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IN THE MATTER OF
THE PHILADELPHIA WATER DEPARTMENT'S
PROPOSED INCREASE IN RATES
FOR WATER AND WASTEWATER UTILITY SERVICES

- - -

PUBLIC INPUT HEARING

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Monday, July 21, 2008
6:00 p.m.

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YMCA
1400 North Broad Street
Philadelphia, PA

- - -

BEFORE: HARRIS T. BOCK, ESQ.
Hearing Officer

- - -

VERITEXT NATIONAL COURT REPORTING COMPANY
KNIPES COHEN
1801 Market Street - Suite 1800
Philadelphia, Pennsylvania 19103

APPEARANCES:

ANDRE C. DASENT, ESQ.
Counsel to Philadelphia Water Department

COMMUNITY LEGAL SERVICES, INC.
BY: PHILIP A. BERTOCCHI, ESQ.
THU TRAN, ESQ.
Counsel to Public Advocate

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ALSO PRESENT:

MICHAEL L. GALBRAITH, ESQ.
The Dispute Resolution Institute

ERIC QUICK, SR.
Special Assistant
Office of Councilman-at-Large Frank Rizzo

JORGE BRAVO
Spanish Interpreter

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1 THE HEARING OFFICER: Good evening,
2 everyone. My name is Harris Bock and I
3 have been appointed by the Mayor, the
4 President of City Council, and the City
5 Controller to act as the Hearing Officer
6 in connection with this rate increase
7 sought by the Philadelphia Water
8 Department.

9 These public hearings and
10 specifically tonight's hearing is
11 scheduled pursuant to the regulations
12 promulgated by the Water Department to
13 give individuals and anyone affected by
14 the rate increase an opportunity to be
15 heard.

16 All comments made tonight will be
17 considered and made a part of the record
18 in this proceeding and considered by
19 myself in my Recommended Decision and
20 ultimately by the Water Commissioner, who
21 makes the final decision with regard to
22 this proceeding.

23 Prior to hearing public comment, I
24 would invite a statement by the Water
25 Department through their counsel, Andre

1 Dasent.

2 MR. DASENT: Good evening, everyone.
3 We have a nice crowd in attendance
4 tonight and I thank everyone for coming
5 out.

6 I would note already that there was
7 one customer that showed up and is having
8 his bill possibly resolved this evening,
9 so I'm hopeful that that will be a good
10 result for tonight, as well as informing
11 everyone of these hearings, which are
12 kicking off tonight for the water rate
13 proceeding.

14 As many of you know, we have a
15 shortfall in revenues at the Water
16 Department, which our coffers have to be
17 replenished from time to time to make
18 sure, as we're a going concern, that we
19 have enough money to pay our debt
20 service, to pay for materials and
21 supplies, and to meet the various
22 obligations that the Department has to
23 meet over the course of a year.

24 Because of that we're here to raise
25 rates for a four-year period. Over this

1 next four-year period, 2009 to 2012, the
2 Department proposes to raise residential
3 rates by approximately \$3.84 a month or
4 6.9% on average.

5 Each one of these four years has a
6 component of this rate increase because
7 it's spread out to help make sure that
8 it's levelized and is affordable in that
9 sense so that everything doesn't have to
10 be recovered in one year.

11 Because we have personal services
12 costs for salaries and benefits that are
13 going up, as well as chemicals, materials
14 and supplies, woodchips, laboratory
15 equipment, and regulatory concerns,
16 things that are mandated that we do over
17 the period of the next four years, we
18 have to raise money from our customers to
19 pay for all of that.

20 The debt service for our capital
21 program is also a major obligation that
22 requires us to be here.

23 We're here only once in a great
24 while, usually every four years.
25 Sometimes longer periods than that elapse

1 kind of way by representatives of the
2 City, so is the Public Advocate. The
3 Public Advocate was appointed by the
4 Mayor, the President of City Council, and
5 the City Controller to represent the
6 interests of the public, and on behalf of
7 the Public Advocate is Philip Bertocci.

8 MR. BERTOCCI: Thank you.

9 Good morning, everybody.

10 ALL PRESENT: Good evening.

11 MR. BERTOCCI: Good evening. Gee,
12 I'm getting ahead of myself. My name is
13 Philip Bertocci. I am an attorney at
14 Community Legal Services and with Thu
15 Tran, who is sitting right there --

16 THE HEARING OFFICER: We will let
17 her stand so everybody can see her.

18 MR. BERTOCCI: -- we are both
19 attorneys and we have been appointed with
20 the CLS Energy Unit, which has a lot of
21 experience with utility customers, to
22 serve as the Public Advocate representing
23 residential customers in this case.

24 Starting in November rate increases
25 will result from what's being proposed

1 here, which will result in a household
2 paying \$180 more per year for water-sewer
3 service within 36 months, by June of
4 2011.

5 We don't believe that the Water
6 Department is making an adequate case for
7 a rate increase of this dimension at a
8 time when everybody is struggling to make
9 ends meet.

10 The standard by which this rate
11 increase will be judged, the legal
12 standard -- and it's even a
13 constitutional standard -- is that a rate
14 increase must be just and reasonable.

15 We have a team of three consultants
16 who are going over the reams of documents
17 which the Water Department has provided,
18 ostensibly to support its request for a
19 rate increase, and we have asked them
20 many more questions and they have
21 provided answers concerning both their
22 finances and also the kind of service
23 which they are providing, both in terms
24 of the employees of the Water Department
25 who come to your house shutting off

1 service and turning on service and the
2 employees of the Water Revenue Bureau
3 with whom most people have the most
4 immediate contact on anything having to
5 do with your bill.

6 We believe the rate increase is not
7 reasonable because it's based on
8 projections rather than hard facts. It's
9 the kind of projections that the Public
10 Utility Commission recently rejected for
11 the Philadelphia Gas Works.

12 The Philadelphia Gas Works asked for
13 a \$100 million rate increase and the PUC
14 said the kind of projections that you are
15 reporting, projections which were
16 prepared by the same firm that have been
17 prepared for the Water Department, those
18 projections were so unreliable that they
19 gave PGW only 25% of what they asked for.

20 In addition, we're saying it's not
21 reasonable because the Water Department's
22 projections have in the past proved to be
23 unreliable.

24 Four years ago they said they needed
25 rates for four increases, very similar to

1 what's being proposed today, and they
2 claimed that at the end of this fiscal
3 year, as of June of 2008, they claimed
4 that they would only have or they
5 projected they would only have
6 \$13 million left in their rate
7 stabilization fund, whereas in fact they
8 have \$150 million in their rate
9 stabilization fund.

10 That's a huge amount of money
11 sitting there. When you say you're going
12 to refill your coffers, your coffers are
13 already rather full. And in this day and
14 age the question is how much more can
15 customers pay.

16 It's also not fair because in order
17 for a rate increase to be fair and to be
18 justifiable in constitutional terms, the
19 service has to be reasonable, and we
20 believe that the service that's being
21 provided particularly by the Water
22 Revenue Bureau over the past few years
23 has not been reasonable and adequate.

24 The Water Revenue Bureau should be
25 there to help people get their service

1 turned on, to maintain service when
2 they're having financial trouble, and by
3 making reasonable payment agreements; and
4 if their service should be shut off, to
5 be responsive in assisting people to get
6 their service turned back on again, not
7 imposing upon them terms which they
8 cannot possibly make.

9 I expect that in these public input
10 hearings we'll hear many examples of
11 people coming forward to say that the
12 terms that have been imposed, the payment
13 agreements, the up-front payments that
14 have been demanded, are such that people
15 just can't afford to maintain their
16 service or to get service back on once
17 it's been shut off.

18 In addition to that, there should be
19 a right of appeal which people
20 understand, an appeal to the Water
21 Revenue Bureau, not over to the Tax
22 Review Board. That's something that's in
23 the regulations which the Water
24 Department has but which is not being
25 provided so that many customers feel that

1 when they go to the Water Revenue Bureau,
2 they get dismissed. Their questions get
3 denied, they don't get answered, they get
4 answered in inconsistent ways, and they
5 are not told that they have a right to
6 appeal or to have a hearing before a
7 Water Revenue Bureau employee.

8 It's important for the Water Revenue
9 Bureau management, the people that would
10 be hearing these hearings, to understand
11 exactly what the facts are rather than
12 have people being turned away.

13 It's likely that the Water Revenue
14 Bureau and the Water Department is going
15 to say, well, give us more rates and we
16 can do more in terms of service, but
17 there's an old adage of ratemaking for
18 utilities which is that rates follow
19 service, they don't precede service.

20 Now, I'm here today to hear really
21 what you have to say, what the public has
22 to say, in these public input hearings.
23 We have some blue pamphlets which we've
24 been passing out. We urge you to pass
25 them on to your neighbors. There are

1 going to be four more hearings to be held
2 in the next two weeks. We urge people to
3 come out and explain what their
4 experiences have been with the Water
5 Department and with the Water Revenue
6 Bureau.

7 Thank you very much.

8 THE HEARING OFFICER: Thank you.

9 Just as the Consumer Advocate as
10 well as the Water Department wants to
11 hear your feelings, that's what the
12 Hearing Officer wants on behalf of the
13 Water Department. So anybody who wants
14 to speak is certainly welcome to do so.
15 Just raise your hand and I'll recognize
16 you and ask that you state your name and
17 address for the record.

18 All right. Let's take a five-minute
19 recess.

20 - - -

21 (Whereupon there was a recess in the
22 hearing.)

23 - - -

24 THE HEARING OFFICER: State his name
25 and address, please.

1 hearing here tonight does not relate to
2 an individual bill such as yours. It
3 relates to rates that are going to be put
4 into effect in the future.

5 The Water Department attorney and
6 representatives of the Water Department
7 are here tonight and I'm sure someone
8 will take your name and be in touch with
9 you to try and resolve this.

10 THE INTERPRETER: Yeah. But what
11 really makes me mad is that the Water
12 Department is treating me really like a
13 dog.

14 THE HEARING OFFICER: Well, I
15 understand how you may feel about that,
16 but I'm sure the Water Department wants
17 to provide you with further information
18 that will help you understand what
19 transpired, and I'd ask Mr. Dasent to
20 take your name and get in touch with you.

21 Mr. Bertocci, you may be recognized.

22 MR. BERTOCCI: The point of the
23 customer's testimony is not merely that
24 he has a personal problem but that he has
25 not been able to get an adequate

1 explanation of what's been going on from
2 the Water Revenue Bureau, and he
3 submitted an exhibit there which gives
4 you the kinds of statements which many
5 people who have questions get, which is
6 not exactly customer-friendly, and
7 although I do not speak Spanish, I would
8 speculate that he's saying that he really
9 doesn't understand any of the
10 explanations which have been provided to
11 him, either in a written or in an oral
12 way.

