

June 18, 2008

Daniel P. Delaney  
D 717.231.4516  
F 717.231.4501  
dan.delaney@klgates.com

**Via Facsimile and FedEx**

Hon. Joan T. Decker  
Records Commissioner  
City Hall, Room 158  
Philadelphia, PA 19107

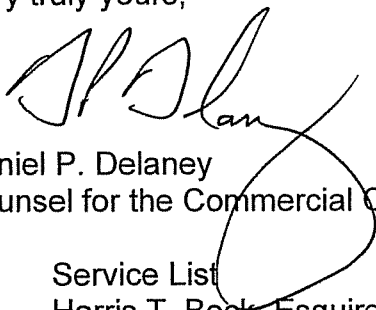
Re: In the Matter of the Philadelphia Water Department's Proposed Increase in Rates for Water, Sewer and Stormwater Rates and Charges.  
FY2009-2012 Rates

Dear Commissioner Decker:

Enclosed for filing please find an original and one copy of the Notice of Intent to Participate by the Commercial Customer Coalition in the above captioned matter. As indicated on the enclosed Certificate of Service, all parties to this proceeding and the Hearing Officer have been served with copies of these documents. Please time-stamp the additional enclosed copy of this transmittal letter and return it to us in the enclosed self-addressed stamped envelope. Thank you for your assistance and cooperation.

Please call the undersigned if you have any questions concerning this filing.

Very truly yours,



Daniel P. Delaney  
Counsel for the Commercial Customer Coalition

cc: Service List  
Harris T. Bock, Esquire

**BEFORE THE CITY OF PHILADELPHIA WATER DEPARTMENT  
HEARING OFFICER HARRIS T. BOCK PRESIDING**

In the Matter of the Philadelphia :  
Water Department's Proposed :  
Increase in Rates for Water, Sewer :                   FY2009-2012 Rates  
and Stormwater Rates and :  
Charges. :

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**CERTIFICATE OF SERVICE**

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I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals listed, in the manner identified.

Via E-mail and First Class Mail

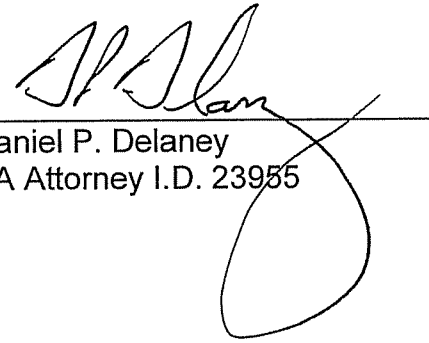
Philip A. Bertocci, Esq.  
Thu B. Tran, Esq.  
Community Legal Services  
1424 Chestnut Street  
Philadelphia, PA 19102

Andre Dasent, Esq.  
1650 Market Street, 36<sup>th</sup> Floor  
Philadelphia, PA 19103

Christine Knapp  
Eastern PA Outreach Coordinator  
Citizens for Pennsylvania's Future  
1518 Walnut Street, Suite 1100  
Philadelphia, PA 19102

James P. Dougherty, Esq.  
Charis Mincavage, Esq.  
Shelby A. Linton-Keddie, Esq.  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

Kirkpatrick & Lockhart Preston Gates Ellis LLP  
17 North Second Street, 18<sup>th</sup> Floor  
Harrisburg, PA 17101-1507  
(717) 231-4500  
(717) 231-4501 (Fax)  
[dan.delaney@klgates.com](mailto:dan.delaney@klgates.com)



Daniel P. Delaney  
PA Attorney I.D. 23955

Counsel for the Commercial  
Customer Coalition

Dated: June 18, 2008

**BEFORE THE CITY OF PHILADELPHIA WATER DEPARTMENT  
HEARING OFFICER HARRIS T. BOCK PRESIDING**

In the Matter of the Philadelphia :  
Water Department's Proposed :  
Increase in Rates for Water, Sewer :                   FY2009-2012 Rates  
and Stormwater Rates and :  
Charges. :

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**NOTICE OF INTENT TO PARTICIPATE IN THE MATTER OF  
PHILADELPHIA WATER DEPARTMENT'S PROPOSED  
INCREASE IN WATER, SEWER AND STORMWATER  
RATES AND CHARGES – FY2009-2012.**

