

Committee on Transportation and Public Utilities

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON TRANSPORTATION
AND PUBLIC UTILITIES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 2, 2026
2:28 p.m.

PRESENT:

COUNCILMAN MICHAEL DRISCOLL, CHAIR
COUNCILMAN JEFFREY J. YOUNG, JR., VICE-CHAIR
COUNCILWOMAN KENDRA BROOKS
COUNCILMAN CURTIS J. JONES, JR.
COUNCILMAN ANTHONY PHILLIPS
COUNCILMAN MARK SQUILLA

ALSO PRESENT:

COUNCILWOMAN NINA AHMAD
COUNCILWOMAN JAMIE GAUTHIER

BILLS: 251020, 251021, 260426, 260427
260428, 260431, 260464

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2 COUNCILMAN DRISCOLL:

3 And now that the hour's come,
4 Ms. McDonald, will you please call
5 the roll to take attendance.
6 Members in attendance, will you
7 please indicate that you're present
8 when your name is called.

9 THE CLERK:

10 Councilmember Brooks.

11 COUNCILWOMAN BROOKS:

12 Present.

13 THE CLERK:

14 Councilmember Jones.

15 COUNCILMAN JONES:

16 Present.

17 THE CLERK:

18 Councilmember Phillips.

19 COUNCILMAN PHILLIPS:

20 Present.

21 THE CLERK:

22 Councilmember Squilla.

23 COUNCILMAN SQUILLA:

24 Present.

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1 THE CLERK: Vice-Chair
2 Young.

3 (No response.)

4 THE CLERK: Chair
5 Driscoll.

6 COUNCILMAN DRISCOLL:
7 Present. Thank you. A quorum of
8 the Committee is present and this
9 hearing is now called to order.
10 This is the public hearing of the
11 Committee on Transportation and
12 Public Utilities regarding Bill
13 Nos. 251020, 251021, 260426,
14 260427, 260464, 260431, 260428.

15 Ms. McDonald, will you
16 please read the titles of these
17 bills.

18 THE CLERK: Bill No.
19 251020, an ordinance amending
20 Section 19-1604 of The Philadelphia
21 Code, entitled "Charges Where Water
22 Meter Has Become Defective," by
23 authorizing the reduction of
24 customer water bills due to

1 defective or inaccurate water
2 meters, under certain terms and
3 conditions.

4 Bill No. 251021, an
5 ordinance amending Chapter 19-1600
6 of The Philadelphia Code, entitled
7 "Water and Sewer Rents," by
8 revising income eligibility
9 standards for rate discounts and
10 installment payment agreements, all
11 under certain terms and conditions.

12 Bill No. 260426, an
13 ordinance authorizing the Director
14 of Aviation, on behalf of the City
15 of Philadelphia, to modify a
16 certain easement and acquire
17 additional easement interests in
18 connection with a portion of the
19 parcel or parcels of land commonly
20 known as 8350 Executive Avenue,
21 under certain terms and conditions.

22 Bill No. 260427, an
23 ordinance authorizing the Director
24 of the Department of Aviation to

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1 acquire, on behalf of the City, fee
2 simple title or a lesser interest
3 by purchase, amicable negotiation,
4 dedication, donation, condemnation,
5 agreement in lieu of condemnation
6 or otherwise, in and to all or
7 portions of a certain parcel of
8 land known as 8800 Tinicum
9 Boulevard in Philadelphia County,
10 under certain terms and conditions.

11 Bill No. 260464, an
12 ordinance authorizing the
13 Procurement Department, on behalf
14 of the City of Philadelphia, to
15 enter into an agreement with the
16 Philadelphia Energy Authority to
17 purchase electricity and certain
18 attributes and benefits related to
19 the generation of such electricity
20 from a solar energy facility to be
21 built and owned by Reactivate, LLC,
22 located at Northeast Philadelphia
23 Airport for use at and in
24 connection with City facilities,

1 all under certain terms and
2 conditions.

3 Bill No. 260431, an
4 ordinance authorizing the
5 Procurement Commissioner, on behalf
6 of the City, to enter into a
7 concession agreement with Positive
8 Energy Inc. for the procurement,
9 construction, installation,
10 operation, and maintenance of
11 Direct Current Fast Chargers in the
12 cell phone lot at Philadelphia
13 International Airport, under
14 certain terms and conditions.

15 And Bill No. 260428, an
16 ordinance authorizing the Office of
17 Transportation and Infrastructure
18 Systems and the Procurement
19 Commissioner, on behalf of the
20 City, to execute separate multi-
21 year concession agreements with
22 It's Electric Inc. and Positive
23 Energy Inc. in connection with a
24 City electric vehicle charging

1 program to site, design, install,
2 own, operate and maintain a network
3 of publicly available electric
4 vehicle charging stations
5 throughout the City at curbside
6 locations and surface parking lots;
7 amending Chapter 11-604 of The
8 Philadelphia Code, entitled
9 "Encroachments Upon and
10 Obstructions of the Street" to
11 provide for discontinued approval
12 of Electric Vehicle Charger
13 encroachments; and amending Title
14 12 , entitled "Traffic Code," to
15 authorize the installation, use,
16 administration and enforcement of
17 electric vehicle parking spaces,
18 provide for administrative
19 enforcement of violations of
20 electric vehicle parking
21 violations, including camera-based
22 enforcement and towing, all under
23 certain terms and conditions.

24 COUNCILMAN DRISCOLL:

1 Before we begin, I would like to
2 acknowledge Councilmember Ahmad for
3 brief remarks on Bill No. 260431.

4 COUNCILWOMAN AHMAD:

5 Thank you, Chair Driscoll, for
6 having me and for convening this
7 hearing and yielding the floor to
8 me.

9 I understand the
10 committee has a full agenda so I
11 will be brief. As our world moves
12 towards more sustainable and green
13 practices, I believe it is vital
14 that our city keeps up. 60% of
15 Philadelphia's pollution comes from
16 vehicles, which is why as a
17 Councilmember who represents the
18 entire city, I have taken a
19 particular interest in advancing
20 electric vehicle accessibility for
21 our residents and visitors.

22 That is why I was proud
23 to introduce Bill No. 260431 on
24 behalf of Council President

1 Johnson. If enacted, this
2 legislation would authorize the
3 installation and maintenance of
4 direct current fast chargers in the
5 cell phone lot at Philadelphia
6 International Airport. Simply put,
7 this bill will provide Philadelphia
8 airport passengers, ride-share
9 companies and the general public
10 with new fast electric vehicle
11 chargers capable of charging up to
12 eight vehicles at once in just 30
13 minutes.

14 This legislation is a
15 significant milestone towards
16 Philadelphia International
17 Airport's goal of achieving carbon
18 neutrality by 2050 and is
19 particularly critical, given our
20 airport guests in particular
21 needing to be able to rely on a
22 fast, efficient charge so they can
23 catch a flight on time or wherever
24 they need to go.

1 I'm also interested in
2 hearing how we are going to include
3 diverse and small subcontractors in
4 this 10-year deal. I would like to
5 hear that. I'm sure that will be
6 in the testimony coming up, because
7 I think this is an opportunity in
8 the 10 years to really also build
9 our business infrastructure and to
10 really have sustainability in that
11 sector as well.

12 As the Chair of the
13 Public Health Committee, I am
14 committed to accelerating the
15 transition to electric vehicles,
16 and this legislation marks a
17 critical step forward in
18 democratizing electric vehicles for
19 residents and visitors alike right
20 here in Philadelphia.

21 Thank you, Chair
22 Driscoll, and members of this
23 committee. I urge my colleagues to
24 support the bill and I yield back

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1 the floor.

2 COUNCILMAN DRISCOLL:

3 Thank you, Councilmember. Thank
4 you for your work on that bill.

5 At this time, I'd also
6 like to recognize Councilmember
7 Gauthier on Bill No. 251021.

8 COUNCILWOMAN GAUTHIER:

9 Thank you so much, Mr. Chair. Good
10 afternoon to everyone, especially
11 members of the committee, in
12 particular, those of you who have
13 cosponsored this legislation,
14 Chairman Driscoll, Councilmember
15 Phillips, Leader Brooks and
16 Councilmember Squilla.

17 Water is a basic human
18 right and we are lucky to live in a
19 city where our water system belongs
20 to taxpayers, not corporate
21 interest. But water rates
22 increased 9.4% in September and
23 another rate hike of 5.5% is slated
24 for this fall. And in PWD's own

1 budget testimony, the department
2 said one of the reasons for these
3 increases was to pay for the growth
4 of the Tiered Assistance Program.

5 This means that every
6 customer is already paying for tax
7 expansion for working families.
8 Rising water rates means pinching
9 pennies just to pay the bills. And
10 for those already beyond their
11 means, it means dry pipes. Every
12 Philadelphian deserves water and
13 that's why last November, I
14 introduced Just Water.

15 The legislation before
16 this committee today expands the
17 Tiered Assistance Program to
18 families earning up to 200% of the
19 federal poverty level, working
20 families who are currently locked
21 out of any water assistance at all,
22 and it finally codifies the shared
23 responsibility policy that PWD
24 announced back in 2013 but never

1 put into regulation and quietly
2 walked away from for too long.

3 This city has held
4 residents accountable for fault in
5 government infrastructure. Take,
6 for example, my constituent
7 Alexandra, when she closed on her
8 new home in the 3rd Council
9 District. The Water Department
10 reported an actual meter reading
11 and promised her water bill was
12 accurate. Months later after
13 upgrading her meter at PWD's
14 recommendation, Alexandra was hit
15 with an \$8,000 bill, even though
16 PWD told her otherwise.

17 They reversed course and
18 said the old meter in Alexandra's
19 home had not been transmitting
20 information for eight years. As
21 the new owner of the home, the city
22 told Alexandra that she is
23 responsible for coming up with 8
24 grand, even though she did

1 everything right.

2 And there is Elva
3 McGraw, a retired Philadelphia
4 school teacher and two-time stroke
5 survivor. Her daughter pays every
6 water bill in cash in person with a
7 receipt. In 2025 alone, the family
8 paid \$740 against \$451 in actual
9 charges. PWD records show a credit
10 of \$5.90. Almost \$293 just
11 disappeared when the family asked
12 PWD to inspect the meter. The
13 department refused. You will hear
14 directly from her daughter Gigi
15 today.

16 Let me be clear, the
17 City of Philadelphia is responsible
18 for these injustices, for making
19 water unaffordable and we have
20 chosen to let these policy failures
21 continue for years. I want to
22 address head-on what the
23 Administration will tell this
24 committee today because their

1 central argument is going to be
2 cost.

3 The Administration says
4 this expansion will cost \$23.5
5 million, but they have refused my
6 request to show how they reached
7 that number. And I'd like to add
8 that I've asked that request
9 privately over a series of many,
10 many months and still that
11 information was not supplied to my
12 office.

13 The city's own water
14 rate advocate, Community Legal
15 Services, ran the same data and
16 found that the real cost is between
17 \$1.96 million and \$5.67 million
18 phased out over several years.
19 Additionally, when PWD estimates
20 cost, it ignores benefits.
21 Programs that help our PWD water
22 customers pay their water bills
23 also help PWD's bottom line.

24 You will hear more about

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1 this from CLS today. I want to
2 thank my co-sponsors, again
3 Chairman Driscoll, Leader Brooks,
4 Minority Whip O'Rourke,
5 Councilmember Phillips,
6 Councilmember Landau, Councilmember
7 Lozada, Councilmember Harrity and
8 Councilmember Squilla. I also want
9 to thank members of this committee
10 and Community Legal Services for
11 their partnership on this work.

12 This committee has a
13 choice. We can wait for another
14 rate hike, another inflated bill,
15 another Philadelphian forced to
16 choose between paying for water and
17 paying their rent or we can act. I
18 also want -- obviously, the
19 committee will make its own
20 decisions, but we have been working
21 to try to come to agreement with
22 the Administration on this for
23 many, many months.