13 THE HEARING OFFICER: And I
14 understand that was part of your opening
15 statement.

16 MR. BERTOCCHI: The point of it is
17 that the service that's provided is an
18 integral part of this rate case, although
19 ultimately you have to make a
20 recommendation concerning what rates are
21 going to be provided. In your
22 consideration of what rates would be
23 justifiable to provide, you at the same
24 time have to take into consideration the
25 quality of service that's being

1 presented.

2 There is federal case law, a
3 constitution standard, that says service
4 is part of the standard and one of the
5 factors that have to be considered in
6 making a rate determination. That's why
7 I'm trying to underline the relevance of
8 this to the broader question of the
9 adequacy of service; not just to a
10 particular individual's problem.

11 THE HEARING OFFICER: I understand
12 that point and certainly I think it's
13 relevant for consideration.

14 MR. DASENT: If Your Honor please, I
15 will give contact information to the
16 customer and make sure we follow up to
17 make sure we are as customer-friendly as
18 Mr. Bertocci wants us to be, and I also
19 invite Mr. Bertocci to follow up and I
20 will get the contact information to share
21 with him.

22 But this administration has
23 indicated very clearly that it's
24 customer-friendly, it wants its policies
25 to be customer-friendly, it wants all

1 service to be facilitating the customer's
2 needs.

3 So I think consistent with that,
4 you'll find in this rate case when you
5 talk to our new Revenue Commissioner,
6 that, he, too, is very concerned that we
7 address customer concerns, address
8 customer needs, and quality of service is
9 going to be his mantra in terms of how we
10 move forward in terms of serving our
11 customer base.

12 When you see Keith Richardson on the
13 stand, the new Revenue Commissioner, I
14 think you'll see that he and the Water
15 Revenue Bureau are committed to customers
16 and are listening, in fact, to
17 Mr. Bertocci and his concerns.

18 THE HEARING OFFICER: Well, do you
19 agree with Mr. Bertocci that the service
20 that's provided not only with regard to
21 water service but customer service with
22 regard to billing is part of the Water
23 Department's responsibility to show that
24 the public is being adequately served?

25 MR. DASENT: Well, I think in terms

1 of this rate case, as a practical matter,
2 we talk about both. But in terms of a
3 legal constraint, there are clearly
4 bright lines between the Revenue
5 Department and the Water Department.

6 But we're trying to hear all
7 concerns here and not get hung up on
8 legal barriers if we can facilitate a
9 solution to the problem. But at the end
10 of the day the Revenue Commissioner, who
11 is not subject to this hearing, is a
12 coequal with the Water Commissioner, who
13 will make the final determination in this
14 hearing. But he's very concerned and as
15 a consequence we can use that good will
16 to perhaps get to the same place we would
17 if this was all under one umbrella, which
18 it's not under the Charter.

19 THE HEARING OFFICER: I understand.

20 THE INTERPRETER: Also, there should
21 be more Spanish-speaking operators
22 because sometimes if you don't speak
23 Spanish, you can't take care of your
24 problems.

25 THE HEARING OFFICER: Okay. Thank

1 you.

2 MR. DASENT: Thank you very much.

3 We also have Mrs. Williams here who
4 is interested in testifying, and if
5 she'll come up, perhaps we can hear from
6 her also.

7 THE HEARING OFFICER: Good evening,
8 Mrs. Williams. My name is Harris Bock.
9 I am the Hearing Officer. Are you more
10 comfortable standing or sitting?

11 MS. L. WILLIAMS: Well, I won't be
12 long because my concern is the same that
13 has been voiced previously.

14 THE HEARING OFFICER: Could you
15 state your name and address, please?

16 MS. L. WILLIAMS: Luella Williams.
17 I live at 1347 North 29th Street.

18 THE HEARING OFFICER: Thank you.

19 MS. L. WILLIAMS: My concern is the
20 same and I came because of the fact that
21 we do have a problem with you increasing
22 the rates because it's difficult for us
23 to pay what we have to pay now or the
24 people that I represent have to pay. But
25 when you raise the rates and you don't

1 improve on the customer service -- and
2 that's what's been said -- I don't see
3 how you can separate the two.

4 And I hear you say Water Revenue and
5 I hear you say -- what are you
6 representing?

7 THE HEARING OFFICER: Well, I'm the
8 Hearing Officer.

9 MS. L. WILLIAMS: You're the Hearing
10 Officer, but the --

11 MR. CLARE: The Water Department.

12 MS. L. WILLIAMS: The Water
13 Department, right. I think there needs
14 to be some clarity with the public on the
15 separation of the two and what their
16 responsibilities are.

17 I'm here because of the same thing.
18 I've had a problem for a year that I've
19 been trying to straighten out and I have
20 found the Water Revenue Department not to
21 be customer-friendly at all.

22 I heard the Mayor on television
23 state that the City of Philadelphia was
24 going to be customer-friendly and I have
25 been one whole year dealing with two

1 properties that I've been billed for and
2 I've gone through the process and every
3 time I get through with the process, I
4 keep going back through the process, and
5 then I've not been treated very friendly
6 when I've been downtown.

7 People know me downtown because my
8 husband is a pastor in this community and
9 has been here for 50 years and my concern
10 is if I'm treated this way, how are the
11 people in the community treated?

12 And I don't see how you can ask for
13 more money for us to pay for something
14 and then you don't build in how we're
15 treated as it is delivered, because you
16 do deliver water, so that's a service,
17 and somewhere along the line there is
18 some customer service there with you.

19 I know of another incident that I
20 was personally involved with where the
21 City of Philadelphia broke the sewer line
22 in the house that I'm at and it took us
23 six months to get it straightened out.
24 On a Saturday at 2 o'clock in the
25 afternoon they came out, cut the water

1 off, and we were not until Tuesday even
2 getting any water.

3 So if you're going to increase our
4 rates, what are we going to get for it
5 other than just the flowing of the water
6 into the place?

7 Again, I'm here on behalf of people
8 who can't pay what they're already
9 getting and then you want to increase it.
10 But the customer service I think is a
11 very important part. I don't know; you
12 say this group is in charge and this
13 group says that group is in charge. But
14 it's very important that the customer
15 service be built into what you're doing.

16 THE HEARING OFFICER: Mr. Dasent,
17 did you want to respond in any way to
18 that?

19 MR. DASENT: Well, I understand the
20 practical concern and tried to reflect
21 that in talking with Mrs. Williams before
22 she came up. It is obvious that she has
23 very real concerns and they may, in fact,
24 reflect some of the concerns Mr. Bertocci
25 is raising. We want to address those

1 concerns.

2 Mr. Richardson, the Revenue
3 Commissioner, is very concerned about
4 that. The Water Commissioner is very
5 concerned. And I think with good will,
6 even if you have legal barriers or
7 Charter requirements, you can overcome
8 the obstacles in your way, and that's our
9 goal in this case.

10 THE HEARING OFFICER: Thank you.

11 MS. L. WILLIAMS: And I just would
12 like to add one more thing. We write
13 pieces and we come up with new words, but
14 we forget somehow to inform the persons
15 who are to carry it out, where we're
16 going, because I would say down at the
17 Water Department, downtown, somebody
18 forgot to tell them what the new policy
19 of the Mayor is or where he's trying to
20 go, because when you walk in there,
21 that's not the feeling that you get. You
22 do not get the feeling that they are
23 trying to be customer-friendly.

24 And I report people all the time for
25 the way they treat me, but I tell them,

1 the person that I report it to, "I don't
2 want them fired. When I come back here,
3 I better see that person again because
4 that means you didn't do your job in
5 retraining that person to go with the new
6 flow or the new program or the new
7 project that you have."

8 I don't report them to get them
9 fired. I report them to their supervisor
10 because I tell the supervisor "You didn't
11 do your job because you didn't do the
12 orientation or the training that should
13 have been done."

14 And, again, I'm saying that if I'm
15 treated like that and eventually, if I'm
16 sitting there after an hour, somebody
17 walks along and knows me, if I'm being
18 treated that way, then what about the
19 people in the community?

20 I saw this on television. I was
21 sitting looking at the news and they said
22 you were here. So I got up and came down
23 real fast and got my husband. I don't
24 drive but he chauffeurs me. But what
25 about the people who can't come down and

1 speak?

2 MR. DASENT: Well, through your
3 voice they are being heard as well. We
4 thank you very much for coming.

5 MS. L. WILLIAMS: While I'm
6 standing, too, I'll ask, this might sound
7 too elementary, but the fact that you're
8 increasing the water, I didn't see
9 anything that says why there is a need
10 for an increase. Now, maybe you're
11 saying it, but has the purification of
12 the water costs gone up? What is the
13 reason that we are talking about a rate
14 increase?

15 MR. DASENT: Our debt service costs
16 have gone up. Our personnel costs with
17 the fringe benefits or salaries have
18 increased. Materials and supplies have
19 gone up.

20 MS. McCARTY: The chemicals to treat
21 the water.

22 MR. DASENT: Yes. There's a lot of
23 different things that come into play.

24 Now, the person who was just
25 speaking, our Deputy Water Commissioner,

1 Debra McCarty, runs operations at the
2 Water Department. She's very concerned
3 about quality of service as well as all
4 aspects of the Department.

5 MS. L. WILLIAMS: I'm glad to know
6 that we have one because I asked people
7 in the municipal building who the Water
8 Commissioner was and nobody knew. They
9 acted like they didn't even know we had a
10 Water Commissioner.

11 MR. DASENT: The person sitting in
12 the front row here is Deputy
13 Commissioner -- I can't think -- Joseph
14 Clare.

15 I really apologize for that, Joe.

16 He's been a very good friend for 30
17 years.

18 MS. L. WILLIAMS: I apologize, too,
19 that he doesn't know you.

20 MR. DASENT: But I know Bernie, the
21 Commissioner's name.

22 MS. L. WILLIAMS: But we need to
23 know who the people are that serve us
24 because, like I said, it's ridiculous
25 what I've been going through for one

1 year. And then when I've been down in
2 the concourse and I ask to go to the next
3 level, the first floor at least or the
4 second floor, I mean, I couldn't get
5 there. I could not get there. And my
6 concern is are you working for me, with
7 me, or against me because, you know, I
8 can't get to see you to deal with you at
9 that level.

10 MR. CLARE: I think we should
11 clarify that under the City Charter the
12 Water Revenue Bureau, which reports to
13 the Revenue Commissioner, not to the
14 Water Commissioner, is responsible for
15 all billing and collection activities of
16 the Water Department.

17 So when you actually visit the
18 Municipal Services Building, for
19 instance, to pay your bill or to dispute
20 a bill, you're actually visiting a part
21 of the Revenue Department, the Water
22 Revenue Bureau, and we have no
23 jurisdiction over their operations.

24 They don't report directly or
25 indirectly to us. They certainly are

1 funded with Water Department money and
2 we're very much interested in their
3 ability to serve our customers. But
4 they're not Water Department employees.
5 So there is a distinction.

