



June 25, 2025

***Via Electronic Filing***

Secretary Matthew L. Homsher  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, Second Floor  
400 North Street, PO Box 3265  
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission v. The Pittsburgh Water and Sewer Authority, Docket Nos. R-2025-3055010, R-2025-3055011, R-2025-3055012**

*Petition to Intervene and Answer of the Pittsburgh United Our Water Table*

Dear Secretary Homsher,

Enclosed, please find the Petition to Intervene and Answer of the Pittsburgh United Our Water Table (Our Water Table) in the above-referenced matter. As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ria M. Pereira".

Ria M. Pereira, Esq.  
*Counsel for the Pittsburgh United Our Water Table*

CC: Certificate of Service

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	<b>Docket No R-2025-3055010</b>
v.	:	<b>R-2025-3055011</b>
	:	<b>R-2025-3055012</b>
<b>Pittsburgh Water and Sewer Authority</b>	:	
<b>d/b/a Pittsburgh Water</b>	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have, on this day, served copies of the **Petition to Intervene and Answer of the Pittsburgh United Our Water Table** in the above captioned matter upon the following persons and in accordance with the requirements of 52 Pa. Code § 1.54.

**SERVICE VIA EMAIL ONLY**

Deanne O’Dell, Esq. Lauren Burge, Esq. Daniel Clearfield, Esq. Eckert Seamans Cherin & Mellott, LLC 213 Market Street, 8 <sup>th</sup> Fl. Harrisburg, PA 17101 <a href="mailto:dodell@eckertseamans.com">dodell@eckertseamans.com</a> <a href="mailto:lburge@eckertseamans.com">lburge@eckertseamans.com</a> <a href="mailto:dclearfield@eckertseamans.com">dclearfield@eckertseamans.com</a>	Scott B. Granger, Esq. Michael A. Podskoch, Jr., Esq. Bureau of Investigation & Enforcement Commonwealth Keystone Building 400 North St., 2nd Floor West Harrisburg, PA 17120 <a href="mailto:sgranger@pa.gov">sgranger@pa.gov</a> <a href="mailto:mpodskoch@pa.gov">mpodskoch@pa.gov</a>
Christine Appleby, Esq. Harrison Breitman, Esq. Barrett Sheridan, Esq. Dave Evrard, Esq. Office of Consumer Advocate 555 Walnut St., 5th Fl., Forum Place Harrisburg, PA 17101-1923 <a href="mailto:OCAPWSA2025@paoca.org">OCAPWSA2025@paoca.org</a>	Steven C. Gray, Esq. Rebecca Lyttle, Esq. Office of Small Business Advocate Forum Place Building 555 Walnut Street, 1st Floor Harrisburg, PA 17101 <a href="mailto:sgray@pa.gov">sgray@pa.gov</a> <a href="mailto:relyttle@pa.gov">relyttle@pa.gov</a>
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Respectfully Submitted,



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Dated: June 25, 2025

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	<b>Docket No R-2025-3055010</b>
v.	:	<b>R-2025-3055011</b>
	:	<b>R-2025-3055012</b>
<b>Pittsburgh Water and Sewer Authority</b>	:	
<b>d/b/a Pittsburgh Water</b>	:	

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**PETITION TO INTERVENE AND ANSWER OF THE  
PITTSBURGH UNITED OUR WATER TABLE**

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**PENNSYLVANIA UTILITY LAW PROJECT**

*Counsel for the Pittsburgh United Our Water Table*

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June 25, 2025

Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (PUC or Commission), 52 Pa. Code §§ 5.61-5.76, the Pittsburgh United Our Water Table (herein, Our Water Table or OWT), through its counsel at the Pennsylvania Utility Law Project, hereby petitions the Pennsylvania Public Utility Commission to intervene and files its Answer in the above-captioned proceeding. In support thereof, OWT states as follows:

1. On June 4, 2025, Pittsburgh Water and Sewer Authority (herein Pittsburgh Water) submitted a rate filing, Tariff Water - PA. P.U.C.– Pa. No. 1 Supp. No. 16.<sup>1</sup> In the filing, Pittsburgh Water is seeking a multi-year rate increase of \$84.4 million, including a 25.9% increase (\$63.7 million) in FY 2026, and an additional 6.7% increase (\$20.7 million) in FY 2027. Included in this increase is a proposed 7.5% increase in and expansion of the Distribution System Improvement Charge (DSIC). Pittsburgh Water is also proposing to remove the minimum water and wastewater charge effective January 1, 2027, and to expand the PENNVEST Surcharge starting in FY 2026.

2. Pittsburgh Water is proposing several enhancements to its customer assistance programs. Specifically, Pittsburgh Water is proposing to enhance its enrollment and recertification processes, convert its pilot Line Repair and Water Conservation Program into a permanent program; improve its Arrearage Forgiveness Program; and reduce undetected water leak charges.<sup>2</sup>

3. Pittsburgh Water claims that critical infrastructure investments are the primary driver of its proposed rate increase.<sup>3</sup>

#### **Petition to Intervene**

4. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which provides in relevant part that “[a] petition to intervene may be filed by a person claiming a

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<sup>1</sup> Pittsburgh Water St. 1 at 3-4.

<sup>2</sup> Pittsburgh Water St. 1 at 4.

<sup>3</sup> Pittsburgh Water St. 1 at 4-5.

right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.” 52 Pa. Code § 5.72(a).

5. Section 5.72 further provides that the right or interest may be one “which may be directly affected, and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” 52 Pa. Code. § 5.72(a)(2).

6. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members . . . as long as an organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action, [i.e., is aggrieved, the organization] has standing.” Energy Cons. Council of Pa. v. Pa. PUC, 995 A.2d 465, 476 (Pa. Commw. Ct. 2010) (alteration in original) (citing Trippls Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. Ct. 1980); Parents United for Better Schools v. School Dist. of Phila., n646 A.2d 689 (Pa. Commw. Ct. 1994).

7. OWT is a coalition of community, labor, faith, and environmental organizations and individuals committed to advancing the vision of a community and economy that works for all people.

8. OWT members work collectively to build a community whereby all workers are able to care for themselves and raise their families, sharing in the prosperity generated by economic growth and development.

9. OWT is located at c/o Pittsburgh United, 841 California Ave., Pittsburgh, PA 15212.

10. OWT has a significant interest in the impact of Pittsburgh Water's proposed rate increases on moderate- and low-income residential customers. These interests are not adequately represented by other participants.

11. OWT and its members – including both individuals and organizations – are located within Pittsburgh Water's service territory and will be directly affected by the outcome of this proceeding. Particularly, this proceeding will affect the price that OWT members pay for water, wastewater, and stormwater services, as well as the safety, reliability, and quality of that service.

12. OWT has standing to intervene because several of its members have or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

13. Since coming under the jurisdiction of the Pennsylvania Public Utility Commission in 2017, Pittsburgh United and the OWT have participated as an active party in each of Pittsburgh Water's rate proceedings, as well as its related Compliance and LTIP proceedings.

14. OWT is represented in this proceeding by counsel at the Pennsylvania Utility Law Project:

Ria M. Pereira, Esquire  
Lauren N. Berman, Esquire  
John W. Sweet, Esquire  
**Pennsylvania Utility Law Project**  
118 Locust Street  
Harrisburg, PA 17101  
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Email: [pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

15. Counsel for OWT consents to the service of documents by electronic mail to [pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org) as provided in 52 Pa. Code § 1.54(b)(3).

## Answer

16. OWT has preliminarily reviewed Pittsburgh Water's rate filing, and objects to Pittsburgh Water's request on the grounds that the proposed rate increase, rate design, and attendant policies could result in unjust and unreasonable rates for water, wastewater, and stormwater services that would impose severe hardship on low- and moderate-income residential customers.

17. OWT asserts that terms, conditions, and rates for water and wastewater services are not just and reasonable if they are not appropriately designed and implemented to ensure that all consumers are able to access safe and affordable water and wastewater services, as required by the laws and policies of the Commonwealth.

18. Further investigation is necessary to determine the impact of Pittsburgh Water's proposal on low-, fixed, and moderate-income households, and their ongoing ability to access safe, clean, and affordable water, wastewater, and stormwater services to their home.

19. Preliminary review of Pittsburgh Water's filing suggests that Pittsburgh Water's proposed enhancements to its customer assistance programs are inadequate to remediate against the effects the proposed rate increase, rate design, and attendant policies on low and moderate-income customers.<sup>4</sup> Further investigation is necessary to ensure that all households in Pittsburgh Water's jurisdiction will continue to have access to safe, affordable water, wastewater, and stormwater services.

20. Preliminary review of Pittsburgh Water's filing suggests that Pittsburgh Water's proposed removal of minimum water and wastewater charge starting in FY 2027 could impact the level of assistance provided to income-eligible customers through the Bill Discount Program and,

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<sup>4</sup> See Pittsburgh Water St. 1 at 4 & St. 6 at 30-33.

in turn, could undermine the effectiveness of the program at producing an affordable rate for program participants.<sup>5</sup> OWT intends to investigate how this proposed change will affect Pittsburgh Water's rate structure and, consequently, its bill discount program.

21. Preliminary review of Pittsburgh Water's filing confirms that Pittsburgh Water has not petitioned the Commission for approval to implement a program to address damaged wastewater laterals and reduce infiltration and inflow for low income customers, despite its requirement to do so in settlement of its 2023 rate proceeding.<sup>6</sup> Pittsburgh Water indicates that its failure to make this required filing was due to ongoing negotiations in a Consent Decree proceeding, as well as broader resource constraints.<sup>7</sup> OWT intends to investigate this matter further, and notes here the critical importance of developing a program to help protect vulnerable customers from the health and safety consequences associated with damaged sewer laterals, basement backups, and backflow.

22. OWT asserts that these matters, and any future modifications presented by intervening parties, must be thoroughly reviewed to ensure that all customers are able to access safe, affordable water and wastewater services within Pittsburgh Water's service territory.

WHEREFORE, the Pittsburgh United Our Water Table respectfully requests that the Commission enter an order granting Our Water Table full status as an intervener in this proceeding with active party status.

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<sup>5</sup> Pittsburgh Water St. 2 at 66.

<sup>6</sup> Pittsburgh Water St. 4 at 10.

<sup>7</sup> Pittsburgh Water St. 4 at 10.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**

*Counsel for Pittsburgh United Our Water Table*



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Dated: June 25, 2025

**Verification**

I, Elizabeth R. Marx, Esq., on behalf of Pittsburgh United's Our Water Table, hereby state that the facts contained in the foregoing pleadings are true and correct to the best of my knowledge, information, and belief, that I am duly authorized to make this Verification, 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).



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Elizabeth R. Marx, Esq.

*On behalf of Pittsburgh United Our Water Table*

Dated: June 25, 2025