24 Not only did we back off

1 of a March hearing we originally
2 wanted to have to try to come to
3 agreement and understand the fiscal
4 note, we waited several weeks to
5 schedule a meeting with a large
6 amount of people from the
7 administration. And when we
8 arrived to that meeting, there was
9 still not sufficient information
10 for how the numbers in the fiscal
11 note were derived.

12 And so, I hope that we
13 make a choice today that will help
14 the many, many people in
15 Philadelphia who are struggling
16 with their utilities. Not only has
17 my office acted in good faith over
18 a series of months, not only has
19 our partner CLS put a ton of work
20 that I will stand behind into this
21 project, delaying further is not
22 about a Council office or a
23 partner. It's about the residents
24 of Philadelphia who deserve relief,

1 particularly if everyone behind
2 this project has been acting in
3 good faith, and often times giving
4 more time and more information than
5 Council is even given as it relates
6 to the \$7 billion budget process.

7 So I feel good about
8 what we put in front of the
9 committee and I hope that we're
10 able to have a fair and extensive
11 deliberation today. Thank you so
12 much.

13 COUNCILMAN DRISCOLL:

14 Thank you, Councilmember.

15 Ms. McDonald, will you
16 please call the first panel we have
17 to testify this afternoon on Bill
18 251020.

19 THE CLERK: Benjamin
20 Jewell, Commissioner for the
21 Philadelphia Water Department; and
22 Kathleen McColgan, Commissioner for
23 the Department of Revenue.

24 (Witnesses approached

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1 witness table.)

2 COUNCILMAN DRISCOLL:

3 Good afternoon.

4 COMMISSIONER JEWELL:

5 Good afternoon.

6 COMMISSIONER MCCOLGAN:

7 Good afternoon.

8 COUNCILMAN DRISCOLL:

9 Whoever wants to start, please
10 state your name for the record and
11 proceed.

12 COMMISSIONER JEWELL:

13 Good afternoon. Benjamin Jewell,
14 Commissioner for the Philadelphia
15 Water Department.

16 COUNCILMAN DRISCOLL:

17 Welcome, Commissioners.

18 COMMISSIONER MCCOLGAN:

19 Kathleen McColgan, Revenue

20 Commissioner. Good afternoon.

21 COMMISSIONER JEWELL:

22 Good afternoon, Chairman Driscoll
23 and members of the Committee of
24 Transportation and Public

1 Utilities. We appear before you
2 today to testify in support of Bill
3 No. 251020, authorizing the
4 reduction of customer water bills
5 due to defective or inaccurate
6 water meters, under certain terms
7 and conditions.

8 We are grateful to
9 Councilmember Gauthier for
10 introducing this bill, as we
11 continuously strive to improve
12 service for our water customers.
13 Water metering technology has
14 evolved significantly over the last
15 century. We have come a far way
16 since the early 20th century when
17 water meter readers visited homes
18 in person to record customer usage
19 and from the 1990s, when trucks
20 traveled up and down every street
21 in the city to capture customer
22 usage data remotely on a monthly
23 basis.

24 The city recently

1 undertook a generational water
2 meter technology upgrade, which we
3 refer to as AMI or Advanced
4 Metering Infrastructure. In this
5 current system, dozens of receivers
6 are stationed around the city and
7 the data transmitters on the meters
8 send usage readings every hour.
9 With each advancement in
10 technology, we've been able to much
11 more quickly catch and address any
12 problems with the meter or its
13 components and identify issues
14 inside our customers' homes, such
15 as a running toilet or other
16 plumbing leak.

17 Our AMI installation is
18 97% complete and we are receiving
19 actual reads from greater than 99%
20 of those new meters, which will
21 substantially reduce estimated
22 bills. While PWD and Revenue are
23 striving for 100% actual meter
24 reads, with over 500,000 water

1 customers across the city, we
2 recognize that occasional issues
3 will still arise.

4 When they do, some
5 customers may experience unusually
6 large bills, and it's important
7 that we address those situations
8 consistently and equitably. For
9 customers who continue to receive
10 estimated reads or actual high
11 reads, the Philadelphia Water
12 Department and Water Revenue Bureau
13 are working together, as we have
14 for decades, to identify these
15 situations in a timely manner to
16 intervene as quickly as possible
17 and before a large balance is
18 accumulated.

19 The Department of
20 Revenue has been responsive to
21 billing challenges when there are
22 zero or estimated meter readings
23 for decades and have made
24 improvements to how we communicate

1 with our customers when there are
2 irregularities in their water
3 usage. In 2004, the Revenue Bureau
4 issued a policy for adjusting
5 accounts with zero usage due to
6 faulty transmitters or batteries.
7 This was attached to our testimony
8 called Adjustments of Accounts due
9 to Faulty ERTs or Battery Problems.
10 The policy provided for a billing
11 adjustment when the zero usage
12 exceeded 12 months.

13 In 2012, the Water
14 Department and Water Revenue Bureau
15 issued a revised policy for zero
16 usage accounts, also attached to
17 the testimony. The policy provided
18 adjustments to accounts who had
19 received bills that reflected zero
20 usage for more than four or more
21 consecutive months. These
22 customers were provided with a
23 letter notifying them of the zero
24 usage. And if they contacted Water

1 Revenue within 30 days of the
2 letter, the customer was provided
3 with a penalty waiver. And in
4 cases where the zero usage
5 continued for more than one year, a
6 billing adjustment.

7 In 2023, the departments
8 revised the policy again to allow
9 for customers who received not only
10 bills that reflected zero usage but
11 also bills that reflected estimated
12 usage. To alert customers to
13 potential meter issues sooner, in
14 2022 the Water Revenue Bureau began
15 sending customers notifications via
16 email and/or mail when unusually
17 high or zero usage was noted on
18 their account.

19 In 2024, the Water
20 Revenue Bureau updated the water
21 bills to have large red call-out
22 boxes, further indicating estimated
23 or zero reading bills. The
24 redesign bills also detect direct

1 customers to contact the meter shop
2 to schedule an appointment. We've
3 included examples of these bills
4 with the testimony.

5 The call-out boxes are
6 located at the top of the bill and
7 next to the usage graph. We also
8 began sending mailed notices to
9 customers who have received
10 estimated or zero readings for
11 three months consecutively in
12 addition to the regular bill. The
13 Water Department and Water Revenue
14 Bureau continue to explore
15 improvements to the policy and
16 billing procedures to more
17 proactively meet our customers'
18 needs, while ensuring consistent
19 and fair billing practices. Thank
20 you again for the opportunity to
21 testify today. We are happy to
22 take any questions.

23 COUNCILMAN DRISCOLL:
24 Commissioner, state your name for

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1 the record and we'll do questions
2 after you do your testimony.

3 COMMISSIONER MCCOLGAN:

4 Sure. My name is Kathleen
5 McColgan, Revenue Commissioner.

6 COUNCILMAN DRISCOLL:

7 Please proceed.

8 COMMISSIONER JEWELL: It
9 was joint testimony.

10 COUNCILMAN DRISCOLL: I
11 like that. All right.

12 Well, members, do we
13 have any questions?

14 Member Phillips.

15 COUNCILMAN PHILLIPS:

16 Thank you. I want to thank
17 Councilmember Gauthier and her
18 office for working on a very
19 important topic around supporting
20 residents with their water bills.
21 Thank you, Commissioner, for being
22 here today, also both Commissioners
23 for being here today.

24 First question I have

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1 is, I would like to discuss the
2 significant difference between the
3 Administration's fiscal estimate
4 and estimate prepared by Community
5 Legal Services. The Administration
6 projects that the annual TAP
7 discount will cost --

8 COUNCILMAN DRISCOLL:
9 Member Phillips, that's the next
10 bill.

11 COUNCILMAN PHILLIPS:
12 That's --

13 COUNCILMAN DRISCOLL:
14 That's okay.

15 COUNCILMAN PHILLIPS:
16 I'll come back --

17 COUNCILMAN DRISCOLL:
18 Just hold that question until --

19 COUNCILMAN PHILLIPS: I
20 thought he was doing it for all of
21 them. That's okay. I'll come
22 back.

23 COUNCILMAN DRISCOLL: If
24 you don't mind.

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1 COUNCILMAN PHILLIPS: No
2 problem. Thank you.

3 COUNCILMAN DRISCOLL:
4 All right. So hearing no further
5 questions on this bill --

6 COUNCILMAN PHILLIPS:
7 No, thank you. I just wanted to
8 make clear for the record that I
9 definitely understand the
10 importance of this bill. That's
11 all. Thank you.

12 COUNCILMAN DRISCOLL:
13 Okay. As there are no further
14 questions, Ms. McDonald, will you
15 please call the second panel we
16 have to testify this afternoon on
17 Bill No. 251020.

18 THE CLERK: Robert
19 Ballenger, Divisional Supervising
20 Attorney for Community Legal
21 Services Energy Unit; and Gigi
22 McGraw.

23 (Witnesses approached
24 witness table.)

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1 COUNCILMAN DRISCOLL:

2 Good afternoon. Please state your
3 name for the record and proceed
4 with your testimony.

5 COMMISSIONER MCCOLGAN:

6 Good afternoon, Chairman Driscoll
7 and members of the Committee on
8 Transportation and Public
9 Utilities. My name is Robert
10 Ballenger and I'm an attorney at
11 Community Legal Services, where the
12 majority of my work involves
13 assisting low- and moderate-income
14 families with maintaining
15 affordable access to essential
16 utilities, including water and
17 wastewater service. I've submitted
18 written testimony on Bill 251020.
19 And on behalf of CLS's clients, I
20 want to express my gratitude to
21 Councilmember Gauthier and her
22 staff for advancing this measure.
23 Before I offer my
24 comments on this specific

1 legislation, I want to reiterate my
2 prior testimony to this committee,
3 that the city can and should grant
4 additional capital dollars to PWD
5 for construction projects to reduce
6 its need to borrow funds, which
7 ultimately must be repaid through
8 higher rates.

9 PWD's capital spending
10 needs are tremendous and represent
11 a significant risk to the long-term
12 affordability of water in
13 Philadelphia. CLS supports Bill
14 251020 as it would address the
15 current unmet need that our clients
16 experience. We've had clients come
17 in with large makeup bills because
18 of either a defective meter or bad
19 information that was associated
20 with a prior meter or a zero meter
21 reading over an extended period of
22 time.

23 Often the customers are
24 shocked to find such a huge water

1 debt in their name and associated
2 with their property and don't know
3 where to turn for assistance. In
4 our experience representing some of
5 those clients, we do have to on
6 some occasions even go all the way
7 to the Tax Review Board to get the
8 kinds of adjustments that PWD has,
9 by policy, committed to providing.
10 It's infrequent, but it does
11 happen. And I think these
12 regulations are a really important
13 way to ensure consistency in
14 handling makeup bills in situations
15 where there's been a faulty meter,
16 and also avoid the necessity of
17 someone to really panic and have to
18 search around for resources to help
19 when the city has the means to
20 provide equitable relief to them.
21 So we really strongly support
22 having this bill move forward and
23 engaging in the regulatory process.
24 As I've said, policies

1 are great, regulations are
2 enforceable and that means that
3 customers can rely on those
4 regulations to get the adjustments
5 that are provided for. Thank you
6 very much for your consideration of
7 my testimony. I'm happy to answer
8 any questions you may have.

9 MS. McGRAW: Good
10 afternoon, Councilmembers. My name
11 is Gigi McGraw, and I am here today
12 on behalf of my mother Elva McGraw,
13 a retired Philadelphia school
14 teacher, a senior citizen and a
15 two-time stroke survivor. I am
16 testifying in support of Bills
17 251020 and 251021. Because what
18 has happened to my mother is
19 exactly the kind of harm these
20 bills are designed to stop.

21 For about four years, I
22 have managed my mother's water
23 account. I pay every bill in cash
24 in person at the Water Department,

1 so I am given a printed receipt as
2 proof of payment. There are no
3 leaks in the home. A plumber has
4 confirmed it more than once, and
5 PWD has failed to address my
6 request to inspect the water meter
7 and still the bills do not add up.