6 I'm quite certain that if you were
7 to come to the Water Department, if you
8 were to come to our receptionist to file
9 a complaint --

10 MS. McCARTY: At 1101 Market Street,
11 the fifth floor.

12 MR. CLARE: -- we would gladly see
13 it through to see that it gets resolved.

14 MS. McCARTY: We have
15 representatives from the Water Revenue
16 Bureau here tonight. So if you have a
17 specific issue, we can talk to you and
18 work that out.

19 MS. L. WILLIAMS: One more question
20 since I'm here. I'm a little older than
21 the '60s, but, anyway, I came through the
22 '60s working. When we have these
23 commissions, is there any consumer
24 representation? Do we have an advisory
25 board or is there any consumer

1 representation in the rooms where the
2 decisions are being made? I'm talking
3 about consumers.

4 I'm just always amazed when I look
5 at SEPTA, everybody on the board at SEPTA
6 has a license, a driver's license.
7 Everybody on that board has a driver's
8 license. There's not one person there
9 like me who don't have a driver's
10 license. But you sit in the room and you
11 make the decisions.

12 THE HEARING OFFICER: Well, there is
13 a Consumer Advocate and we're going to
14 hear from the Consumer Advocate right
15 now.

16 MR. BERTOCCI: I would like to say
17 at this time what we're really talking
18 about is the Water Revenue Bureau because
19 that is the place where you were trying
20 to resolve your problem and you're trying
21 to get out of the basement to talk to
22 someone above because you haven't gotten
23 any success from the person at the front
24 line; is that right?

25 MS. L. WILLIAMS: Yes.

1 MR. BERTOCCI: I would like to hear
2 from you more about the details of the
3 kind of problem you're trying to resolve
4 because that's one of the things that
5 we're trying to develop in this hearing.

6 But on your question about whether
7 or not there should be a board of
8 consumers, a consumer advisory committee,
9 for instance, for the Water Revenue
10 Bureau, that sounds like a very good
11 idea, and I don't know of anything like
12 that that exists, which would enable
13 consumers like you to say, you know,
14 these are some of the things that we
15 would like to see resolved in a way that
16 is more consumer-friendly and really does
17 reflect a so-called new day.

18 But I would like to hear, if you
19 would, or perhaps you would prefer to
20 send a letter to the Hearing Officer, you
21 have the right to do that and he can
22 accept it and make it part of the record,
23 in which you detail a little bit more why
24 you spent a year in the basement of the
25 Municipal Services Building sort of

1 spinning your wheels and not being able
2 to resolve a problem which has some
3 complexity to it but obviously is not
4 exactly rocket science.

5 The questions would be: What have
6 you encountered? Have you been able to
7 take an appeal anywhere? Have you been
8 told about your appeal rights? What have
9 you been told?

10 All of those things would be of
11 interest, I think, to the Hearing Officer
12 and to the Consumer Advocate, and we
13 would be delighted to see what your
14 description of your experience is in more
15 detail, because anybody can come and say,
16 well, you know, they weren't very
17 friendly, they weren't very responsive,
18 but you need meat on the bones. Well,
19 about what? What was your problem and
20 what was the response?

21 That gives someone who is looking at
22 the situation a better idea of what the
23 problem may be and how to go about fixing
24 it, because it's not really just a matter
25 of personalities. I think it's a matter

1 of everybody at the Water Revenue Bureau
2 has to deal with the public, but there
3 are specific issues that people have
4 problems about, and that's what we're
5 trying to investigate more here, asking
6 the public to come forward and contribute
7 in these public input hearings, and we
8 thank you for being here.

9 MS. L. WILLIAMS: Well, I'm going to
10 sit down, but I find that 50% of it is
11 personalities because I'm back to where I
12 started from because of the way the
13 person wrote up what I was standing there
14 saying and sent me right back through the
15 procedure that I had already left. But
16 I'll be glad to speak to you.

17 MR. BERTOCCI: Right now.

18 MS. L. WILLIAMS: Okay.

19 MR. DASENT: Mrs. Jacqueline
20 Williams is also here to testify.

21 MS. J. WILLIAMS: Yes. Good
22 evening, everyone.

23 THE HEARING OFFICER: Could you give
24 us your name and address, please?

25 MS. J. WILLIAMS: Yes. Good

1 evening. My name is Mrs. Jacqueline
2 Williams. My address is 1609 North 18th
3 Street, ZIP 19121.

4 I am here because I'm on the budget
5 with the Water Company. When I went in,
6 I must say that I got pretty good
7 courtesy service from the Water Revenue
8 Department at MSB, but when you're on the
9 budget, you sign up in January for it. I
10 had to turn right around and go back
11 again last week because they sent me
12 three bills in one week with a shut-off
13 notice.

14 Now, I pay my budget and I pay
15 something over. Now they want you to pay
16 your budget and almost the same amount as
17 what your water bill would be monthly
18 compared to I've always had a house so
19 you should get your water bill every
20 three months at that rate. So that's the
21 rate that I'm going by, what they had on
22 the three new bills that I just got.

23 So when I went down there, they
24 checked and they seen that I was still on
25 the budget, but with the increase, they

1 want the budget amount and some more,
2 too. And I'm a caregiver. So, I mean,
3 I'm not employed at this time, but I
4 still keep my bills up.

5 But also the second part is for my
6 mother. She's 90 years old. And senior
7 citizens, if they're on a budget, with
8 this increase being 30% from what I
9 counted by now to the year of 2012, an
10 increase each year it's going to go up or
11 every other year it's going to go up, how
12 do you fix that in a budget range? --
13 although I understand chemicals, the
14 treatment, and everything that they do in
15 the water plants, that costs money. The
16 cost of living is going up. But how can
17 the average person, the taxpayer, keep up
18 with the amount of money that they're
19 charging? If a person's on a fixed
20 income, they don't have it. She don't
21 have it. I can tell you, she don't have
22 it. And me, myself, being on the budget.

23 That's why I said, it's a two-part
24 question. I don't want to jump back and
25 forth, but it's a two-part question, what

1 I'm asking. The increase, if you're on a
2 budget, they just sent you new increase
3 guidelines to go by and they want you to
4 pay a certain percentage, pay your budget
5 plus some of the bill that's left.

6 Well, I always pay my budget and
7 something on it anyway. I don't see why
8 I should have overhead on it if it's
9 going to be on a budget. It should be a
10 fixed amount. That's what a budget bill
11 is.

12 Did I explain myself?

13 MS. McCARTY: So you're a low-income
14 customer?

15 MS. J. WILLIAMS: Yes.

16 MR. DASENT: In terms of the impact
17 upon you, you can talk to someone from
18 Water Revenue and try to explain how this
19 will be --

20 MS. J. WILLIAMS: Not only just
21 myself, but any person, average person.
22 I'm a caregiver for my mother, but I have
23 other relatives that's older. And a lot
24 of women now, they don't have husbands.
25 It's a different income when you have two

1 incomes coming in.

2 Whatever your bills is, you try to
3 face it. I mean, that's the American
4 way. You budget your home so that you
5 can apply it. But the way that this
6 increase is coming in, 30% between now
7 and 2012, that's quite a bit of an
8 increase, quite a bit, I think. Am I
9 correct?

10 ALL PRESENT: Yes, it is,
11 absolutely.

12 MR. DASENT: Thank you very much.
13 We also have Erma Olifant here.

14 MS. OLIFANT: Yes. Well, I'm here
15 in concern of this because a lot of my
16 neighbors as well as myself, we are
17 senior citizens, we are on a fixed
18 income.

19 You know, everything, I mean, to
20 keep going up like this. Okay, Social
21 Security, they give you a 2.5% raise and
22 then take 1.5% for Medicare if you have
23 to pay like Medicare. The fuel is up,
24 the electric, you know, everything is up.
25 And everything is going up and the

1 increases that they give us are not, like
2 we're not getting, you know. We're still
3 like getting behind because it's not
4 adding up.

5 And just like all working people, I
6 mean, of course, as I say, I'm on Social
7 Security, but a lot of the working
8 people, they're not getting raises. I
9 think a lot of them are losing jobs. I
10 have friends and stuff that's like losing
11 jobs.

12 Some people, your real estate is
13 going up, but you're not getting more
14 money, so how can you continue to pay out
15 more and more, more here, there, or
16 anywhere else, and then you're not
17 getting more? It's impossible.

18 THE HEARING OFFICER: So the issue
19 you are raising is the ability of people
20 to pay the increase, I understand that.
21 Thank you.

22 MR. DASENT: Mr. White is also here
23 to testify.

24 MR. WHITE: Good evening, everyone.
25 I am a senior citizen on a fixed income

1 and I disapprove of this rate increase.
2 Everybody who is a senior citizen cannot
3 afford to pay these bills.

4 Every time you turn around, they're
5 sending you some sort of an increment to
6 meet about what they are asking the
7 people to pay but, no, you can't just
8 throw this increase on people like that.
9 Senior citizens can't meet it.

10 I as an intelligent person and an
11 educated person see that my spigots in my
12 bathroom, my toilets, the kitchen, and
13 wherever you have spigots aren't leaking.

14 Every drop, every drop of water that
15 comes through those pipes and goes to
16 that meter is measured and you have to
17 pay for it. We have to pay for it. And
18 I disapprove of this increase. If I
19 didn't use my intelligence, I would not
20 be able to pay my water bill every month.
21 My water would have been cut off.

22 Homeowners not only have to pay
23 water bills, but they have to look for
24 the money for their gas, their PECO,
25 their Verizon and AT&T, and all that; and

1 when you're on a fixed income, that is
2 it.

3 THE HEARING OFFICER: We understand
4 the ability to pay is an issue. Thank
5 you very much.

6 MR. WHITE: Thank you.

7 MR. DASENT: We also have with us
8 tonight Julia Hill who would like to
9 testify.

10 MS. HILL: Good evening, everyone.

11 THE HEARING OFFICER: Good evening.

12 MS. HILL: Like the gentleman was
13 saying, the Water Company, they send out
14 these phenomenal water bills. My
15 husband's been dead ever since 1997 and
16 all my bills come in at the same time and
17 I'm the only one in my house and they're
18 sending me bills, ridiculous.

19 I said, how much water am I using?
20 My washer is not working, I'm not using
21 the water there. I'm not cooking. I'm
22 only taking a bath. And they're sending
23 me these ridiculous water bills.

24 I went down there today, well, last
25 week, and they was telling me that --

1 THE HEARING OFFICER: Down where?

2 MS. HILL: The Water Company at 1401
3 JFK. I went down there today. I went
4 down there before today, but I had to go
5 back down there today to see them, and
6 they said that by tomorrow I will have to
7 pay \$355.

8 And I told them I didn't have no
9 \$355 because, like I said, all my bills
10 come in at the same time.

11 And so the gentleman, I asked, I
12 said, "I'm on a fixed income."

13 He never told me about the WRAP
14 program and then he didn't want to give
15 me the papers to fill out.

16 So I called the Community Services
17 and I told Beverly there and she told me
18 to go back and talk to a supervisor, and
19 I did.

