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MEMORANDUM

TO: Harris T. Bock, Hearing Officer

FROM: Andre Dasent, Esquire

RE: Philadelphia Water Department Rate Proceeding – Phase 2

DATE: March 9, 2009

Please be informed that the Philadelphia Water Department will rely upon its Brief and Reply Brief as a full statement of its position in this phase of the rate proceeding. The Department's contention that it has the authority to impose stormwater management service ("SWMS") charges, as it has over the past forty years, is fully explained in our submissions and further bolstered by the arguments of the Public Advocate and Penn Future. The fairness and reasonableness of the parcel area based system for stormwater cost allocation as well as the cost of service basis for SWMS charges is also fully explained in our briefs and supported by the record.

The Department urges the Hearing Officer to approve the parcel area based system of stormwater cost allocation.

/s/ Andre C. Dasent

Andre C. Dasent, Esquire

cc: Service List