Company for : Docket No. P-2024-_____
Limited Waiver of 52 Pa. Code § 56.11(a) and :
Related Tariff Provisions :

VERIFICATION

I, **Deborah Degillio**, hereby state that the facts set forth in the *Nunc Pro Tunc* Petition of Pennsylvania-American Water Company for Limited Waiver of 52 Pa. Code § 56.11(a) and Related Tariff Provisions and accompanying exhibits, if any, are true and correct to the best of my knowledge, information, and belief. I understand that this verification is made subject to the provisions and penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: October 3, 2024



Deborah Degillio

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: *Nunc Pro Tunc* Petition of Pennsylvania-American :
Water Company for Limited Waiver of 52 Pa. Code § : Docket No. P-2024-_____
56.11(a) and Related Tariff Provisions :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing *Nunc Pro Tunc* Petition of Pennsylvania-American Water Company for Limited Waiver of 52 Pa. Code § 56.11(a) and Related Tariff Provisions upon the parties, listed below in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).


Service in the manner listed below addressed as follows:

Patrick Cicero, Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
(via electronic mail - ra-oca@paoca.org)

Allison Kaster, Esquire
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, F West
Harrisburg, PA 17120
(via electronic mail - akaster@pa.gov)

NazAarah Sabree, Small Business Advocate
Nakea Hurdle, Esquire
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101
(via electronic mail - ra-sba@pa.gov)

Dated: October 3, 2024



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Pennsylvania-American Water Company
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