20 Then when I talked to a supervisor,
21 she didn't want to give it to me. Then
22 finally she did give me the papers for
23 the low income.

24 But they still wanted me to pay
25 280-some dollars more. I said, "Where am

1 I going to get that money from? I don't
2 have that."

3 So I'm down here to say I'm a senior
4 citizen and I know they should not raise
5 that water, you know, 30%, like the
6 gentleman said. We can't even afford to
7 pay what we have and then they want to
8 raise the water bill up.

9 Then when they put the fire hydrants
10 on, who's paying for that? I think a lot
11 of these people are paying for that when
12 they run the water like that on the fire
13 hydrants. You know, something needs to
14 be done and they should not raise that.

15 THE HEARING OFFICER: Thank you very
16 much.

17 MS. McCARTY: Well, ma'am, if you
18 call us at 685-6300 if you see the fire
19 hydrants on, we do send a crew out to
20 shut off the hydrants, because that is a
21 problem.

22 We have done a lot over the years to
23 decrease the abuse of fire hydrants.
24 We've put locks on the hydrants. But we
25 depend upon the eyes and the ears of the

1 public as well to help us keep that down
2 because that is a problem.

3 THE HEARING OFFICER: Yes.

4 MS. McCARTY: But it's been
5 drastically reduced over the years.

6 THE HEARING OFFICER: Let's hear
7 from the Consumer Advocate for a second.

8 MR. BERTOCCI: If I might, I came in
9 at the end, but I didn't hear Julia Hill
10 give her address for the record. Did she
11 do it?

12 THE HEARING OFFICER: No.

13 MS. HILL: 2335 North Lambert
14 Street.

15 MR. BERTOCCI: She has now.

16 THE HEARING OFFICER: Thank you.

17 MR. BERTOCCI: Thank you.

18 MR. DASENT: We also have Beatrice
19 Smith here this evening who would like to
20 testify.

21 MS. SMITH: Good evening, everyone.
22 My name is Beatrice Smith.

23 THE HEARING OFFICER: Could you give
24 us your address, please?

25 MS. SMITH: 2755 North Darien

1 Street.

2 THE HEARING OFFICER: Thank you.

3 MS. SMITH: I'm thankful right now I
4 don't have a problem with paying my water
5 bill, but I'm speaking on behalf of a
6 former neighbor who is about 78 years of
7 age.

8 About eight years ago, before she
9 had her last stroke, she had a problem
10 with her water and it required doing some
11 work in her street. So she was billed
12 for that and while she was in the
13 property, she was paying for it.

14 She had a stroke about five years
15 ago and she moved from the property. It
16 took me the better part of a year
17 constantly calling the Water Company
18 asking someone to come and shut the water
19 off because the property was vacant.

20 Someone would look in the computer
21 and tell me about what they saw in the
22 computer and then I would rebut it
23 saying, "Well, I live across the street.
24 The house is vacant. Cut it off." So we
25 finally got the water cut off.

1 Then her bills kept coming, every
2 month they kept coming, and the interest
3 is accruing on this amount. What was
4 originally we'll say \$200, now it's
5 almost \$1,000.

6 This woman is 78 years old, has not
7 lived in the property for over five
8 years, and she has a water bill. Now,
9 what can be done about this situation?

10 And they're telling me because I'm a
11 neighbor and not a close relative that I
12 can't actively do anything to prevent
13 these bills from coming. So what can be
14 done or who is it that I need to speak
15 with with regard to this?

16 MS. McCARTY: Well, I mean, your
17 intentions are good and we appreciate
18 that. But without the homeowner, the
19 property owner, telling us, informing us
20 through --

21 MS. SMITH: She had a stroke.

22 MS. McCARTY: Well, a relative,
23 someone that has legal authority to do
24 it. Part of it is if you want to stop
25 getting a water bill, then you can go

1 down to the Municipal Services Building
2 and get a discontinuance permit and then
3 that will stop all bills and that will
4 get us to turn off the water.

5 MS. SMITH: Okay.

6 MS. McCARTY: But just because a
7 neighbor calls and says turn the water
8 off, that could cause problems.

9 MS. SMITH: But I've been diligently
10 doing this for two years. There is
11 documentation that she has had a stroke.
12 She's not even in the State of
13 Pennsylvania anymore, has not been.

14 THE HEARING OFFICER: Before you
15 respond, could you state your name for
16 the record?

17 MS. WATSON: Byronette Watson,
18 customer service assistant manager for
19 the Water Revenue Bureau.

20 THE HEARING OFFICER: Thank you.

21 MS. WATSON: Ms. Smith, I understand
22 what you're saying, but we do have to
23 protect the interests of our customers --

24 MS. SMITH: And I understand that.

25 MS. WATSON: -- and without getting

1 documentation that shows that you have
2 the legal right to handle her bill, we
3 can't give you information nor can we
4 turn her water off upon request. There
5 has to be some valid reason for the water
6 going off.

7 Now, if you were a neighbor who was
8 not well-intended and we turned the water
9 off because you told us, when the
10 homeowner came home that afternoon, her
11 water was off, then where would that
12 leave us?

13 MS. SMITH: And I understand that.

14 MS. WATSON: So we need to have
15 documentation that gives you the
16 authority to handle it. If we get that,
17 we respect that and we will do whatever
18 is necessary in order to make sure that
19 she gets the billing stopped. We will
20 instruct you on what you need to do; that
21 is, that you would need to go to License
22 and Inspections and get a discontinuance
23 permit. We would take you every step of
24 the way. But we can't just shut water
25 off.

1 MS. SMITH: I understand that. I
2 just need to know what it is that I can
3 do at this point in time to assist her to
4 have this discontinuation done.

5 MS. WATSON: Get a power of
6 attorney. Get her to sign a power of
7 attorney, go have it notarized and duly
8 documented, and bring that down and we'll
9 take care of it.

10 MS. SMITH: And just for the record,
11 I object to the 30% increase over the
12 next four years because by that time I'll
13 be a senior.

14 MR. BERTOCCI: Ms. Smith, before you
15 go, I do have a question for you, if I
16 may.

17 THE HEARING OFFICER: Certainly.

18 MR. BERTOCCI: When you went down to
19 the Water Revenue Bureau and started
20 talking about this problem, did anyone
21 say to you, well, the person would need a
22 discontinuance permit in order to
23 discontinue service?

24 MS. SMITH: No.

25 MR. BERTOCCI: Did they give you any

1 idea of what the process might be?

2 MS. SMITH: No.

3 MR. BERTOCCI: Now, we can argue
4 about whether or not that kind of
5 information, that's not privileged
6 information, that's just general
7 information which you don't need to
8 represent --

9 MS. SMITH: Had I known this four
10 years ago, I would have processed it and
11 did what was necessary. I won't say
12 people were discourteous to me because
13 they weren't. I articulated what I had
14 to say and I met the stumbling block,
15 you're not the owner, yadda, yadda,
16 yadda, but no one ever gave me relevant
17 information that would make me go from
18 Point A to Point B that would eventually
19 get me to Point C.

20 MR. BERTOCCI: So if you had been
21 told about the discontinuance permit that
22 needed the signature of the homeowner,
23 then you would have taken the
24 discontinuance permit information to
25 her --

1 MS. SMITH: Absolutely.

2 MR. BERTOCCI: -- and said let's see
3 if we can't get this --

4 MS. SMITH: Resolved, absolutely.

5 MR. BERTOCCI: Thank you.

6 MR. DASENT: Hopefully this evening,
7 Your Honor, we will be able to facilitate
8 a solution to that problem as well.

9 We also have Mrs. Greenwood here
10 this evening who would like to testify.

11 MS. GREENWOOD: Good evening,
12 everyone. I'm Amy Greenwood.

13 THE HEARING OFFICER: Would you
14 state your home address, please?

15 MS. GREENWOOD: No, because I'm
16 actually not here for myself. I'm
17 actually speaking on behalf of, as
18 Ms. Smith, two other seniors who are not
19 present and chose not to be present.
20 Their area is one is Winfield, West
21 Philadelphia, and the other is the
22 Mt. Airy Philadelphia section of the
23 City.

24 For the record, I didn't hear the
25 beginning because I wasn't here,

1 unfortunately. Forgive me, I apologize
2 for that. At 6:30 I arrived.

3 I disagree with the increase. I
4 just heard it this morning. Totally
5 appalled. I believe regarding the
6 seniors that this is not advantageous for
7 them. It's too much for those who, as
8 has already been stated, are on a fixed
9 income.

10 If you're a homeowner, you have your
11 gas, the water, the electric, then your
12 minors, which are luxuries and
13 necessities, your telephone bill and
14 everything else. 30%? No.

15 And I'm looking at this I guess
16 revised senior citizens discount: A 25%
17 discount is provided for senior citizens
18 65 years of age or older with a total
19 household income of \$27,600. Suppose
20 it's less than that.

21 MR. DASENT: If it is, they're
22 eligible.

23 MS. GREENWOOD: But their money I'm
24 speaking of, their actual money. They
25 may not be able to pay that. And then

1 they have medical bills on top of that.
2 How is that possible? Any of you, can
3 you answer that?

4 MR. DASENT: We have a senior
5 discount, to answer that question.

6 MS. GREENWOOD: All right. Second
7 question.

8 MR. DASENT: First, we do have a
9 senior discount and it's being adjusted
10 in this case for inflation. We also have
11 various assistance programs that can help
12 all age groups and they're also available
13 to customers, and we have to make them
14 more available in terms of folks knowing
15 that they're out there.

16 MS. GREENWOOD: When will that be?

17 MR. DASENT: I think that's part of
18 our chore, particularly through this rate
19 case, to communicate better. That's one
20 of the things the Public Advocate is
21 raising in this case.

22 MS. GREENWOOD: How soon? by the end
23 of this year before this takes effect?

24 MR. DASENT: We have to do this in
25 the immediate term to make sure that

1 people can avail themselves of any
2 policies that offer assistance so that
3 those that are most vulnerable will have
4 help.

5 MS. GREENWOOD: Second question,
6 someone else in the audience also
7 mentioned the fire hydrants. I saw on
8 the news this morning where we had a
9 water main break. Are we accountable for
10 that as well in some small way?

11 MS. McCARTY: Well, the water rates
12 go for maintaining the water mains as
13 well as treating the water and getting it
14 to your home and then taking what you
15 flush down the toilet and goes down your
16 drains away and getting it to one of our
17 treatment plants and cleaning it up
18 before it gets to the River. The rates
19 pay for maintaining 3,000 miles of water
20 main and 3,000 miles of sewer pipe
21 throughout the City of Philadelphia.

22 So that main break, there were
23 actually a few this morning, one made the
24 news, and that money in your rates goes
25 for repairing those mains, replacing the

1 mains on a routine basis, throughout the
2 City.

3 We do about 20, 25 miles a year of
4 water main replacement and that comes out
5 of the capital fund, which Mr. Dasent
6 referenced the debt service. So, yes, it
7 all goes into what is in that water and
8 sewer bill.