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1. Name of organization: Commercial Customer Coalition ("CCC").
2. The Commercial Customer Coalition's representative in this matter is:

Daniel P. Delaney, Esquire  
PA Attorney I.D. 23955

- 3-4. The address and telephone number of CCC's representative is:

Kirkpatrick & Lockhart Preston Gates Ellis LLP  
17 North Second Street, 18<sup>th</sup> Floor  
Harrisburg, PA 17101-1507  
(717) 231-4500  
(717) 231-4501 (Fax)  
[dan.delaney@klgates.com](mailto:dan.delaney@klgates.com)

5. Brief description of Commercial Customer Coalition:

CCC is a group of large commercial, institutional and industrial customers who receive water and sewer services from the Philadelphia Water Department ("Department"). These customers also pay stormwater, fire connection and miscellaneous rates and charges to the Department. The CCC members use substantial volumes of water supplied by the Department in their operations. The

proposed changes in rates and charges contained in the Department's rate filing will increase the costs of the CCC members in their daily operations. The members of the CCC, all of whom are substantial customers of the Department, are identified in the attachment to this notice.

6. Issues of interest to the CCC:

CCC is interested in the proposed increases in water and wastewater service rates and in all of the proposed changes in rates, rules, regulations and stormwater charges proposed in the Department's filing. As substantial consumers of services provided by the Department, CCC has an interest in ensuring that the proposed changes and increases in rates and charges are just and reasonable, supported by the evidence presented by the Department and non-discriminatory to the CCC members. CCC is also interested in the Department's proposal to alter the allocation of stormwater charges. According to the testimony filed by the Department, the Department's proposal is based on CCC's testimony from the 2001 and 2004 Department rate cases. CCC is interested in determining whether the Department's proposal is consistent with CCC's recommendations in the prior cases and to determine whether the impact of the proposed methodology will be fair and reasonable to the CCC members. CCC reserves the right to address additional issues as they are identified in the discovery responses and testimony filed by the parties in this proceeding.

7. A formal request for hearings in this matter was filed with the Department of Records by Community Legal Services, Inc. by letter dated May 30, 2008. A prehearing conference was conducted by Hearing Examiner Bock on June 6, 2008. CCC was unable to intervene in this matter until now because of the need for its

members to examine the Department's filing and preliminarily determine the impact of the filing on their operations. CCC respectfully requests the Commissioner to permit its intervention in this case at the present time. No party to this proceeding will be prejudiced by permitting this intervention. No hearings have been conducted in this matter. CCC agrees to accept all procedural and schedule determinations issued by the Hearing Officer to this point. CCC's members include substantial customers of the Department who should be permitted to participate in this case. In the 2001 and 2004 cases, the CCC participated throughout the cases and presented expert testimony and filed briefs containing extensive arguments, several of which were adopted by the Hearing Examiner and Water Commissioner in their decisions in those cases. CCC should be permitted to intervene in this case as it has done in the prior two Department rate cases.

8. The CCC anticipates being an active party participating in the technical hearings in this proceeding.

WHEREFORE, the Commercial Customer Coalition respectfully requests the Commissioner to approve its participation in this matter and to provide whatever additional relief is just and reasonable under the circumstances.

Kirkpatrick & Lockhart Preston Gates Ellis LLP  
17 North Second Street, 18<sup>th</sup> Floor  
Harrisburg, PA 17101-1507  
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(717) 231-4501 (Fax)  
[dan.delaney@klgates.com](mailto:dan.delaney@klgates.com)

Respectfully submitted,



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Daniel P. Delaney  
PA Attorney I.D. 23955

Counsel for the Commercial  
Customer Coalition

Dated: June 18, 2008

**COMMERCIAL CUSTOMER COALITION**

Building Owners and Managers Association of Philadelphia (BOMA-Philadelphia)

Drexel University

University of the Sciences

The Children's Hospital of Philadelphia

Trigen-Philadelphia Energy Corp.

St. Joseph's University

University of Pennsylvania

Tenet Healthcare Corporation

Delaware Valley Health Council

Interfaith Coalition on Energy