8 In 2025 alone, my mother
9 was billed a total of \$451.29.
10 \$740 in cash was paid on the
11 account. The payments were made on
12 time, and I have receipts for every
13 transaction. \$740 is an
14 overpayment of \$288.71. Yet PWD
15 records only showed a credit of
16 \$5.90 going into 2026. The
17 remaining \$282.81 has simply
18 disappeared into the billing
19 system. Unfortunately, this is not
20 a new problem.

21 In 2021 and 2022, my
22 mother was receiving water bills
23 upwards of \$300 a month. It took
24 the intervention of Councilmember

1 Gauthier's office to get those
2 bills reduced. Nothing about the
3 household had changed, no new
4 meter, no change in usage. The
5 only thing that changed was that
6 someone with authority asked PWD to
7 explain itself.

8 Every year since, a
9 small balance reappears at year's
10 end a few cents, a few dollars.
11 Then without warning, it grows into
12 an inflated bill that I have to
13 fight to get corrected. My mother
14 should not need a Council office on
15 speed dial to be billed accurately
16 for the water she uses.

17 That is why Bill 251020
18 matters. When a customer disputes
19 a bill and asks PWD to inspect the
20 meter, the department should be
21 required to do so and the customer
22 should not be held responsible for
23 charges tied to a defective city-
24 owned meter. Right now the burden

1 falls entirely on the customer to
2 prove something is wrong while PWD
3 ignores the request. That is
4 backwards.

5 Bill 251021 matters,
6 because seniors like my mother
7 living on fixed retirement income
8 are exactly who the Tiered
9 Assistance Program is meant to
10 protect. Expanding eligibility to
11 200% of the federal poverty level
12 would bring real relief to
13 households across our district who
14 are one inflated bill away from
15 falling behind.

16 Again, I have every
17 paper bill and every cash payment
18 receipt and the numbers are in
19 dispute. Currently, my 78-year-old
20 mother -- sorry, Mom -- water bill
21 charges are \$72.98 each month,
22 nearly \$80, which indicates a
23 standardized billing practice based
24 on projected usage and not a true

1 and accurate meter reading. This
2 is not how billing should work.
3 There seems to be a profound lack
4 of oversight and to be honest, a
5 lack of integrity and commitment to
6 serve the customer fairly.

7 Will the Water
8 Department be held accountable to
9 its own customers? Please find it
10 in your heart to do what is right.
11 I urge Council to pass both bills.
12 Thank you so much for your time.

13 COUNCILMAN DRISCOLL:
14 Member Phillips.

15 COUNCILMAN PHILLIPS: No
16 questions.

17 COUNCILMAN DRISCOLL: I
18 hear no further questions for this
19 panel, so we'll move on to Bill No.
20 251021.

21 Ms. McDonald, will you
22 please call the first panel we have
23 to testify this afternoon on Bill
24 No. 251021.

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1 THE CLERK: Kathleen
2 McColgan, Commissioner,
3 Philadelphia Department of Revenue.

4 (Witness approached
5 witness table.)

6 COUNCILMAN DRISCOLL:
7 Good afternoon. Please state your
8 name for the record and proceed
9 with your testimony.

10 COMMISSIONER MCCOLGAN:
11 Good afternoon. Kathleen
12 McColgan, Revenue Commissioner.
13 Good afternoon, Chairperson
14 Driscoll and members of the
15 Committee on Transportation and
16 Public Utilities. My name is
17 Kathleen McColgan and I am the
18 Commissioner of the Revenue
19 Department.

20 I'm here today to
21 provide testimony on Bill No.
22 251021, introduced by Councilmember
23 Gauthier. I'm joined today by
24 representatives from both the

1 Revenue and Water Departments.
2 This bill would change the
3 eligibility threshold for
4 residential water customers to
5 receive income-based discounted
6 rates on their water bills and
7 affordable payment plans.

8 Attached to the
9 testimony is the fiscal note for
10 this legislation, which was
11 produced using data from
12 independent analysis done by our
13 consultants Raftelis Financial
14 Consultants and Black & Veatch.
15 With regard to the income-based
16 water rate assistance program or
17 what we more commonly now call the
18 Tiered Assistance Program, TAP,
19 this bill would expand income
20 eligibility from 150% of the
21 federal poverty level to 200% of
22 the federal poverty level.

23 By increasing the income
24 eligibility to 200% of the federal

1 poverty level, more households
2 would qualify for discounted rates
3 and earned arrearage forgiveness.
4 Finally, regarding affordable
5 payment plans, this bill would
6 expand income eligibility from 250%
7 to 350% of the federal poverty
8 level.

9 The Water Department is
10 financially supported nearly
11 completely through the rates and
12 charges paid by our customers for
13 the services we provide. The Water
14 Fund, which is an enterprise fund,
15 supports the operations of the
16 Philadelphia Water Department,
17 including funding debt service
18 payments necessary to support
19 reinvestment in existing
20 infrastructure and new investments
21 to comply with current and emerging
22 regulations.

23 While we recognize the
24 goal of increasing access to

1 affordability programs, the
2 proposed expansion would also have
3 financial impacts for the Water
4 Department and our customers. The
5 first consequence is an estimated
6 revenue decrease of approximately
7 22.1 million to 127.6 million over
8 the Five Year Plan.

9 Most of this lost
10 revenue comes from increasing the
11 income eligibility requirements for
12 TAP. We recognize this is a large
13 range, but this range reflects the
14 anticipated number of new TAP
15 enrollees to be between 4000 and
16 40,000.

17 The 4000 new enrollees
18 reflect the department's data of
19 previously submitted applications,
20 who would now become income
21 eligible for the enactment of this
22 legislation, whereas the 40,000 new
23 enrollees reflect the population of
24 eligible households using recent

1 U.S. Census data.

2 The second consequence
3 of this bill is that all non-TAP
4 customers, which include all other
5 residential customers, will see a
6 rate increase. This is because the
7 anticipated revenue loss to the
8 Water Fund would need to be
9 restored. Any expansion of the TAP
10 population would further reduce the
11 non-TAP population, increasing cost
12 recovery pressures and amplifying
13 rate impacts.

14 Enrollment in the TAP
15 program has grown significantly
16 during the last three fiscal years,
17 with program enrollment increasing
18 over threefold, with an increase in
19 participants from 18,000 to over
20 65,000 between Fiscal Year '23 and
21 Fiscal Year '25. By way of
22 comparison, PGW's customer
23 responsibility program had 59,670
24 participants in Calendar Year 2024.

1 During the same period
2 of enrollment increases, the Water
3 Fund experienced a collection
4 shortfall of \$36 million in FY24
5 and \$23 million in FY25. After
6 rate increases to account for the
7 increased TAP participation and
8 other rising costs, water
9 collections have stabilized in
10 Fiscal Year '26 and WRB anticipates
11 reaching the annual revenue target.

12 When water collections
13 do not reach annual targets, there
14 are no other revenue sources that
15 can be adjusted to make up the
16 difference. Instead PWD would need
17 to make reductions to services,
18 staffing or other planned
19 infrastructure investments, which
20 could affect the level of service
21 provided to customers in order to
22 maintain a balanced budget.

23 To recover the revenue
24 lost from the continued success of

1 our current TAP enrollment efforts,
2 PWD filed an advance notice on
3 February 17, '26 and a formal
4 notice on March 19, '26 for TAP
5 reconciliation to recover reduced
6 collections for Fiscal Year '26 in
7 the amount of 14 million, a
8 projected discount for FY27 in the
9 amount of 53 million.

10 As part of its current
11 filing with the Water, Sewer and
12 Stormwater Rate Board, the
13 department projected that 70,000
14 residential customers will benefit
15 from TAP during Fiscal Year '27 at
16 a discount of \$63 per customer per
17 month. These additional costs from
18 the increase in current TAP
19 enrollment are shifted to all other
20 customers who are not on TAP.
21 Residential customers will have a
22 \$2.10 per month or 2.3% rate
23 increase on their monthly bill. It
24 should also be noted that a base

1 rate increase was previously
2 approved by the Rate Board in July
3 of 2025, increasing a typical
4 residential bill up by \$4.89 per
5 month.

6 PWD estimates that
7 balancing the revenue shortfall
8 from this proposed bill would
9 require an additional rate increase
10 of up to \$3 a month for non-TAP
11 enrolled customers. Taken
12 together, non-Tap residential
13 customers could see a monthly
14 increase that includes the \$4.89
15 already approved by the rate board,
16 an additional estimated \$2.10
17 increase related to current
18 increased TAP enrollment, plus up
19 to an additional \$3 per month
20 associated with revenue impacts.
21 If this bill becomes law, this
22 totals an estimated monthly
23 increase of up to \$9.99 for non-TAP
24 residential customers, on top of

1 any expected future base rate
2 increases.

3 The department remains
4 focused on balancing affordability
5 for customers with the financial
6 stability necessary to maintain
7 essential water services. We
8 recognize and support the important
9 goal of expanding program
10 enrollment. Given the current
11 structure of the Water Fund
12 however, any reduction in revenue
13 must be offset elsewhere. And
14 under the current rate model, those
15 costs would be recovered from
16 remaining taxpayers.

17 I appreciate the
18 opportunity to testify on Bill No.
19 251021 and I'm happy to answer the
20 committee's questions.

21 COUNCILMAN DRISCOLL:

22 Thank you for your testimony.

23 Member Jones.

24 COUNCILMAN JONES: Thank

1 you. A couple of questions. When
2 you receive revenue for the Water
3 Department, it doesn't go into our
4 General Fund, correct?

5 COMMISSIONER MCCOLGAN:
6 That's right. It's an enterprise
7 fund. Right, it goes to a separate
8 fund.

9 COUNCILMAN JONES: And
10 based on that, when that was
11 decided some time ago, there was to
12 be every four years, as I recall
13 it, audits of where and how those
14 revenues are spent; is that
15 correct?

16 COMMISSIONER MCCOLGAN:
17 I'm sorry. Could you repeat the
18 first part?

19 COUNCILMAN JONES: It's
20 my understanding that when the deal
21 was cut to not put water revenue in
22 the General Fund, that in the law
23 it says every four years there
24 shall be an audit to see how those

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1 revenues and expenditures balance
2 out?

3 COMMISSIONER MCCOLGAN:

4 I am not sure about the audit. I'm
5 going to see if we can get that
6 answer for you.

7 COUNCILMAN JONES: So --

8 COMMISSIONER MCCOLGAN:

9 I think we'll need to get back to
10 you on the audit.

11 COUNCILMAN JONES: All
12 right. So what I'd like to know,
13 if that is true, when was the last
14 time an audit was done to look at
15 where and how those expenditures
16 have gone -- I understand the
17 covenant. And what you said was
18 that if we reduce revenues, you
19 have to find revenues somewhere to
20 replace it. But if there is an
21 audit that shows that you can find
22 that revenue in other ways, I think
23 we as a committee should know that.

24 COMMISSIONER MCCOLGAN:

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1 Okay. Thank you for the question,
2 Councilmember. We will get back to
3 you on that.

4 COUNCILMAN JONES: Okay.
5 I do appreciate that the Water
6 Department during the COVID crisis
7 did not cut anyone off; is that
8 correct?

9 COMMISSIONER MCCOLGAN:
10 That is correct.

11 COUNCILMAN JONES: So I
12 want to tell you that we are
13 grateful for that. But one of the
14 things that I argued in these
15 chambers to my colleagues was
16 ALICE, Asset Limited, Income
17 Constrained, and Employed, and that
18 was the working poor. And that a
19 lot of times programs in that
20 middle class, working families
21 middle class, were not -- so if you
22 were in that category, you did not
23 qualify for any of the support
24 systems that you could get and if

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1 you're in that qualification too,
2 you don't get any of the benefits
3 of being in that top income echelon
4 where that \$9 a month won't even
5 matter.

6 So I struggle with this
7 because I made those statements to
8 you before. So this is something
9 that we need to ponder. In
10 particular, I want to know about
11 the audits so that maybe there's a
12 compromise that can be reached on
13 where those makeup revenues come
14 from.