9 MS. GREENWOOD: Okay. So fire
10 hydrants for the summertime when they're
11 turned on, more than likely illegally,
12 even though I hear that some people --

13 MS. McCARTY: It is illegal. Fire
14 hydrants are a problem because they're
15 dangerous for children playing in them,
16 children can get hurt, and we need to
17 know about it as soon as possible. Call
18 215-685-6300 -- that number is in the
19 phone book also -- and we will send
20 someone out to shut off the hydrant.

21 But it also can damage the water
22 main and it can break the water main if
23 you're not operating that hydrant
24 properly. The people that know how to
25 operate the fire hydrant are the Fire

1 Department and the Water Department.
2 Really nobody else should be operating
3 them unless they have a permit, and there
4 are some people that have permits, but
5 they're very few. I mean, they're more a
6 minority of people. It's mostly Water
7 and Fire that operate the hydrants, and
8 you have to do it the right way.

9 So when you see someone abusing a
10 hydrant, they're putting you guys in
11 jeopardy for fighting fires; and if that
12 water main breaks, it can flood your
13 property, and that's not fun.

14 MS. GREENWOOD: Right. And I very
15 well understand that and this is so true
16 regarding being at a disadvantage for
17 people when a household or property is on
18 fire. But who is at fault and who will
19 pay for that water when it's turned on
20 and just keeps running?

21 MR. WHITE: We do.

22 MS. McCARTY: It's all part of it,
23 right.

24 MR. WHITE: We are the ones who pay
25 that bill.

1 MS. McCARTY: That's unmetered water
2 is what it is.

3 MS. GREENWOOD: Unmetered water.

4 MS. McCARTY: It's part of our cost.
5 It's in the overhead. It's part of the
6 cost of getting water into the system.
7 So we try to get the word out as much as
8 we can that hydrant abuse needs to stop.

9 MS. GREENWOOD: Thank you.

10 THE HEARING OFFICER: Thank you.

11 MS. McCARTY: It's drastically
12 reduced, if that helps you. But it can
13 get lower. We would like it to get
14 lower.

15 MR. DASENT: We also have Mrs. Jones
16 here this evening to speak to us.

17 Mrs. Jones.

18 MS. JONES: Hello. I am sorry for
19 being a little late.

20 Maybe someone has already asked this
21 question. My concern about this water
22 increase is when I look at what I'm using
23 and what you're charging me to service
24 it, it doesn't balance out. My bill is
25 like maybe \$25 for the month and yet

1 you're charging me 30 or 40 dollars to
2 service it.

3 My question is: Between PGW and
4 everybody else asking for all these
5 increases, when are we, the consumers,
6 going to get a break? That's my
7 question. When are we going to get a
8 break?

9 I get an increase, but I don't get
10 the kind of increase that you're asking
11 for, yet you guys keep coming back to us
12 slamming us, slamming us, slamming us
13 constantly, and then we worry about why
14 so many people are leaving the City of
15 Philadelphia, why people are so
16 dissatisfied with Philadelphia.

17 Now, I live on a fixed income. So
18 when you go up and PECO goes up and then
19 the Gas Company goes up and then the
20 gasoline for our cars goes up, when does
21 it stop? That's my only question.
22 Somebody's got to give me an answer for
23 that because everything's going up but my
24 income.

25 The Federal Government don't give me

1 no increase because I'm on Social
2 Security so I have to work a second job
3 to supplement what I don't get from
4 Social Security.

5 MR. BERTOCCI: Mrs. Jones, would you
6 please give your address and your first
7 name?

8 MS. JONES: My name is April Jones
9 and I'm on Stillman Street, the 3000
10 block of Stillman Street.

11 MR. BERTOCCI: Thank you.

12 MR. DASENT: Mr. White, did you have
13 something else to say?

14 He wanted to supplement his
15 testimony.

16 MR. WHITE: What I was going to add
17 to what I had to say is that those people
18 who are living in these federal housing
19 projects, like the Johnson project, I
20 think they use water. They should pay
21 the water bill as we who are homeowners
22 do and I think it is unfair that we, the
23 homeowners, have to be responsible and
24 pay high bills for those people in those
25 housing projects.

1 MR. DASENT: One of the issues that
2 will probably be raised in this case is
3 the Philadelphia Housing Authority does
4 pay water rates, but they get a discount,
5 and the level of that discount affects
6 everybody else's bill and that's one of
7 the issues that will be presented
8 probably at some point during the case.

9 THE HEARING OFFICER:
10 Parenthetically, we had notice of a
11 letter today from the Philadelphia
12 Housing Authority requesting their
13 participation in the case. We will make
14 this available to everyone.

15 MR. DASENT: Thank you.

16 MS. GREENWOOD: Will that be today,
17 this evening?

18 THE HEARING OFFICER: Excuse me?

19 MS. GREENWOOD: Will you make a copy
20 of that available today?

21 MR. DASENT: A copy for the
22 attorneys of record with regard to the
23 request by the Housing Authority with
24 respect to participating in the case.
25 It's a technical thing regarding their

1 participation.

2 Yes.

3 MS. ROBINSON: Good evening. I hope
4 I'm not being redundant.

5 THE HEARING OFFICER: Could you
6 state your name and your address, please?

7 MS. ROBINSON: My name is Judith
8 Robinson and my address is 2112 North
9 Woodstock Street in Philadelphia, 19121.

10 THE HEARING OFFICER: Good evening,
11 Ms. Robinson.

12 MS. ROBINSON: Thank you.
13 How much of this increase will go
14 towards paying debt service on your
15 bonds?

16 MR. CLARE: Roughly 25%. About 20%
17 is for our continuing capital program and
18 about 5% is for additional flood
19 mitigation projects in certain
20 flood-prone areas of the City.

21 MS. ROBINSON: Okay. I also just
22 want to make a comment. Soon the service
23 just to come into our house will cost
24 more than usage in a lot of cases.
25 Conservation is important because you

1 could just stop using a lot of water. We
2 know that's true.

3 But I'm just concerned, like are
4 there any stipulations about cutting
5 people's water off, some basic need in
6 life? What do we have on record as far
7 as cutting people's water off? Will you
8 do it in the winter? summer? on a day
9 like today?

10 MR. CLARE: Actually, there are
11 ordinances of Council and as part of our
12 regulations there's a limitation on when
13 we can discontinue service.

14 MS. ROBINSON: What are those
15 limitations?

16 MR. CLARE: Between December 1 and
17 April 1 we typically do not discontinue
18 residential service. After April 1 --

19 MS. McCARTY: Well, April 1 through
20 November 30.

21 MR. CLARE: Right. Through that
22 time we're not allowed to discontinue
23 service on Fridays, Saturdays, Sundays,
24 holidays, or the day before a legal
25 holiday.

1 MS. McCARTY: For residential
2 customers.

3 MR. CLARE: For residential
4 customers, correct. So of the 365 days
5 in the year, there's roughly 131 days
6 that we can shut off, which is in very
7 rough numbers about one-third of all the
8 calendar days in the year.

9 MS. McCARTY: The other thing is on
10 heat emergency days we do not shut off.
11 So when the City has declared a heat
12 emergency, we do not shut off on those
13 days either.

14 MS. ROBINSON: Could you please give
15 me more information about this
16 Conservation Assistance Program where you
17 provide some kind of device? What is
18 that?

19 MR. CLARE: Well, for the ECA, one
20 of the environmental agencies here in the
21 City has a program that we fund for
22 eligible low-income residential customers
23 where they will do an audit of your
24 household water usage and help you reduce
25 or conserve in terms of water

1 consumption.

2 MS. ROBINSON: Now, I'm sure they're
3 probably backed up. Would you expand
4 that program so we can maybe reach more
5 people?

6 MR. CLARE: All of those programs
7 have a cost and certainly we could add
8 more cost to that program as well. Those
9 costs would have to be borne by all of
10 the nonlow-income, nonresidential
11 customers.

12 So if the Hearing Examiner and the
13 Commissioner directed us to put more
14 money in that program, we certainly would
15 do it.

16 MS. ROBINSON: Or see how the
17 program can be more efficient? I just
18 say that because we have a nonprofit
19 organization in the immediate area and if
20 we could find some way to help neighbors
21 reduce or conserve water and other
22 energies and also partake in whatever
23 this process is, maybe we could find a
24 more efficient way of reaching our
25 neighbors, you know, to give them this

1 device or whatever it is.

2 I'm just wondering if there's a way,
3 to kind of think outside the box, to do
4 this because this is only one agency
5 that's getting 800-and-some-thousand
6 dollars to do 827 people. I'm not the
7 best in math, but give me a little twist
8 of math and we can see --

9 MR. CLARE: It's about a thousand
10 dollars a house.

11 MS. ROBINSON: Yeah. And that money
12 might be better spent giving a reduction
13 in the cost of water to the paying rather
14 than some bureaucrat to give us service.
15 I don't know exactly what they do. But
16 I'm just asking if there's any way these
17 can be adjusted; that's all.

18 MR. CLARE: We would gladly
19 eliminate the program if Mr. Bertocci
20 requested.

21 MS. ROBINSON: No, I'm not saying to
22 eliminate it, but I'm saying to make it
23 more efficient --

24 MR. CLARE: I understand.

25 MS. ROBINSON: -- because it's one

1 group doing this program and if we could
2 get more people, I'm sure it could be of
3 value to our community.

4 MR. DASENT: We have another speaker
5 here.

6 I'm sorry; if you're not finished --

7 MS. McCARTY: Were you finished?

8 MS. ROBINSON: No. I might have
9 some others, I'm sure.

10 MS. McCARTY: Are you finished for
11 now?

12 MS. ROBINSON: For now, yes.

13 MS. J. WILLIAMS: I'm also here
14 because I'm interested in the Office of
15 Watershed. They teach you conservation
16 for your property. I was born and raised
17 in this neighborhood. My mother had a
18 beauty shop and my father was a
19 longshoreman. I went to public school
20 here. We also conserve water. We save
21 rainwater for like our gardens and my
22 grandparents did it for other things
23 around the house.

24 Now, I go over to Northern Liberties
25 and they have a Division of Watershed

1 from back in -- not Northern Liberties;
2 it would be East Tioga off of like
3 Wheatsheaf Lane, back in that area.

4 MS. McCARTY: Wheatsheaf Lane?
5 That's a wastewater treatment plant --

6 MS. J. WILLIAMS: Yes.

7 MS. McCARTY: -- on Wheatsheaf Lane,
8 yes.

9 MS. J. WILLIAMS: Right. So
10 Watershed, I had talked to her at another
11 community meeting that I had went to and
12 we conversed on different things, but in
13 this area I don't think they make the
14 public aware of different ways that you
15 can conserve water.

