



COMMONWEALTH OF PENNSYLVANIA

March 19, 2020

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Pennsylvania Public Utility Commission v. Pittsburgh Water and Sewer Authority
(Water) / Docket No. R-2020-3017951**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Webb'.

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
: **v.** : **Docket No. R-2020-3017951 (water)**
: **Docket No. R-2020-3017970 (wastewater)**
Pittsburgh Water & Sewer Authority :

**COMPLAINT OF THE
SMALL BUSINESS ADVOCATE**

1. The Complainant is:

John R. Evans
Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525

2. The name and address of the Complainant's attorneys are:

Sharon E. Webb, Assistant Small Business Advocate
Erin K. Fure, Assistant Small Business Advocate
Daniel G. Asmus, Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov
efure@pa.gov
dasmus@pa.gov

3. The respondent utility is:

Pittsburgh Water and Sewer Authority
1200 Penn Avenue
Pittsburgh, PA 15222

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

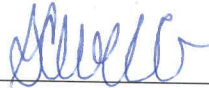
5. This Complaint is filed against the rates, terms and other provisions of proposed Supplement No. 1 to Tariff Water Pa. P.U.C. No. 1 (“Supplement No. 1W”) and proposed Supplement No 1 to Tariff Wastewater PA P.U.C. No. 1 (Supplement No 1WW”) (collectively “Tariffs”), which were filed on March 6, 2020, by Pittsburgh Water and Sewer Authority (“PWSA” or the “Company”). The proposed Tariffs are seeking approval of a multi-year rate plan which, if approved by the Commission, would increase the Company’s water and wastewater rates by approximately \$43.4 million per year in 2021, and an additional \$12.6 million in 2022. After preliminary review of the materials filed by the Company in support of the proposed Tariffs, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

6. Complainant believes, and therefore avers, that PWSA’s proposed rates, rate design, and cost and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, inter alia, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by the Company.

7. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- a. Suspend and investigate the operation of the Tariffs;
- b. At the conclusion of such investigation, reject the proposed new rates and other provisions in the Tariffs to the extent required to ensure that PWSA's rates are lawful, just, reasonable and not unduly discriminatory;
and
- c. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245

Daniel G. Asmus
Assistant Small Business Advocate
Attorney ID. No. 83789

Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: March 19, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2020-3017951 (water)
	:	Docket No. R-2020-3017970 (wastewater)
Pittsburgh Water & Sewer Authority	:	

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (the “Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the proposed multi-year water and wastewater distribution rate increase totaling \$43.4 million in 2021, and an additional \$12.6 million in 2022 made by Pittsburgh Water and Sewer Authority (“PWSA” or the “Company”).

The Small Business Advocate files this formal complaint against the Company’s proposed rate increase in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Commission into all of the elements of the Company’s proposed rate increase is necessary to ensure that the rate increase is lawful, just, reasonable, and not unduly discriminatory.

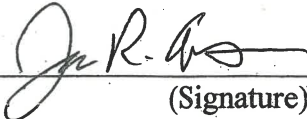
In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate the reasonableness of the proposed rate increase. The Small Business Advocate will ask the Commission to deny any proposed new rates and other tariff provisions that apply to small business customers that are not proven by PWSA to be lawful, just, reasonable, and not unduly discriminatory to the Company's small business customers.

Dated: March 19, 2020

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 03/19/2020



(Signature)

Pennsylvania Public Utility Commission, et. al.	:	
	:	
v.	:	R-2020-3017951
	:	
Pittsburgh Water & Sewer Authority – Water	:	
	:	
	:	
Pennsylvania Public Utility Commission, et. al.	:	
	:	R-2020-3017970
v.	:	
	:	
Pittsburgh Water & Sewer Authority –	:	
Wastewater	:	

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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DATE: March 19, 2020



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