15 COMMISSIONER MCCOLGAN:
16 Okay. Thank you.

17 COUNCILMAN JONES: Thank
18 you, Mr. Chairman.

19 COUNCILMAN DRISCOLL: I
20 just want to note the presence of
21 our Vice-Chair Jeffrey Jay Young.

22 Member Young.

23 COUNCILMAN YOUNG: Thank
24 you for your testimony on this.

1 You mentioned that residential
2 customers will potentially face an
3 increase based on this legislation
4 as well. Are we preempted in any
5 way from having a separate
6 commercial versus residential rate
7 to offset some of these costs?

8 COMMISSIONER MCCOLGAN:
9 I'm going to have Deputy
10 Commissioner Susan Crosby come up
11 and speak to that.

12 MS. CROSBY: Good
13 afternoon. Susan Crosby, Deputy
14 Revenue Commissioner for Water. We
15 currently do have a rate structure
16 that is based on a meter size. And
17 so, for commercial customers who
18 have larger meters, they are
19 charged a different rate. So our
20 residential and small commercial
21 customers have three-quarter-inch
22 or one-inch meters, and they are
23 charged a lower rate than the -- or
24 millage, if you would, than the

1 commercial meters that are used in
2 the industry because of the nature
3 of the size of their meters.

4 COUNCILMAN YOUNG: All
5 right. So the answer is no then,
6 right. If the argument is that we
7 will see increases for residential
8 customers who are of a little bit
9 higher income then, right, why
10 can't we just offset with changing
11 the rates for our commercial
12 customers so the residential
13 customers aren't feeling that
14 burden?

15 MS. CROSBY: The
16 adjustment for the TAP rate is
17 spread against all residential
18 customers who are not participants
19 in the TAP and commercial
20 customers. So it is spread against
21 the entire rate base, excluding
22 those who are in TAP.

23 COUNCILMAN YOUNG: Yeah.
24 But could we spread that a little

1 bit more on one side versus the
2 other? That's the question.

3 MS. CROSBY: As it's set
4 now, the Water, Sewer and
5 Stormwater Rate Board has set a
6 calculation on how the cost
7 recovery mechanism is done, how the
8 cost recovery is calculated. And
9 as a part of that calculation, it
10 is spread across the users equally.

11 COUNCILMAN YOUNG: Most
12 recently the Board mentioned that
13 if this goes into effect, then they
14 would have to change that anyway,
15 right. So I think that's something
16 that we should ponder, right. If
17 they got to change their formulas
18 anyway, right, if this were to go
19 into place, if this were to go into
20 effect, then I think that we should
21 figure out what that calculation
22 would be so it's less burdensome on
23 our residential ratepayers and pass
24 that on to the commercial

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1 customers.

2 Thank you, Mr. Chair.

3 COUNCILMAN DRISCOLL:

4 Member Phillips.

5 COUNCILMAN PHILLIPS:

6 Thank you. While you hear,
7 questions still along those lines.
8 Commissioner, thank you so much.
9 You recently said in your testimony
10 that taken together, non-TAP
11 residential customers could see a
12 monthly increase that includes the
13 \$4.89 already approved by the Rate
14 Board at \$2.10, \$3 additional
15 money -- all of it would total \$10,
16 9.99 for non-TAP residential
17 customers to pay for this increase.

18 Along the lines of
19 Councilman Young, how did that
20 number come about? And what would
21 trigger the 9.99 increase in terms
22 of how many more residents would
23 have to take on TAP in order to
24 trigger a 9.99 increase? Because

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1 if you said an additional 4000
2 customers could now be eligible for
3 this, as a result is there going to
4 be 2000 customers that's going to
5 trigger the 9.99 or you're just
6 going to automatically do it in
7 anticipation?

8 COMMISSIONER MCCOLGAN:

9 Yep. Thank you for the question.
10 So I just want to break down what
11 sums up the \$9.99. So the \$4.89 is
12 a rate increase that's going to
13 happen regardless. That's what
14 every non-TAP customer will pay
15 every month. That's already been
16 approved by the Rate Board. So
17 that's part of the \$9.99.

18 The \$2.10 increase,
19 that's also a component of the
20 \$9.99. It is an estimate that is
21 expected to have to be paid by each
22 customer monthly based on the
23 existing TAP expansion, so those
24 that we've enrolled recently. The

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1 \$3 estimate, up to \$3, is the
2 potential cost that we're saying a
3 non-TAP customer would need to
4 incur if this legislation is
5 passed, and that's also part of the
6 \$9.99. So that's the total of the
7 three of those.

8 COUNCILMAN PHILLIPS:

9 Understood. So the \$2.10 is
10 already going to be present with
11 the current rate of enrollment?

12 COMMISSIONER MCCOLGAN:

13 Yes.

14 COUNCILMAN PHILLIPS:

15 You're saying that it would be an
16 additional \$3 per month associated
17 with this as a --

18 COMMISSIONER MCCOLGAN:

19 Up to, yes. Based on enrollment.

20 COUNCILMAN PHILLIPS: So

21 it seems the real problem is our
22 residents are already going to see
23 an increase of close to \$7
24 anyway --

1 COMMISSIONER MCCOLGAN:

2 Yes.

3 COUNCILMAN PHILLIPS: --

4 right. And then you're going to
5 have -- so technically, you're
6 saying that this -- what would
7 trigger \$3 more? Is it once we get
8 to the 4000 threshold or is it
9 going to be, you know, if you get
10 4000 more customers in TAP, then
11 you're going to put the rate up to
12 \$3 or you're automatically going to
13 assume capacity for that already
14 because you're expecting it to go
15 up?

16 COMMISSIONER MCCOLGAN:

17 So our fiscal note reflects our
18 analysis, and the \$3 per month for
19 non-TAP customers, which is
20 approximately 380,000 customers,
21 that is assuming maximum
22 enrollment. So that would be at
23 the top tier of the \$40,000 -- I
24 mean, I'm sorry, the 40,000 people

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1 being enrolled, which is based on
2 census data.

3 COUNCILMAN PHILLIPS: So
4 if you don't get to maximum
5 enrollment, that wouldn't happen,
6 the \$3?

7 COMMISSIONER MCCOLGAN:
8 That's right -- well, it will
9 increase some amount. That is the
10 maximum amount per month.

11 COUNCILMAN PHILLIPS: So
12 it could be \$1, it could be \$0.50?

13 COMMISSIONER MCCOLGAN:
14 Right.

15 COUNCILMAN PHILLIPS: So
16 until we meet maximum enrollment,
17 it won't go up to \$3?

18 COMMISSIONER MCCOLGAN:
19 That's right.

20 COUNCILMAN PHILLIPS: I
21 mean, it takes a little while to
22 get to maximum enrollment. Okay.
23 And I just also have another
24 question. The Administration

1 projects TAP discount costs ranging
2 from approximately \$2.4 million to
3 \$23.5 million while Community Legal
4 Services estimates annual cost of
5 approximately \$2 million to
6 \$6 million. What particular
7 assumptions account for the
8 difference between these two
9 organiza -- well, two entities?
10 You all have two different analysis
11 around this.

12 COMMISSIONER MCCOLGAN:
13 Thank you for the question. So the
14 difference is really based on
15 different assumptions done in each
16 analyses. So CLS assumed different
17 enrollment rates, a specific
18 enrollment rate, whereas our fiscal
19 note shows a range of the 4000 to
20 potentially 40,000. They also
21 assumed a lower discount per month
22 per customer as well as lower
23 usage.

24 COUNCILMAN PHILLIPS:

1 Okay, so you said they assumed a
2 lower discount. And so, that's the
3 reason why there's a discrepancy.

4 COMMISSIONER MCCOLGAN:
5 That's why there's a discrepancy.
6 Our analysis assumes a discount of
7 approximately \$45 per month per
8 customer and we just recently
9 learned, as part of the current
10 rate case, that the projected
11 discount is actually higher than
12 that. It's \$63 per month.

13 COUNCILMAN PHILLIPS:
14 According to our data, the
15 federal -- what I have here is the
16 federal income rate -- poverty
17 level rate, it would go from
18 \$23,000 for one person that would
19 be eligible for TAP. \$23,600 for
20 FPL, federal poverty level, of
21 151%. And if it goes into 200%, it
22 would be \$31,300. I mean, you're
23 still on a serious level of poverty
24 if you go from \$23,600 to 31,300.

1 I mean, basically you're working
2 poor or you're not working at all,
3 or you're on a serious fixed
4 income, if you have that. So I
5 think the intent is important.

6 How do we get there I
7 think is a matter of the fact that,
8 you know, I don't know if we have
9 to increase people's water bills
10 just to get to that level. And I
11 just don't understand how you're
12 getting to that number. If you
13 could provide for the record even
14 more details on how you got to the
15 23. You explained it, but I think
16 I just want to see it visually.

17 COMMISSIONER MCCOLGAN:
18 We have that for you.

19 COUNCILMAN PHILLIPS:
20 Okay.

21 COMMISSIONER MCCOLGAN:
22 We have that for you and we can
23 provide that. And I also just
24 wanted to mention, I know,

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1 Councilmember Gauthier, you said
2 that you had requested it and
3 didn't receive that. I apologize
4 because it was my understanding
5 that that was sent so there was a
6 miscommunication, but we have that
7 information available for you.

8 COUNCILMAN PHILLIPS:

9 And I just have two more questions.
10 What participation rate does the
11 Administration expect in year 1,
12 year 2 and year 3 following the
13 acumen of this bill? And while
14 eligibility is one measure, actual
15 is often much lower than
16 theoretical eligibility. So what
17 are you anticipating? Have you
18 done the numbers on who would
19 probably sign up for this already?

20 COMMISSIONER MCCOLGAN:

21 Understood. So we don't have
22 projections by year. We just show
23 the range by enrollment. So we
24 have, for example, the cost. If

1 there were 4000 enrollees broken
2 out by -- 4000 enrollees, 10,000;
3 20,000; 30,000 and 40,000. So
4 that's the information that we can
5 provide to you.

6 COUNCILMAN PHILLIPS:
7 Why does the Administration believe
8 the upper end estimate of 40,000
9 participants is realistic? Are
10 there comparable utility
11 affordability programs, either in
12 Philadelphia or elsewhere that have
13 achieved enrollment rates
14 consistent with that assumption?

15 COMMISSIONER MCCOLGAN:
16 We can't predict what the
17 enrollment rate would be, but it's
18 just our responsibility to show the
19 full impact from the lowest rate of
20 enrollment to the highest.

21 COUNCILMAN PHILLIPS:
22 Okay. Well, thank you. I just
23 want to say that the fiscal note
24 projects between 4000 and 40,000

1 new TAP participants. I don't
2 know. I would love for you to walk
3 us through data sources and
4 methodologies used to develop both
5 ends of that range, and what
6 assumptions distinguish the 4000
7 household estimate from 40,000
8 household estimate?

9 COMMISSIONER MCCOLGAN:

10 So the 4000 is based on customers
11 who we know have previously applied
12 and were in the income range of the
13 proposed legislation and did not
14 qualify. So our understanding is
15 that there's at least 4000
16 customers who are aware of this
17 program. And if this legislation
18 were to pass, we would expect a
19 reasonable amount of those people
20 to apply for the program. So
21 that's why we set that as the
22 lowest threshold. And then the
23 40,000 is based on census data on
24 total eligibility throughout the

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1 city based on the income level.

2 COUNCILMAN PHILLIPS:

3 Yet you believe only 4000 most
4 likely would --

5 COMMISSIONER McCOLGAN:

6 I'm sorry?

7 COUNCILMAN PHILLIPS:

8 But you believe only 4000 people
9 most likely will apply?

10 COMMISSIONER McCOLGAN:

11 No. We're just saying that we
12 think it's reasonable to expect
13 that. That would be the minimum.

14 COUNCILMAN PHILLIPS:

15 The minimum?

16 COMMISSIONER McCOLGAN:

17 Yes. We aren't able to project how
18 many people would actually apply.

19 COUNCILMAN PHILLIPS:

20 Okay. All right. Thank you so
21 much. I got all the information I
22 needed, actually some newfound
23 information. That was important.