16 MS. McCARTY: You mean like getting
17 a rain barrel, picking up one at
18 Wheatsheaf Lane?

19 MS. J. WILLIAMS: Right. Are they
20 free? Do you have to pay for them or
21 something?

22 MS. McCARTY: No. That's part of a
23 program. Within the Water Department we
24 have different units and the Office of
25 Watershed is one of the units within the

1 Department. They're concerned with
2 source water protection and stormwater
3 management.

4 MS. J. WILLIAMS: Right, like the
5 ecology.

6 MS. McCARTY: And one of the
7 programs within that unit is the rain
8 barrel program and we do have some rain
9 barrels and some of them are stored at
10 that Northeast plant.

11 MS. J. WILLIAMS: I'm interested in
12 obtaining one.

13 MR. CLARE: You can just give my
14 office a call and --

15 MS. J. WILLIAMS: What's your name?

16 MR. CLARE: Joe Clare.

17 MS. J. WILLIAMS: I'm Jacqueline
18 Williams. I called your office.

19 MR. CLARE: I gave you my card a
20 little while ago.

21 MS. J. WILLIAMS: Yes, you gave me
22 your card. We will talk.

23 MR. BERTOCCI: Ma'am, would you
24 state your name for the record?

25 MS. J. WILLIAMS: My name is

1 Mrs. Jacqueline Williams.

2 THE HEARING OFFICER: We have it.

3 MR. BERTOCCI: 1609 North 18th
4 Street?

5 MS. J. WILLIAMS: Yes. And Tiffany
6 is the person who was the affiliate from
7 Watershed.

8 MS. McCARTY: Right. Okay.

9 MR. DASENT: If Your Honor please, I
10 should note that Councilman-at-Large
11 Frank Rizzo has sent a representative to
12 the meeting, Eric Quick, and if you would
13 just identify yourself. I know
14 Councilman Rizzo is very interested in
15 water rates and we want to acknowledge
16 his presence.

17 THE HEARING OFFICER: Thank you.

18 Good to see you.

19 MS. ROBINSON: I think the lady
20 brought up a great point, rain water
21 harvesting. You do have those barrels.
22 Are they available to the public or how
23 does that work?

24 MS. McCARTY: Our Office of
25 Watershed manages that program. I'm not

1 sure how many we have, but we could
2 certainly put you in touch with the right
3 person. I don't know if it's Tiffany
4 or --

5 MR. CLARE: Yes. We do have a
6 program where we distribute rain barrels
7 and you have to take a course to be
8 educated in how to install it and how to
9 use it and how to use the water properly.

10 There is a limited number of
11 barrels. We don't have, you know,
12 400,000 to give to every residential
13 homeowner. But we can certainly put you
14 in touch with the Watershed Office as to
15 their availability.

16 MS. ROBINSON: Well, I would
17 appreciate that because anything we can
18 do to conserve, you know, because it's
19 going to be really hard to afford water.
20 So if you're flushing the toilet or
21 mopping the floor, we could use these --
22 I mean, this is something we could push
23 in our community -- or watering the
24 garden or lawn or whatever.

25 I mean, this is what it's all about.

1 So the more we know, the better we can
2 work to match up with what you're trying
3 to do. Not to say that we want to pay
4 higher water rates.

5 MR. CLARE: Understood.

6 MS. ROBINSON: Not to say that. But
7 we do understand that conservation is
8 important. So maybe you all, not to say
9 that you're going to try to service every
10 house with a rain barrel, but if that
11 information was put out there and there
12 were more rain barrels, then that might
13 be some kind of way to offset some of the
14 concern about the increase.

15 MR. CLARE: Understood. One issue
16 that surfaces in this case, as it does
17 many times, is the Water Department has
18 experienced a significant dropoff in
19 water usage over the years, both in terms
20 of number of customers and in consumption
21 per customer, and as that total
22 consumption and the number of customers
23 goes down, basically we're a fixed-cost
24 operation, so the cost for everybody else
25 pretty much stays the same, it gets

1 spread over a smaller base.

2 So we've been experiencing that now
3 for probably upwards of 20 years and I
4 think our plant production is probably at
5 an all-time low.

6 MS. McCARTY: The drinking water
7 plants, yes.

8 MR. CLARE: So our plants are built
9 to service a City of in excess of 2.5
10 million people and we're certainly well
11 below that threshold now.

12 MS. McCARTY: Part of the reduction
13 in the water we produce, though, has gone
14 to our leak detection program and getting
15 the hydrants shut off. I mean, this time
16 of year, a day like today, we would be
17 sending 350, 400 million gallons out into
18 the system and we're down around
19 300 million gallons right now. So that
20 results in a savings to the ratepayers.

21 MS. ROBINSON: Do you all still have
22 those sprinklers?

23 MS. McCARTY: We have a program, not
24 for the fire hydrants.

25 MS. ROBINSON: That's what I meant.

1 MS. McCARTY: But we have a program
2 where if you call 685-6300 and ask for a
3 lawn sprinkler, we'll provide a hose and
4 a lawn sprinkler to our customers. The
5 block captain we like to provide it to.
6 And that is much safer than using a
7 hydrant and that's free to the proper
8 people.

9 MS. J. WILLIAMS: A lawn sprinkler
10 for your lawn?

11 MS. McCARTY: Well, for the kids to
12 play in. I mean, it's a lawn sprinkler,
13 but as I understand -- I've not seen
14 one -- it's like a lawn sprinkler so the
15 kids can run through it. It's better
16 than running in the street. You put it
17 in your yard or your front lawn or
18 wherever, on the sidewalk, and it's much
19 safer and you can just connect it to the
20 hose bib.

21 MS. GREENWOOD: Is that in place of
22 the fire hydrant; is that what you said?

23 MS. McCARTY: The fire hydrant
24 program is --

25 MS. GREENWOOD: Right. But I'm

1 saying, is that in place of?

2 MS. McCARTY: Yes, ma'am.

3 MS. GREENWOOD: For each individual
4 resident?

5 MS. McCARTY: We like the block
6 captain to come get it.

7 MR. DASENT: Is there anyone else
8 that we haven't heard from?

9 MS. ROBINSON: I just wanted to ask
10 one more question about flooding. Now,
11 this says something about it would help
12 to reduce flooding. I know that's a big
13 problem. So how exactly would it do
14 that?

15 MR. CLARE: Well, in our capital
16 program we have about \$200 million in
17 construction planned over the next six
18 years for sewer improvement projects
19 basically to get water out of flood-prone
20 locations and into our plants and back
21 into the River to relieve the flooding.

22 We also have a \$3 million per year
23 budget for what we call our basement
24 backup protection program, which
25 essentially provides backflow prevention

1 devices for fixtures in flood-prone
2 basements.

3 So if you were an eligible homeowner
4 who had been flooded out due to a sewage
5 backup, you could apply for the program
6 and we would investigate your property
7 and we would pay the cost of mitigating
8 the basement backup.

9 MS. McCARTY: One of our plumbers
10 would come out and figure out what the
11 best way to do it is and then our plumber
12 would do the work.

13 MS. ROBINSON: Is that like a sump
14 pump or not really?

15 MS. McCARTY: Well, hopefully not.
16 There are some solutions that you might
17 need a sump pump, but those are very rare
18 because that electric cost has to be
19 borne by the property owner. We try to
20 keep it as simple as possible and as easy
21 for the property owners as possible.

22 So it would be, as Mr. Clare has
23 stated, a backflow valve. We would shoot
24 to do it on the individual fixtures where
25 the backup occurs, again, because that's

1 the simplest and easiest to maintain.
2 And then if that doesn't work, then we
3 have to do it on the main sewer, lateral,
4 drain, whatever you want to call it, that
5 goes into the street. But that's become
6 more complicated in the combined sewer
7 sections of the City where this is
8 occurring.

9 MS. ROBINSON: This is my last
10 question, I promise, but I'm thinking of
11 things as we go along. Litter reduction,
12 how would that help us in any way reduce
13 the cost of water? I don't know. I'm
14 just asking. Cleaning the water from
15 litter, if we say, for instance, in our
16 conservation efforts, reduce litter, what
17 would that do?

18 MR. CLARE: Well, theoretically it
19 could have an impact on our cost of
20 cleaning inlets and disposing of inlet
21 debris.

22 MS. McCARTY: And whatever does get
23 to the wastewater plants, I guess, so a
24 reduction in that.

25 MR. CLARE: Right. Certainly if

1 you're a separately sewerred section of
2 the City, whatever litter gets into the
3 separate sewers that go out to the creek,
4 you know, they flow right to the creek,
5 so that's an environmental problem as
6 well.

7 MS. ROBINSON: And one last one. Is
8 your water safe enough to drink that we
9 can reduce costs by not buying bottled
10 water?

11 MS. McCARTY: Yes.

12 MR. CLARE: Absolutely.

13 MS. ROBINSON: Are you sure?

14 MS. McCARTY: I drink it every day.
15 We all drink it every day.

16 MR. CLARE: Here's our water quality
17 report. We are very proud of our water.
18 The fact is that --

19 MS. McCARTY: Despite the fact that
20 Mr. Bock has bottled water.

21 MR. DASENT: That's Water Department
22 water.

23 THE HEARING OFFICER: I poured it
24 in.

25 MR. CLARE: The water that we

1 produce is regulated by the EPA and
2 subject to significant standards for
3 purity, for particulate matter, for
4 different parameters.

5 The water that is in bottled water
6 is regulated by the FDA and the
7 constraints that the FDA operates under
8 are significantly less than what's
9 subject to tap water.

10 MS. McCARTY: Our water is tested
11 pretty constantly, whereas the FDA
12 doesn't require that. And also, our
13 water, it's a fraction of a penny per
14 gallon, and you know what you pay for
15 bottled water. It's dollars for a liter.

16 MS. ROBINSON: I said I had one
17 more, but this is very important. They
18 are going to have water only sheriff
19 sales?

20 MR. CLARE: Yes. We have done that.
21 We have done that. We have properties in
22 this City that owe in excess of \$10,000,
23 some owe in excess of \$20,000 for water,
24 which is a lifetime of water, you know,
25 for a residential customer, and the Water

1 Department has the ability to lien your
2 property when you don't pay your water
3 bill.

4 In the past we've kind of ridden
5 along with the City in terms of sheriff
6 sales that primarily were driven by real
7 estate taxes and we've taken an
8 initiative to identify properties that
9 owe significant water balances and take
10 them to sheriff sale or the threat of
11 sheriff sale to attempt to improve our
12 collections.

13 MS. McCARTY: Because those people
14 are not paying for their water, everybody
15 else is paying their bills, and those of
16 us that pay our bills are subsidizing
17 folks that aren't.

18 And when it gets that high, as
19 Mr. Clare said, \$20,000 is more than a
20 lifetime of water, so that's why we need
21 to be able to get people to either pay
22 their bill or we're going to stop giving
23 them water.

24 MS. ROBINSON: Right. But let me
25 just play devil's advocate for a split

1 second. I sell real estate and I know
2 that sometimes you have a grandmother or
3 grandfather that own the property, are
4 now deceased, and you have grandchildren
5 or great-grandchildren now living in the
6 property. Will they be able to negotiate
7 and set up some payment arrangements if
8 they can show ability to pay, even though
9 it's out of whack, I know that?

