

**Before the  
Philadelphia Water Commissioner**

In the Matter of the Philadelphia Water :  
Department's Proposed Increase in :  
Rates for Water and Wastewater : FY 2009-2012  
Utility Services :

**HEARING OFFICER ORDER NO. 2**

**AND NOW**, to wit, this 9th day of June, 2008, after conducting a pre-hearing conference with counsel on June 6, 2008, the Hearing Officer hereby enters the following Order:

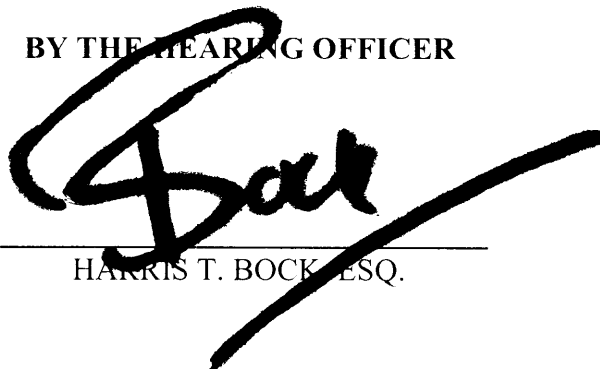
1. The deadline for formal discovery shall be August 6, 2008
2. An informal discovery/status tele-conference shall be held on June 13, 2008 at 9:30 a.m. Counsel for the Philadelphia Water Department shall make the necessary arrangements for the conference call.
3. An informal discovery/status conference shall be held on June 30, 2008, and shall continue to July 1, 2008, if needed. All counsel are encouraged to attend this conference in person, however tele-conferencing arrangements will be made for those who cannot attend in person. The conference will begin at 10:00 a.m. and will take place at Philadelphia Gas Commission (Hearing Room), One Parkway Building, 1515 Arch Street, 18<sup>th</sup> Floor, Philadelphia, Pennsylvania, 19102.
4. The public hearings shall be conducted during the weeks of July 21, 2008 and July 28, 2008. There shall be one daytime hearing and four evening hearings at different locations throughout the City of Philadelphia. The Water Department is hereby ordered to provide the Hearing Officer with a

list of potential venues that can accommodate these public hearings by the close of business on Friday, June 13, 2008.

5. Intervenor witness testimony shall be due on July 30, 2008 (with the exception of the testimony for Roger Colton, whose testimony shall be due on August 1, 2008).
6. The technical hearings shall be conducted during the week of August 11, 2008, and shall take place at 10:00 a.m. each day at the Philadelphia Gas Commission (Hearing Room), One Parkway Building, 1515 Arch Street, 18<sup>th</sup> Floor, Philadelphia, Pennsylvania, 19102.
7. All initial briefs shall be due simultaneously by the close of business on September 5, 2008.
8. All reply briefs shall be due simultaneously by the close of business on September 15, 2008.
9. Oral argument is hereby scheduled for September 18, 2008 at 10:00 a.m. at Philadelphia Gas Commission (Hearing Room), One Parkway Building, 1515 Arch Street, 18<sup>th</sup> Floor, Philadelphia, Pennsylvania, 19102.
10. The Hearing Officer shall issue his recommended decision no later than October 2, 2008.
11. A pre-hearing conference regarding the stormwater rate design shall be held on a date to be determined.
12. Any and all documents filed shall be filed electronically via email in PDF format, with a hard-copy to be either hand-delivered or sent via overnight delivery.

13. Any and all written discovery requests shall be answered within ten (10) days of receipt of such requests.
14. Any objections to written discovery shall be communicated to the propounding party within three (3) days of receipt of the request. If, after a good faith effort, the parties are unable to resolve the discovery dispute, the objecting party must file with the Hearing Officer a Motion to Compel, which may be in letter format, within five (5) days of the date of service of the objection.
15. At his discretion, the Hearing Officer may deviate from the foregoing procedure *sua sponte* or upon a request for leave submitted by any party hereto.
16. Upon request by any party at any time during this proceeding, the Hearing Officer shall make himself available in person or via conference call to address any issues or disputes that may arise.
17. This Order shall be binding upon all present and future parties to this proceeding.
18. All Orders issued by the Hearing Officer shall be construed to effectuate a just and timely resolution of the matter consistent with affording all parties a full and fair opportunity to be heard.

**BY THE HEARING OFFICER**



HARRIS T. BOCK, ESQ.