24 COMMISSIONER McCOLGAN:

1 Great. Thank you.

2 COUNCILMAN DRISCOLL:

3 Commissioner, you may have already
4 answered it. So in line with
5 Councilmember Phillips, the
6 existing TAP program, what percent
7 are enrolled of the total eligible?
8 Do we know that or is that --

9 COMMISSIONER MCCOLGAN:

10 I think we can get that for you. I
11 know off the top of my head that --

12 COUNCILMAN DRISCOLL:

13 Because that might be a gauge that
14 you can project out what this new
15 round would be. It would probably
16 be in that same range, and then we
17 can come up with some number that
18 we know what we're dealing with.

19 COMMISSIONER MCCOLGAN:

20 I'll see if we have that for you.
21 I know off the top of my head all
22 assistance programs in the city, we
23 have approximately 77% of customers
24 who are eligible enrolled, so that

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1 includes the TAP side as well. So
2 I'll have to get back to you on the
3 water.

4 COUNCILMAN DRISCOLL:
5 77% of other programs; is that what
6 you're saying?

7 COMMISSIONER MCCOLGAN:
8 Yes.

9 COUNCILMAN DRISCOLL:
10 Okay. That's helpful.

11 Member Brooks.

12 COUNCILWOMAN BROOKS:
13 What impact do you see water
14 shutoffs or threats of water
15 shutoffs having on families? And
16 I'm asking because I was wondering
17 what other policies have you seen
18 other cities and states do around
19 water policies that we could be
20 doing here in Philadelphia?

21 COMMISSIONER MCCOLGAN:
22 I just want to make sure that I
23 heard you correctly. Did you ask
24 what's the impact of shut-offs?

1 COUNCILWOMAN BROOKS:

2 Yes.

3 COMMISSIONER MCCOLGAN:

4 So we want to ensure that all
5 residents have water service. Our
6 goal is to ensure that all
7 customers who are eligible for
8 assistance programs are enrolled,
9 and those that are eligible are
10 then protected from shut-off for
11 those that are eligible for TAP.

12 And the enforcement of
13 shut-off is really just simply used
14 to get those who can pay to pay.
15 It also helps prompt those who are
16 eligible for assistance programs to
17 get them enrolled in those programs
18 so that they can benefit from
19 forgiveness, arrearage forgiveness.
20 So that's really the reason that we
21 maintain it.

22 However, I do want to
23 just point out that we have
24 dramatically changed the

1 protections for shut-off over the
2 last several years. During the
3 pandemic, as mentioned, we did not
4 shut off. When we did resume it,
5 we increased the threshold to
6 \$1,000 for shut-off. We also have
7 protections in place for property
8 owners or, I'm sorry, residents
9 that we've identified as having
10 seniors and children living in a
11 home.

12 And we also have a Raise
13 Your Hand program, so that if
14 somebody simply says to us that
15 they have medical hardship or a
16 child or senior living in their
17 home that we did not already
18 identify, we also protect them from
19 shut-off. So our pre-pandemic
20 numbers, as I recall approximately
21 40,000 people were eligible for
22 shut-off at the beginning of the
23 shut-off season. And now, we maybe
24 have 2000 or so who actually

1 experience the shut-offs. Susan
2 wants to add something.

3 MS. CROSBY: Thank you,
4 Councilmember Brooks. We've also
5 restructured how we go about
6 collecting our debt in order to
7 provide our customers with more
8 opportunities to come into
9 compliance before we use the shut-
10 off measure. We now place our
11 accounts with outside collection
12 agencies to give them the
13 opportunity to come into compliance
14 through payment agreements or by
15 getting on to our assistance
16 programs. And only after being
17 with our outside collection
18 agencies for approximately 270
19 days, if they still have a
20 delinquent amount over \$1,000, then
21 they are eligible for shut-off.

22 And in order to add an
23 additional layer of protection, we
24 work with the Community Empowerment

1 Office or Community Engagement
2 Office, I apologize. And we do
3 emails, texting, phone banking,
4 door-knocking on the customers who
5 have either received a shut-off
6 notice or are in danger of
7 receiving a shut-off notice if
8 their debt is \$750 to \$1,000.

9 We do that street-level
10 outreach in order to make sure that
11 people are aware of all of their
12 options, not only to come into
13 compliance through payment or
14 payment agreements, but also for
15 the assistance programs that are
16 available. And if they just simply
17 need more time and they qualify, we
18 allow them to use that Raise Your
19 Hand program, which will exempt
20 them from shut-off.

21 COUNCILWOMAN BROOKS:
22 Thank you. My other question, not
23 that it's related, but not
24 directly, has the Water Department

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1 done any analysis or looking into
2 the potential of rate increases
3 related to data centers that we've
4 seen in other regions? One of the
5 concerns is an increase in water
6 rates. Have we looked into that
7 and how will it factor into this
8 conversation later on?

9 COMMISSIONER MCCOLGAN:

10 I think that we'll need to get back
11 to you on that.

12 COUNCILWOMAN BROOKS:

13 Thank you.

14 COMMISSIONER MCCOLGAN:

15 Thank you.

16 COUNCILMAN DRISCOLL:

17 Vice-Chair Young.

18 COUNCILMAN YOUNG: Thank
19 you. I want to go back to
20 something that Councilmember Brooks
21 touched on regarding just the other
22 methods of I guess collection and
23 what other cities are doing. I
24 introduced a piece of legislation

1 that would prevent late fees for
2 residential customers, and I have
3 the answer in an analysis from the
4 Water Department regarding that.

5 But you just mentioned
6 that you hire outside collection
7 agencies and shut-offs don't really
8 happen until the customer is
9 delinquent up to \$1,000, right.
10 And so, the argument that we
11 received back from the
12 Administration regarding the
13 elimination of late fees is that,
14 oh, we want to be predictable, we
15 want to have all these things in
16 place. But if we already are not
17 shutting off until \$1,000, that's
18 predictable. You will know where
19 and when someone's bill gets to
20 \$1,000 and say, okay, now we have
21 the ability to shut you off,
22 regardless if there's those late
23 fees.

24 And I know you guys

1 don't charge interest. But it's 5%
2 and then it's another 5% after 60
3 days or whatever that is, so that's
4 still adding cost that doesn't need
5 to be there if we already have
6 these other collection methods in
7 place. So I just wanted to put
8 that on the record.

9 And another question I
10 have is regarding the analysis
11 that's regarding this particular
12 legislation. How can you determine
13 what affordability protections are
14 causing the net loss or improving
15 the city's ability to collect the
16 sustainable payments over time?
17 Have you done an analysis regarding
18 the TAP participants, the auto-
19 enroll participants, the payment
20 consistency over 90 days, the
21 growth areas? Have you done this
22 analysis to show us that this is a
23 bad thing for the City of
24 Philadelphia to do?

1 COMMISSIONER MCCOLGAN:

2 I think for the current legislation
3 that we're discussing, we have the
4 fiscal note that just simply states
5 the potential financial impact with
6 that range that we mentioned and
7 also the fact that it would impact
8 non-TAP customers, so that's what
9 we have available for you today.

10 In terms of additional analyses
11 related to TAP, we will need to get
12 back to you on that.

13 COUNCILMAN YOUNG: Yeah.

14 I think that's helpful for us,
15 right. Because again, that will
16 show us what the real and true
17 impact is. I mean, we still have
18 the use of liens and shut-offs and
19 all these other things that are
20 available when it comes to
21 enforcement. So I just hope that
22 you all would take those into
23 consideration when doing the
24 analysis versus just the impact

1 that it may have on non-TAP
2 residential customers. Again, we
3 keep saying that when we know that
4 we can go ahead and spread those
5 costs over.

6 So thank you, Mr. Chair.

7 COUNCILMAN DRISCOLL:
8 Member Phillips.

9 COUNCILMAN PHILLIPS:
10 Thank you. So one question I just
11 want to just get clarity on is you
12 mentioned that there's many people
13 who are eligible for the program
14 and they're not taking advantage of
15 it. Do you have a list that you
16 can provide to us of all the
17 addresses and individuals who could
18 be eligible for the program that we
19 can, you know, begin to connect our
20 Council offices and say, hey,
21 you're eligible for this particular
22 program?

23 COMMISSIONER MCCOLGAN:
24 Unfortunately, we don't have a list

1 that we can provide, but we do
2 appreciate partnering with all of
3 the Councilmember offices on our
4 community outreach events, where we
5 work to raise awareness of the
6 programs and try to get people into
7 the programs. We do that at senior
8 centers as well and partner with
9 other elected official offices as
10 well to try to get that information
11 out there.

12 We also send out notices
13 and we also work to review those
14 customers who may have applied on
15 the tax side, to cross-enroll them
16 on the Water side. So we don't
17 have exact information as to the
18 people who are eligible, where they
19 live. We have census information
20 that shows us general areas and
21 potentially the percentage of
22 enrollment in those areas.

23 COUNCILMAN PHILLIPS: If
24 every eligible resident in the city

1 of Philadelphia took advantage of
2 the TAP program as it currently
3 stands, would this be alarming for
4 the department financially?

5 COMMISSIONER MCCOLGAN:
6 If everybody who is eligible, it
7 would be offset in rate increases.

8 COUNCILMAN PHILLIPS:
9 Even though as it currently stands,
10 not for --

11 COMMISSIONER MCCOLGAN:
12 That's right, exactly. TAP
13 enrollment, as it increases it
14 decreases revenue to support PWD in
15 their operations and sustaining
16 water. And that is offset by an
17 increase in rates to all customers
18 who are not on TAP.

19 COUNCILMAN PHILLIPS:
20 Understood that. So there's a tug
21 of war probably within the
22 department in this capacity. So if
23 you don't want -- you know, I used
24 to run some relatively medium-sized

1 nonprofits. I mean, this is
2 larger. But if we don't want to
3 have 100 kids in a program, why
4 would we advertise that we have
5 100 -- if we don't want that many
6 students in the program, we would
7 always say we can only do 50 kids,
8 but we can't do 100. I mean, like,
9 I don't know. I just think that
10 why have a program if you don't
11 want everyone there?

12 COMMISSIONER MCCOLGAN:
13 I'd be happy to respond to that,
14 because we do want everyone who is
15 eligible enrolled and that is what
16 we're working towards. It's just
17 that as that grows, we have the
18 challenge of maintaining
19 sustainable funding for PWD
20 operations. And as it's currently
21 structured, that funding is covered
22 through increased rates, so that's
23 really where the challenge is. We
24 want those who are eligible to be

1 enrolled in the program.

2 COUNCILMAN PHILLIPS: So
3 you mean to tell me all of the
4 money that the Philadelphia Water
5 Department -- I think they are the
6 largest generating revenue
7 department in the city -- doesn't
8 cover anywhere close to most of the
9 operating funds that are needed for
10 infrastructure and so forth?

11 COMMISSIONER MCCOLGAN:
12 Details about PWD's budget and
13 funding, I would have to call
14 someone else up from PWD.

15 COUNCILMAN PHILLIPS:
16 Okay.

17 COUNCILMAN JONES: If we
18 would have had an audit,
19 independent audit, we would know
20 the answers to that right now. And
21 so, I don't know who you're
22 checking back with to find out, but
23 it is essential to me as a member
24 of this committee that you have

1 looked from stem to stern, up, down
2 to look at where you can offset
3 passing this off to the ratepayers.

4 And if it's a part of
5 the law, then you are responsible
6 to provide that information to this
7 body. And otherwise, you just
8 passing it on perfunctory to the
9 ratepayer is unfair.

10 COUNCILMAN PHILLIPS:

11 No, I thank you, Councilman Jones.
12 I couldn't agree more. I am
13 gravely concerned about how
14 Philadelphia residents put out so
15 much money into the Water
16 Department on top of the fact that
17 the Water Department comes back to
18 us for a budget. It's like you're
19 getting money and money and money
20 all over the place, and I just
21 don't understand how this is not --
22 I know the demand for operations,
23 infrastructure is huge. Trust me,
24 I know it. But then you get

1 federal grants, you get state
2 grants. I would love that
3 information as well.