10 MR. CLARE: Well, certainly if
11 Mr. Bertocci has his way.

12 MS. ROBINSON: Where's Mr. Bertocci?
13 Oh, my.

14 MR. CLARE: Those are very, very
15 difficult issues, particularly when a
16 title is clouded and we're not sure about
17 who should or shouldn't be in a property,
18 who has the ability or the responsibility
19 for paying. We're working with the
20 Public Advocate to see if we can come up
21 with sensible standards for that.

22 MS. ROBINSON: Who is the Public
23 Advocate?

24 MR. CLARE: That's Mr. Bertocci.

25 MS. ROBINSON: Oh, okay, you are the

1 Public Advocate.

2 MR. BERTOCCI: I can say on that,
3 just for your information, that when we
4 find a low-income person who is living in
5 the house, we have been able to work with
6 the Law Department and really Water
7 Revenue to stay the sheriff sale so long
8 as the people that are living in the
9 house are taking concrete steps towards
10 getting record title, getting the deed in
11 their name, through administration of the
12 estate or doing whatever is necessary,
13 and that once they get the property in
14 their name, then they are able to enter
15 into a payment agreement if Water Revenue
16 is responsive, which is sometimes a
17 question.

18 But at least for these particular
19 low-income people, we have been able to
20 then get them to allow them to apply for
21 low-income programs.

22 But that's all on an informal basis.
23 Our concern is that there are people in
24 the City that are residing in a property
25 that we never hear about that never come

1 to us and that lose their house just like
2 it was a tax sale.

3 It's a harder problem I think for
4 everybody, including the Public Advocate,
5 if the property is just sitting there
6 vacant, because if the property is just
7 sitting there vacant, who is benefiting
8 from that? It really becomes a problem
9 for the community.

10 And it may be very much in the
11 public interest and I have to think about
12 the public interest of all residential
13 customers that have properties that are
14 vacant where no one is doing anything
15 constructive to turn that over so that
16 some other person can buy it at sheriff
17 sale with the resources to essentially
18 take a house that's a vacant property on
19 a block and turn it into one that's being
20 rehabilitated.

21 So that's a complicated issue. But
22 we do not believe that any person who is
23 residing in a house in Philadelphia,
24 where they have a right to be, should
25 ever have that house sold out from under

1 them due to a back bill on water-sewer.

2 And often that back bill on
3 water-sewer goes back several
4 generations. It wasn't a bill that they
5 didn't pay. It was a bill that their
6 parents didn't pay or someone else.

7 So those are more difficult
8 questions and we think that really Water
9 Revenue, the Law Department, and the
10 Water Department should all be responsive
11 to the need to provide housing, because
12 if you make people homeless, the
13 taxpayers are just going to pay for it in
14 another way.

15 MR. DASENT: If Your Honor please,
16 you have two other witnesses here,
17 Jacqueline Williams first and then
18 Mrs. Hill.

19 MS. J. WILLIAMS: My last question
20 was pertaining to somewhat of what you
21 were saying. You have a lot of people's
22 relatives, the older seniors that I deal
23 with, being a social worker, whose
24 relatives may want to move in on them, if
25 they go in the hospital or say something

1 should happen to the person, they don't
2 really die, but the house, now that this
3 water tax has come up, they sheriff sale
4 the property.

5 Some of them are vindictive because
6 the grandparents don't want them. A lot
7 of them are deadbeats and of no account.

8 So can't you look at the property
9 and see how the current bill has been
10 previously pertaining to when these
11 people may have come in and taken over
12 these people's properties? -- because you
13 have a lot of seniors who are really
14 scared to stay and want to leave out of
15 their homes because their relatives try
16 to move in on them because they're older
17 and they try to take advantage.

18 If any of them have enough
19 intelligence and guts to fight back and
20 tell them no, then they figure, well, I'm
21 going to deter your property and make all
22 your bills or utilities go up, whether
23 it's water, electric, gas, whatever. Why
24 shouldn't the people who was causing the
25 problem be charged for that?

1 MR. BERTOCCI: Well, they are
2 charged, but the law in Philadelphia is
3 that water-sewer charges -- and it's
4 really state law -- become a lien against
5 the property almost as soon as a bill is
6 not paid.

7 If you look at some of these
8 statements, you'll see a lien charge
9 almost every year for a property where no
10 one is paying the bill. So it's sort of
11 a fact of life that water-sewer charges
12 are like taxes. They go with the
13 property.

14 MS. J. WILLIAMS: Right, they go
15 with the property.

16 MR. BERTOCCI: So it doesn't really
17 matter who is consuming the water.
18 Ultimately it falls back on the person
19 who is the owner of the property. So the
20 people have to be aware of that and then
21 act accordingly.

22 So that if a senior is going in the
23 hospital and someone is going into the
24 house that doesn't have the right to be
25 there, then if the senior is low income,

1 they can call the Senior Law Center and
2 say, "I have a problem here. We need an
3 ejectment. We need something to protect
4 our rights to this property and not allow
5 huge bills to be built up against the
6 property without our consent and against
7 our will."

8 MS. J. WILLIAMS: Right. But would
9 you take a look at the previous record of
10 that person who probably worked and paid
11 their bills? -- because we have a lot of
12 people who bought properties, my parents
13 as well as many more, they didn't make a
14 lot of money, but they took whatever
15 money that they had and they budgeted to
16 keep their property. They weren't rich
17 people. They were just working people.

18 MR. BERTOCCI: Well, when you say --

19 MS. J. WILLIAMS: So if you fine
20 these ones that come in and abuse these
21 properties and make nuisance properties
22 out of these, it shouldn't be the person
23 that owned the house. A lot of times
24 they are the owner, but maybe they can't
25 fight off the ones that's abusing the

1 property. They shouldn't be responsible
2 for somebody else because these people
3 don't know how to take care of
4 properties.

5 THE HEARING OFFICER: I think we
6 have a response from the Revenue Bureau.

7 MS. WATSON: Byronette Watson again,
8 Water Revenue.

9 You know, we accept payments from
10 anyone if you want to pay a bill. If you
11 have a person's bill and you come and you
12 want to pay it, the cashiers will take
13 the payment.

14 We don't know that that necessarily
15 was a previous owner who was paying and
16 paid the bill up to date. All we know is
17 that we have a payment on the account
18 because we don't ask for identification
19 when we take that payment.

20 Now, if someone else is using water
21 in the person's property and they're
22 running the bill up, we have no way of
23 knowing who's using what water. The
24 meter only measures the water that's
25 used.

1 MS. J. WILLIAMS: I understand,
2 cubic feet, right.

3 MS. WATSON: We can't differentiate
4 between who used what and the reason the
5 bill is high or not high. Therefore, if
6 the person in the property is having a
7 problem, that person needs to seek
8 assistance so that they can get the
9 proper resolve, because we don't know
10 what's going on there.

11 They need to have someone, if it's a
12 church, if it's a community leader, but
13 they need to have someone that they can
14 communicate with and let them know that
15 someone's in their property that they
16 need to get out.

17 MS. J. WILLIAMS: Yeah. But a lot
18 of times they don't.

19 MS. L. WILLIAMS: Luella Williams
20 again. That is one of my concerns. And
21 I can appreciate you as working for the
22 Department, but there doesn't seem to me
23 to be -- how can I say this? I can
24 understand what she's saying.

25 MS. WATSON: And so can I.

1 MS. L. WILLIAMS: And you can
2 understand it. But, again, are records
3 kept? We have these computers, but are
4 records kept that you can look at the
5 track record --

6 MS. J. WILLIAMS: Of the property.

7 MS. L. WILLIAMS: -- of the
8 property?

9 Let me say something. I'm going
10 through some things now with my mother
11 passed last year and we're a little slow
12 getting this together, there's three of
13 us that's involved in this so we're slow
14 getting it together, what we need to do.

15 Her water was cut off about two
16 weeks ago. This is something totally
17 different than what I came down here for.
18 It was cut off for 200-and-some dollars.
19 Never in the history that she lived in
20 that property had that water ever been
21 cut off.

22 When I went down to talk to them, we
23 didn't really get the notice because we
24 don't go up there, it's sort of difficult
25 for us, we're just getting back around to

1 being able to go there, you know, when
2 you're going into memories, my concern to
3 them was -- and they have on record who
4 they can contact -- we never got a notice
5 that the bill had come.

6 My concern is that if you look at my
7 mother, the track record of that house,
8 the track record of that house -- and I
9 know what you're saying, but -- the track
10 record of that house is that the water
11 was paid every month, that water was
12 never cut off. She had inherited it from
13 somebody. I mean, the water has never
14 been cut off in that house, and then it's
15 cut off for \$200.

16 We were not properly notified, and
17 I'm going to put in something for the
18 fact that we had to be charged to get it
19 cut back on after explaining that to
20 them.

21 And I know what she is saying about
22 sort of the track record, and maybe
23 that's part of it's not this department
24 that we're talking about here now. But
25 it's still part of we see water as water,

1 collections and the service of, and
2 that's part of what we're talking about,
3 that it's not intimidating, but it's just
4 frustrating.

5 MS. McCARTY: Frustrating.

6 MS. L. WILLIAMS: And the whole bit
7 that you have these high water bills and
8 people aren't paying them. When you come
9 down to pay a bill, by the time you sit
10 there four hours and then get there and
11 all of this sort of red tape and stuff,
12 you're almost ready to leave and go back
13 with the money that you had and go back
14 home and sort of have some peace and
15 quiet.

16 My point is that we're saying that
17 something is missing. We don't know
18 what's missing, but there is something
19 missing between what she is saying and
20 what you're saying, the in-between of the
21 track record. A house that never had its
22 water cut off and all of a sudden it's
23 cut off for \$200.

24 MS. WATSON: Right, and I understand
25 perfectly well what both of you are

1 saying. But I want you to understand
2 that we have a computer system and the
3 computer system reads outstanding bills.
4 It does not look at whether or not --

5 MS. J. WILLIAMS: Commercial or
6 residential?

7 MS. WATSON: No. Either way,
8 commercial or residential, the computer
9 reads outstanding bills.

10 But let's say residential. We'll
11 only deal with residential because most
12 of us are homeowners here. \$75, it's
13 \$75, and we shut water off for \$75.

14 MS. McCARTY: Well, and two cycles.

15 MS. WATSON: And two cycles.

16 MS. McCARTY: So two months.

17 MS. WATSON: But what I'm saying is
18 200-some dollars, that somehow might have
19 been, you know, maybe two bills. I don't
20 know how many bills it was. I'm only
21 just speaking hypothetically here.

22 But what I'm trying to say is the
23 computer doesn't know what happened in
24 the past with bills that were paid. It
25 had no reason to. When it got to that

1 account, there was a zero balance, there
2 was no reason to feed that information to
3 shut off at all because that bill was not
4 a question.