4 COMMISSIONER MCCOLGAN:
5 Unfortunately, Commissioner Jewel
6 for PWD had to leave. He wasn't
7 able to stay or I'm sure he could
8 probably speak to some of that
9 right now. But we can get back to
10 you on that. My understanding
11 generally is just that costs of
12 maintaining clean and healthy water
13 also have risen in the cost of
14 chemicals and other infrastructure
15 costs. But details of their
16 funding and budget, we could get
17 that information to you from PWD.

18 COUNCILMAN PHILLIPS:
19 Thank you, Chairman. Thank you,
20 Commissioner.

21 MS. CROSBY: And also,
22 Councilmember Phillips, in regards
23 to your question about getting
24 everyone enrolled that we can, we

1 do have an auto-enrollment program
2 that we use. We use administrative
3 data to pre-qualify customers to
4 get into the program. And we've
5 also recently partnered with our
6 sister utilities, PGW and PECO, to
7 do a unified communication where we
8 have all three utilities send out
9 emails and social platforms to let
10 everyone know that if you qualify
11 for one assistance program, you
12 qualify for all of them.

13 And so, we worked across
14 all three utilities to create
15 information and collateral to go
16 out into neighborhoods to let all
17 of our shared customers know that
18 if you are on their assistance
19 program, you qualify for ours, and
20 we provided links for everyone to
21 apply, and we had very successful
22 rates of opening and clicks on
23 those. And so, we did see a bump
24 in our increase. We saw an

1 increase in applications as a
2 result of that. And so, we're
3 always looking for ways to increase
4 our enrollment, even though we have
5 the constraints of only having
6 census data and things like that.

7 COUNCILMAN DRISCOLL:
8 Vice-Chair Young.

9 COUNCILMAN YOUNG: Thank
10 you. I think one way that we
11 can -- if we're looking to increase
12 enrollment and you said you've
13 partnered with PGW and PECO, I mean
14 we send these out every month. I
15 think we should just send the
16 information in the bill to people
17 and say, hey, this is a program
18 that you qualify for. We send the
19 bill every month. That's an easier
20 way to connect with every single
21 customer because every single
22 customer gets a bill, so that's
23 something to look at.

24 And on those same lines,

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1 if this legislation were to be
2 implemented, every customer who's
3 eligible will not I guess enroll on
4 day 1 or even year 1, right. So
5 what's the cost associated with
6 that -- when you've done your
7 analysis, are you including that
8 every customer will be enrolled on
9 day 1 or is it like a phase type of
10 thing when you're doing your
11 analysis?

12 COMMISSIONER MCCOLGAN:
13 We have not estimated the revenue
14 impact year after year because we
15 can't project the amount of
16 enrollment that would increase. So
17 we are just saying, you know, if it
18 were what we think is reasonable to
19 say a minimum of 4000, this is how
20 much it would cost and show that in
21 tiers up to the 40,000 max to show
22 the potential range of revenue loss
23 that could happen.

24 COUNCILMAN YOUNG: Thank

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1 you, Mr. Chair.

2 COUNCILMAN DRISCOLL:

3 Commissioner, just a procedural
4 question. Then I want to recognize
5 Councilmember Gauthier. Then we're
6 going to move to the next panel.

7 So if this legislation passes,
8 right -- well, let's say it doesn't
9 for a second. So we're at that
10 4.89 and 2.10 combined. That's
11 already been approved and that's
12 going to go into effect, right?

13 COMMISSIONER MCCOLGAN:

14 That's right.

15 COUNCILMAN DRISCOLL:

16 And if the legislation does pass,
17 what's the next step? Do you have
18 to go back to the Rate Board to get
19 that approved?

20 COMMISSIONER MCCOLGAN:

21 That's a great question. The Rate
22 Board ultimately makes the
23 decision.

24 COUNCILMAN DRISCOLL: I

1 see this sort of possibly now as
2 maybe an enabling legislation, but
3 not really a final decision.

4 COMMISSIONER MCCOLGAN:
5 Yeah, that is a really good point.
6 And I'm going to ask Susan to speak
7 to the details of the process with
8 the Rate Board.

9 MS. CROSBY: Yes. If
10 this bill were to pass, what would
11 happen is it would go to the Rate
12 Board and they would have to make
13 several decisions. First, they
14 would have to decide what tier to
15 place this new group of customers
16 in. Currently, we have four tiers.
17 We have customers in 0% to 50% of
18 FPL, 51 to 100, 101 to 150. So
19 they would have to decide -- and
20 then we have our special hardship
21 customers.

22 They would have to
23 decide if they put these customers
24 within that third tier of the 101

1 to 150, if they would just make
2 that tier larger and put these
3 customers in that or if they would
4 create a separate tier for this
5 segment of customers. In addition
6 to that, they would need to set the
7 percentage of income that these
8 customers' bills would be based on.

9 For each of the tiers,
10 there's a percentage of income.
11 For the lowest tier, it's 2%. For
12 the next tier, it is 2.5%, and that
13 is subject to check. I may have my
14 numbers wrong on that. And then
15 for the third tier is 3%, and for
16 the special hardship it's 4%. So
17 they would need to decide that
18 percentage of income that would
19 create that personalized bill for
20 each of these customers.

21 So they would need to
22 make both of those decisions that
23 would, in your words, enable this
24 legislation. But the legislation

1 would say, these customers now
2 qualify and then it would go to the
3 Rate Board to set the tier that
4 they would fall in and the
5 percentage of their household
6 income, that would be their bill.

7 COUNCILMAN DRISCOLL:

8 But they can also say this isn't a
9 good idea at this time or it's not
10 feasible or do they have to enact
11 something? That's what I'm trying
12 to understand.

13 MS. CROSBY: They would
14 have to enact something.

15 COUNCILMAN DRISCOLL:

16 They would have to. Okay.

17 Member Gauthier.

18 COUNCILWOMAN GAUTHIER:

19 Thank you, Mr. Chair. And thanks
20 to you and all of the committee
21 members for asking a number of the
22 same questions or similar questions
23 that we have been asking for
24 several months.

1 And so, even though
2 we're still getting responses that
3 we'll get back to you, I just want
4 you to know that this has been a
5 month-long conversation with
6 repeated requests to try to
7 understand what is behind the
8 fiscal note.

9 And I just want to say
10 from a professional and partnership
11 perspective, we're all in here
12 every day putting forth legislation
13 that we think will make our
14 constituents' lives better. And if
15 fiscal note is going to be used as
16 a tool to either delay or
17 discourage the bill that Council is
18 putting forward, then I think the
19 Administration has the
20 responsibility to be at the ready
21 with their assumptions and to back
22 up what information is being put
23 out to discourage the legislation
24 that's coming from Council. Just

1 as a matter of operations, that
2 feels like a fair way of
3 functioning as Council continues to
4 work with the Admin.

5 But I also wanted to
6 just point out things that I feel
7 are misleading in the assumptions
8 in the fiscal note. One, our
9 analysis that was developed by CLS
10 agrees with you about the low end
11 of the cost spectrum. So at the
12 low end, we both agree that there
13 would be -- that it's likely to be
14 an annual cost of 2.4 million
15 because that's based on the 4000
16 enrollees that you all already had
17 apply that were not eligible.

18 The 40,000 estimate is
19 based in no such reality. And I
20 think that we all know,
21 Councilpeople know, the
22 Administration knows there is no
23 means-tested program in the city
24 that has full 100% enrollment, so

1 why that would not only be put into
2 the fiscal note. But also it's not
3 just that it was put into the note,
4 it's that the whole argument is
5 anchored by this \$23.5 million
6 number that is not based in any
7 sort of reality.

8 And so, as we've been
9 trying to move this bill forward,
10 we've heard several times that this
11 will cost \$127 million over five
12 years. And it's just not based in
13 the reality of how enrollment and
14 city programs actually function. I
15 also appreciate that you guys were
16 asking about the Rate Board's
17 participation.

18 So you are correct that
19 although the Administration is
20 estimating that \$3 in cost would
21 come from this legislation, that is
22 not known. That would be
23 determined by the Rate Board. And
24 the Rate Board would determine the

1 amount of discount or the
2 percentage of discount that is
3 applied to this program and they
4 would do that based on public
5 input. And we have discussed that
6 many, many times. And at the
7 Administration's request, we even
8 lifted that information up in our
9 legislation so that it would be
10 understood.

11 I also think it's
12 misleading to portray that there
13 would be a \$10 increase in people's
14 water bills because of this,
15 knowing that a lot of those
16 decisions were made before my
17 legislation was even put on the
18 table and knowing that the Water
19 Rate Board would have to weigh in
20 on this legislation.

21 And so, my frustration
22 is just about wanting to be working
23 together in good faith and wanting
24 to understand if there's going to

1 be information put out to
2 discourage support on an issue that
3 we have all talked about all this
4 year. Probably since the Trump
5 administration started, we've been
6 talking about the increase in
7 people's utility bills and that's
8 what we're trying to address.

9 And so, if we're going
10 to consider this in a fair way,
11 then I just think that the
12 information should be fair. And I
13 feel like from the perspective of
14 my office and CLS, we have been
15 working in good faith and can back
16 up the things that we're saying.
17 But I do appreciate my committee
18 members or my colleagues asking
19 some of those same questions.

20 I won't ask anything
21 that you all haven't asked. I
22 guess what I would say is that or
23 one question I do have, customers
24 with household incomes between 150%

1 and 200% of the federal poverty
2 line can already enroll in TAP
3 today if they demonstrate a special
4 hardship, a loss of employment,
5 serious illness or a change in
6 household composition.

7 This bill removes that
8 documentation requirement for the
9 150% to 200% band, but it does not
10 create new eligibility for those
11 folks. So why does the
12 Administration's assumptions treat
13 the expansion population as if none
14 of these folks could already apply
15 for this relief under your existing
16 programs?

17 COMMISSIONER MCCOLGAN:
18 Yeah, I would appreciate the
19 opportunity to respond to several
20 things that you said. First, I
21 do -- we have been working with
22 your office for many months, and I
23 would like to say that it has been
24 in good faith. And as I mentioned

1 earlier, we have sent information,
2 but it may not have made it to you.
3 So I apologize for that and we will
4 get you the information that you
5 requested.

6 In no way are we trying
7 to be misleading. The fiscal note
8 breaks out the full range, right,
9 the full potential. When we do a
10 revenue impact analysis, we look at
11 the full universe. So it shows by
12 fiscal year for the TAP bill
13 discount that it could range from
14 the 2.4 million at the lowest level
15 of enrollment of 4000 to the 23
16 million at the highest level of
17 40,000. So our analysis just works
18 to provide the full picture of what
19 could happen in enrollment.

20 And then also, in
21 reference to the \$9.99 increase, in
22 my testimony we're not trying to be
23 misleading. We are breaking out
24 that \$2.10 in addition to the \$4.89

1 I think it was, those happen
2 regardless. And the \$3 is what
3 we're saying would potentially be
4 on top of that based on enrollment.
5 And the point of just summing that
6 together is just to reflect the
7 impact to non-TAP customers should
8 this pass.

9 COUNCILWOMAN GAUTHIER:

10 Thank you. Now, we have had a
11 successful relationship working
12 together. I want to acknowledge
13 that, and I appreciate you and your
14 role. So my comments are only
15 about this process. But if you're
16 putting forward things that, one,
17 are not reasonable, we don't have
18 100% immediate enrollment in any
19 program in the city, so that
20 shouldn't be a figure that we're
21 speaking around. And it certainly
22 shouldn't be the figure that
23 anchors the majority of the
24 Administration's pushback.

1 So that to me -- and
2 we've pointed that out like many
3 times. We've asked you what are
4 you basing that number on, people
5 on this panel asked what are you
6 basing that number on. And so, I
7 think you have to be able to speak
8 to that if you're going to use it
9 to discourage the relief that we're
10 trying to put forward for our
11 residents.

12 And also, during this
13 conversation it was kind of
14 elicited that this would have to be
15 decided upon by the Water Rate
16 Board. When we met with you all,
17 we talked about that and we also
18 said that we would try to make that
19 even more clear in the legislation
20 so that it will work better for you
21 all.

22 And so, I feel like
23 we've been trying to work together
24 on this, but I just have to

1 disagree that everything feels in
2 the best faith possible. But I'm
3 also glad that some of these issues
4 were talked about during the
5 hearing.

6 I have one more
7 question. I want to ask, why are
8 we only talking about the water
9 rate increase as the only means
10 that we have to pay for an
11 expansion in water relief programs?
12 Number one, your own testimony
13 already talks about everyone in the
14 city already being charged through
15 the existing or upcoming increases
16 for expansion and water relief. So
17 why would we -- people are already
18 being told that they're paying for
19 that. We're just trying to make
20 good on rates that were already,
21 you know, rate hikes that already
22 went into effect and that were
23 talked about as allowing more
24 people to enroll in water relief

1 programs.

2 The other thing, in
3 talking with CLS about this
4 legislation, they have repeated
5 again and again and again that
6 there are other ways that the Water
7 Department could pay for some of
8 these relief programs. If you're
9 concerned about the cost, it is a
10 choice to say that we're only going
11 to pay for these programs through
12 water rate hikes. Can you speak to
13 that?

14 COMMISSIONER MCCOLGAN:
15 I honestly can't speak to that. I
16 can't speak to what funding
17 resources PWD can use for funding.
18 I just understand that, as it's
19 currently structured the vast
20 majority of it comes from the
21 collection of our water and sewer
22 usage bills. So I think as an
23 Administration, we can get back to
24 you on that.

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1 COUNCILWOMAN GAUTHIER:

2 Can PWD speak to it?

3 COMMISSIONER MCCOLGAN:

4 I don't know that we have anyone
5 here from PWD who can speak to it
6 right now.

7 COUNCILWOMAN GAUTHIER:

8 Okay. Well, if I were terrified
9 about a \$130 million cost that I
10 was pushing, I would be here to
11 defend my assumptions.

12 COMMISSIONER MCCOLGAN:

13 We do. I'm sorry. Here's Lawrence
14 Yangalay.

15 MR. YANGALAY: Good
16 afternoon. Lawrence Yangalay, PWD
17 Deputy Commissioner of Finance. I
18 want to address two things. One is
19 audit of PWD. The second is how we
20 spend our money and how do we have
21 our expenditures. One is our
22 budget is approved by you. And
23 when we project our expenditure, we
24 take the projection to the Rate

1 Board.

2 At the Rate Board, the
3 customers are represented by seeing
4 Community Legal Services and will
5 go through our expenditure line by
6 line to make sure that it
7 represents what we need. There are
8 instances we have filed for
9 expenditure, they are being
10 challenged and they have been
11 reduced. So we don't just go ahead
12 spending money. It is scrutinized.
13 In fact, I will say it's one of the
14 departments that is very
15 scrutinized by both the city and
16 outside counsel.

17 Let me just be clear.
18 And on the issue of other sources
19 of funding, we are hoping, we want
20 to get as much funding from
21 whatever we can get it from. We
22 have gone to PennVest, we have
23 engaged with grants, we are looking
24 everywhere for funding. But the

1 fact is that because we are an
2 enterprise fund, we have been left
3 to be supported by rates and
4 charges, and there is no limit
5 where -- if anybody has somewhere
6 that we can go and get funding, we
7 will appreciate it very highly and
8 we have made that very clear over
9 time.

10 The audit is done by the
11 same organization, the Philadelphia
12 Controller Office orders our
13 records, both internal control
14 audit, our financial statement
15 audited, and that's how we go to
16 the bond market because we carry an
17 audited financial statement to the
18 market to even get a bond. So I
19 mean, I just wanted to make this a
20 little clear.

21 Our expenditure, our
22 finances are clear. Our
23 expenditure are not just going
24 wild. They are screened by even

1 the Rate Board. They have to
2 approve our expenditure level. And
3 based on that expenditure level,
4 they set the rate. And the
5 customers, as I said again for
6 every expenditure is represented by
7 the CLS and also other intervener,
8 the Philadelphia (inaudible).
9 Everybody comes to make sure that
10 PWD only get the resources it needs
11 to support its operation. Thank
12 you.

13 COUNCILMAN DRISCOLL:

14 Member Jones.

15 COUNCILMAN JONES: Thank
16 you, Mr. Chairman.

17 Did I understand you say
18 that there was an audit?

19 MR. YANGALAY: Say that
20 again, sir.

21 COUNCILMAN JONES: Did I
22 hear you say there was an audit?

23 MR. YANGALAY: I said
24 that the Philadelphia Water

1 Department is audited by the
2 Controller's Office of the City.

3 COUNCILMAN JONES: So
4 were there any findings in that
5 audit? And when was the audit?

6 MR. YANGALAY: The
7 findings in the audit can't come to
8 my head. There are several
9 findings, for instance -- over time
10 to have been approved before it was
11 taken, this is an audit. And of
12 course the nature of our operation,
13 for instance, if you have staff
14 working at plant --

15 COUNCILMAN JONES: What
16 year was the audit conducted?

17 MR. YANGALAY: What
18 year?

19 COUNCILMAN JONES: Yes.

20 MR. YANGALAY: I think
21 that HR finding has been a couple
22 of years. It's not unique to PWD.
23 I mean, most city departments have
24 had that kind of finding of

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1 overtime is not approved when it is
2 taken. And this is a situation I
3 was trying to explain. For
4 instance, you have a staff working
5 at the plant.

6 COUNCILMAN JONES: So
7 can you get a copy -- we can get
8 it. But can you get a copy of that
9 audit to the Chair?

10 MR. YANGALAY: Yes. The
11 Controller audits -- every year
12 it's an audit.

13 COUNCILMAN JONES: Okay.

14 MR. YANGALAY: Every
15 year is an audit. In fact, we need
16 that audit to be able to --

17 COUNCILMAN JONES: Other
18 than the Controller, there's an
19 audit?

20 MR. YANGALAY: No, we
21 don't have an outside audit.

22 COUNCILMAN JONES:
23 Independent audit.

24 MR. YANGALAY: No, we

1 don't have an outside audit. The
2 other audit of course is not an
3 audit. It's how our expenditure
4 are scrutinized by the Rate Board.
5 And at that hearing is represented
6 by other interests, Community Legal
7 Services. We all look at this
8 expenditure to say whether they are
9 necessary. They are relevant for
10 our operations. We are very
11 scrutinized. One of the department
12 that is passing through that
13 scrutiny, I can admit.

14 COUNCILMAN DRISCOLL:
15 All right. Last question, Vice-
16 Chair Young.

17 MR. YANGALAY: Thank you
18 very much.

19 COUNCILMAN YOUNG: Thank
20 you. This question is for PWD. Is
21 it possible then that the PWD can
22 receive money from the city for
23 whatever these increases would be
24 without having to raise rates? Can

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1 PWD use General Fund money to cover
2 the cost?

3 MR. YANGALAY: I don't
4 know about a reason why PWD should
5 not. We can only discuss the means
6 at which PWD can receive such
7 funding. I think other
8 consideration is that when we go
9 out there to obtain bond, we
10 represent that PWD can support its
11 operation from its resources. But
12 in the case of let's say the
13 customer assistance program, it is
14 my opinion that the city can help,
15 can assist customers that don't
16 have the means to pay for their
17 water usage. We are providing the
18 services. So if other government
19 wants to help these customers to
20 pay for their water usage, I do not
21 see the limitation to that. But
22 again, you know --

23 COUNCILMAN YOUNG: So in
24 our \$7 billion budget, if our city

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1 wants to provide \$2.4 million to
2 the Water Department to offset some
3 of the cost of the increase in this
4 program, can we do that?

5 COMMISSIONER MCCOLGAN:
6 I think we would need the Budget
7 Office to respond.

8 MR. YANGALAY: Yeah.
9 The only one point I want to make,
10 as the Commissioner said, we need
11 the Budget Officer. I will just
12 (inaudible). Any assistance that
13 is given, especially in regards to
14 rate, has to be consistent.

15 COUNCILMAN YOUNG: But
16 this isn't about a rate. This is
17 about a direct I guess grant
18 essentially to PWD?

19 MR. YANGALAY: Yes.
20 What I was saying is that if any
21 grant comes that we have to impact
22 rate, it has to be consistent. Say
23 you get a 1 million grant this
24 year, 1 million next year, 1

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1 million a year after next. If you
2 want to do it for one year, the
3 next year the grant does not come,
4 it will have a multiple impact on
5 the future rates. That's all I
6 wanted to make.

7 COUNCILMAN YOUNG: Thank
8 you.

9 MR. YANGALAY: Thank
10 you.

11 COMMISSIONER McCOLGAN:
12 And also, I just wanted to say that
13 2.4 million as we said is the
14 lowest estimate that we have. But
15 for any questions regarding the
16 General Fund, we would have to
17 defer to the Budget Office.

18 COUNCILMAN YOUNG: Thank
19 you.

20 COUNCILMAN DRISCOLL:
21 Well, thank you, Commissioner.
22 Thanks for your testimony. We're
23 going to move on to the next panel.

24 COMMISSIONER McCOLGAN:

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1 Thank you.

2 COUNCILMAN DRISCOLL:

3 Ms. McDonald, please call the
4 second panel we have to testify
5 this afternoon on Bill No. 251021.

6 THE CLERK: Robert
7 Ballenger, Divisional Supervising
8 Attorney for Community Legal
9 Services Energy Unit; and Rebecca
10 Pepe, Ph.D. candidate in Social
11 Welfare at the School of Social
12 Policy and Practice, and researcher
13 at the Center for Food and
14 Nutrition Policy at the University
15 of Pennsylvania.

16 (Witnesses approached
17 witness table.)

18 COUNCILMAN DRISCOLL:
19 Good afternoon. Please state your
20 name and proceed with your
21 testimony.

22 MS. PEPE: Good
23 afternoon, Councilmembers. My name
24 is Rebecca Pepe from the University

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1 of Pennsylvania. Thank you for the
2 opportunity to provide testimony
3 today regarding Bill 251021. As
4 mentioned, I'm a Ph.D. candidate in
5 Social Welfare at the School of
6 Social Policy and Practice and a
7 researcher at the Center for Food
8 and Nutrition Policy, where I study
9 the impacts of unaffordable water
10 utilities on health and well-being.

11 My testimony today
12 represents my professional views,
13 and not those of the university or
14 Penn Medicine. This bill would
15 expand eligibility for TAP from
16 150% to 200% of the federal poverty
17 level, making affordable water
18 service available to more
19 low-income families. At a time
20 when water costs are rising more
21 than twice as fast as other
22 consumer goods, this expansion
23 would provide meaningful relief to
24 households already struggling to

1 make ends meet.

2 I strongly support this
3 bill because it would help keep
4 families healthy, safely housed and
5 connected to essential water
6 services, while reducing the long-
7 term social and financial costs of
8 water insecurity for the City of
9 Philadelphia. Water insecurity or
10 the inability to reliably access
11 safe water is a much bigger problem
12 in Philadelphia than many realize.

13 The Pennsylvania
14 Constitution recognizes water
15 access as a basic human right. Yet
16 many Philadelphia residents have
17 their water turned off each year
18 because they're unable to pay their
19 bills without running water.
20 People can't wash their hands,
21 clean dishes or prepare food. They
22 have limited use of toilets, must
23 find alternate means to bathe.
24 Something as critical as baby

1 infant formula becomes highly
2 stressful to prepare. And the toll
3 takes on our residents' mental and
4 physical health is significant.

5 Households earning less
6 than \$50,000 per year are over 10
7 times as likely to report that
8 they'd be unable to afford
9 groceries if their water bill
10 increased. These families describe
11 difficult choices between paying
12 for water and putting food on their
13 table, often skipping meals or
14 reducing portion sizes. They're
15 more likely to rely on less
16 nutritious meals and consume more
17 sugar-sweetened beverages, placing
18 them at increased risk for obesity,
19 diet and chronic diseases.