5 But when the bill becomes delinquent
6 one month, two months, then the computer
7 goes, okay, we've got an outstanding bill
8 here. Then we send the first notice.
9 Then we send the second notice.

10 Now, it's unfortunate, trust me, I
11 understand grieving because I'm still
12 doing that myself, but if you can't go to
13 the property, we could have gotten a
14 forwarding address to send the bill to or
15 the shut-off notices to another property
16 location so we could let you know that
17 this property is in jeopardy of being
18 shut off and you could have made some
19 arrangements. By phone, you didn't have
20 to come in, by phone.

21 MS. McCARTY: But proof that it
22 should be going --

23 MS. WATSON: But I'm saying you're
24 the owners, you're the daughters of the
25 owner, and you now are responsible for

1 handling this bill; and if you let us
2 know that and you tell us my mother has
3 passed, you bring a death certificate in
4 there showing us that she's passed, you
5 need the bills to come to this address,
6 we're going to send them there for you,
7 and then you're going to be notified that
8 the bill has become delinquent.

9 But, truly, we must know. The
10 system is not reading what happened in
11 the past. And it seems like to you we
12 don't have information. We do have past
13 records on microfiche. We do know how
14 the bills were paid. But the computer is
15 not looking at the microfiche. It's
16 looking at what's happening currently and
17 that's a delinquency and that's why the
18 water was shut off.

19 And it is unfortunate. It's hard
20 when people pay their bills every month.
21 Trust me, I know, I have to do it myself.
22 I am affected by the proposed increase.
23 Trust me, I pay a water bill every month.
24 But when the bill becomes delinquent, we
25 have no other recourse. We have to shut

1 the water off.

2 And, yes, when you come down, you
3 have to pay a reconnection fee. It is
4 the way that it is because the water went
5 off, a service was provided, we had to
6 send personnel to the property to shut it
7 off, and we have to send personnel back
8 out to the property to restore it.
9 Therefore, you know, if that had never
10 taken place, there would be no
11 reconnection fee needed.

12 But we have to know what you need us
13 to do and if you needed us to forward
14 that bill to another address, we could
15 have done that with proof that your
16 mother had passed and that you all were
17 responsible for the bill; and if you
18 weren't going to the property because you
19 were not able yet to go in there, we
20 could have mailed it where you wanted it
21 to go.

22 MS. L. WILLIAMS: I know it's not
23 going to be corrected because this is the
24 time that we're in, the 21st Century, but
25 that's what we're saying, the

1 insensitivity, that the sensitivity is
2 just missing there.

3 MS. WATSON: But it's a computer
4 system.

5 MS. L. WILLIAMS: That's what we're
6 saying, the computer system.

7 THE HEARING OFFICER: Okay. I think
8 we understand the point.

9 MR. DASENT: We have Mrs. Hill who
10 has been passed over.

11 MS. HILL: What I wanted to say
12 again was I was thinking about the senior
13 citizen thing. Now, if someone hadn't
14 told me about the community center to go
15 to to get help, I think that it should be
16 known if a person is low income for
17 senior citizens, that people at the Water
18 Company should let them know that there
19 are places that they can go and get help,
20 because a lot of people don't know.

21 I didn't know and I was so stressed
22 out, I told the lady, I was crying, I was
23 like, I feel like I'm going to go rob a
24 bank but I'm not going to go rob a bank
25 because I've never been in jail and I'm

1 not going to go and do nothing like that.

2 But I'm saying you can be so
3 stressed out, and if these people that's
4 working here don't tell the people where
5 they can go and get help, especially if
6 they're low income, they don't know, just
7 like I didn't know. I was told and I was
8 helped.

9 MR. DASENT: Thank you.

10 We have one final speaker.

11 MS. GREENWOOD: Yes. I just wanted
12 to ask a question that's actually already
13 been addressed and that's how is it
14 possible, residents here, okay,
15 residents, how is it possible to have a
16 property owner, private owner, bill go up
17 into the thousands, as someone stated,
18 \$20,000 or something like that, when
19 someone's bill, \$200, is shut off? I'm
20 not understanding. How is that possible
21 when they didn't get a notice for \$200 or
22 less?

23 MS. WATSON: There are so many
24 variables.

25 MR. CLARE: Generally --

1 MS. GREENWOOD: Okay. But outside
2 of the variables, with the private owner
3 who was in this situation, this is just
4 one owner?

5 MR. DASENT: Your answer is right
6 here.

7 MR. CLARE: Typically that will
8 happen because the system has been
9 worked. You know, people will file
10 medical certificates and forestall a
11 shut-off. They might file a low-income
12 claim and it be denied. They might file
13 a bankruptcy.

14 So there are a number of ways you
15 can forestall a shut-off that kind of
16 puts it --

17 MS. GREENWOOD: For that amount of
18 money, though?

19 MR. CLARE: Well, basically it
20 starts fooling the computer system that
21 we're talking about. So somebody comes
22 to shut off your house and you say, "Oh,
23 you know what? My son is asthmatic.
24 Here's a doctor's certificate." Our
25 people leave. You know, if they give you

1 a medical certificate, you get so many
2 days to cure the problem. So there are a
3 number of ways to forestall that.

4 Then the winter moratorium comes,
5 now we can't shut off anybody. Now we go
6 out again and, oh, now they have a
7 bankruptcy. All right? So there goes
8 that season. Now another winter
9 moratorium comes, and it goes on and on
10 and on where, you know, basically people
11 game the system for years and years and
12 years.

13 MS. GREENWOOD: So the little people
14 just have to suffer.

15 MS. McCARTY: Well, some of them are
16 what you would call the little people.

17 MS. GREENWOOD: Well, the paying
18 people.

19 MS. McCARTY: We all suffer, every
20 one of us that's a property owner that
21 pays a water bill or is a renter, because
22 you indirectly pay a water bill, and
23 that's one of the things we're trying to
24 correct.

25 And I got the impression that you

1 thought for \$200 we shouldn't be shutting
2 the water off. Well, in fact, the
3 reality is the sooner you get to the
4 customer, the better.

5 I mean, there's a whole process. We
6 send a first notice. 45 days later we
7 send a second notice, we're going to shut
8 your water off, come on, come see us,
9 come send us money, come pay your bill,
10 make a payment arrangement, something.
11 And when you don't, then we do come out
12 and shut your water off, and that usually
13 gets folks' attention. But that's cost
14 us some money to do that.

15 MS. WATSON: That's right.

16 MS. McCARTY: But the sooner we
17 catch that person, not when they owe us
18 hundreds, but when they owe us \$75 or
19 \$100, the better opportunity to get that
20 person, if they need assistance,
21 assistance to help them pay their bill,
22 so those of us that do pay aren't
23 subsidizing those that are just gaming
24 the system, as Mr. Clare stated.

25 MS. SMITH: Beatrice Smith and I

1 just want to respond to what she is
2 saying. When that does happen, is this
3 additional cost passed on to the
4 consumer?

5 We just had a resident in my block
6 and she's been there for eight years as a
7 renter, her water was cut off about three
8 weeks ago, and I'm assuming that every
9 time it was cut off, it was put back on,
10 because when they cut it off the last
11 time, they put rocks and cement down in
12 the opening so it couldn't be cut back
13 on. To me this is crazy.

14 So my question is: When this
15 happens and it's happened over a period
16 of time, is this cost passed on that's
17 noticeable to the consumers, to the ones
18 that are paying the bills?

19 MS. McCARTY: Well, everything we do
20 is part of the bill. So when someone is
21 stealing water and you know it, the
22 sooner we find out about it, the sooner
23 we can do something about it.

24 MS. SMITH: But what happens when
25 you call and complain and nothing is

1 done? I've called numerous times, not
2 for the Water Company but for PECO, and
3 they cut it off and within 24, 48 hours
4 it's back again.

5 MS. WATSON: That's an illegal
6 restore.

7 THE HEARING OFFICER: This is the
8 Water Company we're dealing with right
9 now. We have enough problems just with
10 the Water Company.

11 MS. SMITH: I know. I'm saying it's
12 the same scenario.

13 MS. McCARTY: But we'll come out and
14 dig you up. I mean, as Ms. Watson has
15 just indicated, it's an illegal restore.
16 And we have folks that do call us.
17 They'll call Water Revenue or they'll
18 call us. And there's so many times we go
19 out to shut off, when we're not getting
20 any money, we'll dig them up. The
21 ultimate is we dig them up and that
22 solves it because you need a plumber to
23 reconnect.

24 THE HEARING OFFICER: Okay. I think
25 that concludes the comments.

1 MS. TRAN: Actually, I have some
2 clarifying questions for Mr. Lopez while
3 he is still here regarding his Exhibit
4 Lopez 1. Can I just ask a couple quick
5 questions, please?

6 THE HEARING OFFICER: Sure.

7 MS. TRAN: Mr. Lopez, your exhibit
8 Lopez 1 has ten pages. Could you tell us
9 what these first six pages are, where you
10 got them?

11 THE INTERPRETER: I went downtown to
12 the Water Department and I went to get
13 receipts and they gave me those pages,
14 but it doesn't say how much I paid on
15 those ones.

16 MS. TRAN: Okay. Thank you. And
17 the last four pages of your exhibit here,
18 what are those?

19 THE INTERPRETER: Those are the
20 bills I paid. This is the first one I
21 received and then they sent me one for
22 \$300. So I went there and they told me
23 to start paying \$53. Sometimes I sent in
24 to them \$100 or more than \$53.

25 MS. TRAN: So these four bills are

1 your last four bills?

2 THE INTERPRETER: Yes.

3 MS. TRAN: And attached here, what
4 is this that is attached to each?

5 THE INTERPRETER: I don't know what
6 it is.

7 MS. TRAN: Okay. Thank you.

8 THE HEARING OFFICER: Okay. With
9 that addition, we are going to conclude
10 the hearing tonight.

11 On behalf of the Water Department,
12 on behalf of the Consumer Advocate, and
13 on behalf of the Hearing Officer, myself,
14 we appreciate the time that everybody
15 took to attend. Your comments are
16 extremely important to us and will
17 certainly be considered as part of the
18 record.

19 To the extent that you have other
20 friends or relatives who wish to be heard
21 at these hearings, I should state that
22 the following hearings are scheduled in
23 the future over the next few days:
24 Tuesday, July 22, at 6 o'clock at
25 Roxborough Memorial Hospital; Thursday,

1 July 24, at 6:30 at the West Philadelphia
2 YMCA, 5120 Chestnut Street; Friday,
3 July 25, at the Institute of Culinary
4 Arts at 10 o'clock at 1212 South Broad
5 Street; and Thursday, July 31, at
6 6 o'clock at Holy Family College, 9801
7 Frankford Avenue, in the Northeast.

8 Again, thank you all for attending.
9 The hearing is adjourned.

10 - - -

11 (Whereupon the hearing adjourned at
12 7:50 p.m.)

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14 Reported By: Susan Marie Migatz, RMR, CRR

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