20 When water is
21 disconnected, individuals are at
22 increased risk of dehydration,
23 which is particularly dire for
24 breastfeeding mothers. Sewage can

1 build up, increasing the risk of
2 gastrointestinal illness.
3 Insufficient access to affordable
4 water can contribute to higher
5 rates of respiratory infection and
6 infection-related mortality.
7 Without clean water, children can
8 develop skin conditions like
9 psoriasis and eczema, and may be
10 unable to maintain oral hygiene,
11 placing that increased risk for
12 dental cavities.

13 Families report delaying
14 medical care, skipping recommended
15 health care visits or rationing
16 medications in order to pay for
17 their water bills. Water
18 insecurity contributes to chronic
19 stress, anxiety, shame and
20 embarrassment associated with
21 mounting utility debt, fear of
22 shut-off, and the impossible trade-
23 offs families are forced to make.

24 Water unaffordability

1 affects everything from schooling
2 and employment to family and
3 housing stability in Philadelphia.
4 Unaffordable utility bills and
5 utility service disconnections are
6 the most common housing issues
7 requiring children to be placed in
8 foster care. Families go to
9 extraordinary lengths to avoid
10 their children experiencing life
11 without running water.

12 Upon disconnection, some
13 send their children away to live
14 with family or friends until
15 service is restored. Those who
16 remain in disconnected homes find
17 that the lack of water for bathing,
18 laundry, and basic hygiene make it
19 difficult to participate in work,
20 school and daily life. For
21 renters, water debt can increase
22 the risk of eviction. For
23 homeowners, mounting arrears and
24 utility liens can threaten housing

1 security and wealth accumulation.
2 The impacts of water
3 unaffordability extend beyond
4 individual households, affecting
5 Philadelphia's most underserved and
6 marginalized neighborhoods.

7 When families cannot
8 afford water service, the
9 consequences ripple through the
10 local economy. Children miss
11 school, adults miss work, and
12 households are forced to divert
13 money away from local businesses
14 and other essential expenditures.
15 Water affordability is a public
16 health issue, as the COVID-19
17 pandemic made clear.

18 Reliable access to
19 affordable water is essential for
20 handwashing, sanitation, disease
21 prevention, and safety of our
22 communities. Fortunately,
23 Philadelphia already has a program
24 in place that improves water

1 security for our most vulnerable
2 residents. TAP has been recognized
3 nationally as an innovative model
4 for addressing water affordability.

5 Expanding eligibility to
6 households earning up to 200% of
7 the federal poverty level would
8 protect those on the edge of this
9 benefits cliff who make just a
10 little too much to be eligible, but
11 still desperately need help and are
12 otherwise at risk of nonpayment.

13 By ensuring reliable access to safe
14 water, Bill 251021 will improve
15 health and well-being, keep
16 families together and safely housed
17 and help to prevent long-term
18 threats to the city's financial and
19 community health.

20 The recent federal cuts
21 to Medicaid and SNAP have placed
22 unprecedented strain on our city's
23 poorest residents, making the
24 passage of this bill more important

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1 than ever. I applaud the efforts
2 of Councilmember Gauthier and this
3 committee for striving to ensure
4 that all Philadelphians have access
5 to the basic essential right to
6 affordable water. Thank you for
7 your time.

8 COUNCILMAN DRISCOLL:
9 Thank you.

10 Please state your name
11 and begin your testimony.

12 MR. BALLENGER: Thank
13 you, Chairman Driscoll, members of
14 the committee. My name is Robert
15 Ballenger, an attorney at Community
16 Legal Services. Thanks again for
17 the opportunity to speak. CLS
18 clients experience the kind of
19 hardships that Ms. Pepe was just
20 talking about. Our clients face
21 water insecurity, they face
22 disruption of family unity, they
23 face loss of housing and housing
24 insecurity associated with high

1 water bills.

2 And one of the
3 challenging issues in representing
4 low- and moderate-income households
5 in Philadelphia is when there's
6 nothing available to help. And so,
7 we routinely have people who come
8 in who are eligible for our
9 services, but they're just not
10 quite poor enough. They're just
11 not below 150% of federal poverty.

12 So currently some of
13 those customers can qualify for TAP
14 if they're over 150% of federal
15 poverty. They qualify because they
16 have some other type of condition
17 in the household, something that
18 constitutes a special hardship and
19 then they qualify for 4% of income
20 bill that's calculated solely as 4%
21 of their household income monthly
22 TAP bill, and they participate in
23 TAP to this day, right.

24 So what this legislation

1 does is it removes that special
2 hardship qualifier for people
3 between 150% and 200% of federal
4 poverty. It just makes those
5 households eligible based on
6 income, in the same way that
7 households between 0% and 150% of
8 federal poverty are eligible just
9 based on income.

10 So we support the
11 legislation obviously, and we
12 believe that expansion in this way
13 makes good sense to help fill that
14 void for people who just aren't
15 quite as poor as their neighbors,
16 but are still facing economic
17 vulnerability and all of the
18 cascading harms that flow from the
19 loss of potential or potential loss
20 of water service.

21 I wanted to offer -- if
22 the committee is interested, I
23 could talk a little more about the
24 development of the numbers that I

1 came up with for the projected cost
2 here. I know you spend a lot of
3 time on PWD numbers, but just to
4 just kind of cover that very
5 briefly. Every year, the
6 Pennsylvania Public Utility
7 Commission does a survey of the
8 universal service programs,
9 programs like PGW CRP program,
10 which is analogous to TAP, right.

11 It is a bill that's
12 based on a percentage of income.
13 You get an opportunity to earn
14 forgiveness of your debt. It's
15 Philadelphia and it's only
16 Philadelphia. So we know from the
17 surveys that they do that there are
18 about 180,000 estimated low-income
19 households, estimated low-income
20 customers of PGW, and about 130,000
21 confirmed low-income customers of
22 PGW.

23 60,000 of them
24 participate in CRP. They're

1 confirmed. That's a 45%
2 participation rate for households
3 that are confirmed to be low income
4 and about a 32% participation rate
5 for customers who are estimated to
6 be low income. So full
7 participation at the level of
8 census figures is not something
9 that's realistic, right.

10 So that's the first step
11 in my methodology, right, is to
12 apply the similar kind of reduction
13 to get to where if we're comparable
14 to PGW, we're maybe getting 45% of
15 the households in the program at
16 that income demographic. Then I
17 have to allocate the households
18 based on usage, right. Because if
19 you make \$2,000 a month and you're
20 at 175% of federal poverty and 4%
21 of income is affordable to you,
22 you're going to have an \$80 monthly
23 bill.

24 If your bill is only \$72

1 you're not going to get a discount,
2 right. You don't qualify. You
3 don't need it. And that happens on
4 the back end when people apply for
5 these programs. That's why some
6 people, even if they're currently
7 income-eligible, have affordable
8 long-term payment arrangements
9 because they don't need the
10 discount because they control their
11 usage. They have low usage.

12 So I allocate the
13 households based on both income at
14 three different levels, 151, 175
15 and 200% of income. And based on
16 the same usage characteristics of
17 the current TAP households, all of
18 the approximately 70,000 households
19 that participate now, I looked at
20 12 months of usage information and
21 I averaged them. And I allocated
22 the households based on usage and
23 income.

24 As I stated, the final

1 factor is what is the Board going
2 to decide is affordable. I don't
3 know. I do know that we'll get to
4 go before the board, PWD, the
5 public advocate, any interveners
6 who want to, we'll get to go in
7 front of the Board. We will get to
8 introduce our evidence. We will
9 get to study each other's evidence.
10 We will get to put forward our
11 proposals for what that should be,
12 and the Board will decide and it
13 will take into account cost, it
14 will take into account benefit and
15 there is a benefit associated with
16 these programs. It's not just
17 cost.

18 These programs exist
19 because they help people pay what's
20 affordable. When customers can pay
21 what is affordable, they pay it.
22 Payment coverage rates increase and
23 improve, right. So we can't just
24 look at the costs. We also have to

1 look at the impact on the other
2 side of the equation, which is
3 providing affordable bills to
4 customers improves payment
5 patterns, and it improves the
6 ability of the utility to collect
7 overall.

8 So my scenario lays this
9 all out with both two-person and
10 three-person households because the
11 average household is 2.2 persons.
12 And at two different income levels
13 or two different affordability
14 levels, 3% and 4%, that's how I
15 derive my range. I apply the
16 households based on the usage and
17 based on income to the various
18 blocks that we know exist among the
19 existing customers.

20 And I would just lift up
21 that one of the serious cost
22 drivers that we're seeing in the
23 data is high usage, and the city is
24 doing incredible work funding and

1 building programs to help customers
2 with home repairs prioritize leak
3 assistance, because that's going to
4 pay off. It's going to help reduce
5 the costs of these types of
6 programs long term to have
7 customers in efficient housing that
8 is not using as much water right
9 now.

10 As much as 10% of
11 customers in the program are using
12 about four times what the typical
13 residential customer uses. That's
14 indicative to me of old, outdated
15 fixtures, probably interior leaks,
16 probably some toilets that need to
17 be worked on, small dollar repairs
18 that can provide real large dollar
19 benefits to all of us in the
20 system, all of us who pay our
21 monthly bills and contribute to the
22 costs of programs like this.

23 I want to also just
24 acknowledge the tremendous work

1 that the Water Department and Water
2 Revenue Bureau have done to date in
3 getting this program running. It
4 is truly a model for the nation. I
5 think we should all be very proud
6 of that.

7 And finally, I do also
8 want to acknowledge that we are
9 working hand in hand with the
10 department and others trying to
11 explore external funding for
12 programs like stormwater
13 remediation, the big ticket items,
14 the big programs that are forcing
15 PWD to borrow money to expend
16 capital dollars to do the kinds of
17 things that we as a city should be
18 funding more broadly, because those
19 types of programs provide benefits
20 that aren't just the water that we
21 drink at the tap. They improve our
22 quality of life, they improve our
23 environment all around us.

24 So when we're looking

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1 for external funding, those are the
2 kinds of things that I would really
3 encourage us all to support, and to
4 support PWD, and getting those
5 dollars that aren't contingent upon
6 me paying my water bill and you all
7 paying your water bills. Happy to
8 answer any questions you may have.

9 COUNCILMAN DRISCOLL: I
10 have a couple questions.
11 Procedurally, how long does
12 something like this take to go to
13 the Water Rate Board and your
14 analysis, the public advocate? How
15 long is this process if it goes
16 well?

17 MR. BALLENGER: The
18 ordinance actually sets a 120-day
19 timeline. There's a 30-day advance
20 notice period so the total process
21 is 150 days from soup to nuts. So
22 we get started very quickly in the
23 context of a rate proceeding. We
24 do have the ability to bring in

1 consultants.

2 So my analysis that I
3 did, my consultant might come up
4 with something different but the
5 idea of it is that we have an
6 on-the-record proceeding where
7 everything is on the table, all of
8 our discovery. Everything that we
9 exchange and information gets
10 included on the record and the Rate
11 Board. The record of a rate
12 proceeding in Philadelphia is
13 thousands and thousands of pages.

14 COUNCILMAN DRISCOLL:
15 Who makes the argument on behalf of
16 the ratepayer that might have to
17 subsidize this, who makes that
18 argument?

19 MR. BALLENGER:
20 Community Legal Services has the
21 contract to serve as the public
22 advocate, so we represent the
23 interests of all residential and
24 small business customers in rate

1 proceedings. So that's one of the
2 reasons why I'm trying to focus a
3 little bit on leak remediation
4 because it has such a high
5 probability of reducing the costs
6 of this program to other customers.
7 So you really see, if you look at
8 the tables attached to my testimony
9 in the letter that I provided to
10 Councilmember Gauthier in May, you
11 really see that at the high usage
12 level. That's a really heavy
13 concentration of cost. So if we
14 can bring those costs down, that's
15 going to benefit all other non-TAP
16 customers, and that's something
17 that we would love to have support
18 from, and we will explore that in
19 the rate cases as well.

20 COUNCILMAN DRISCOLL:

21 Okay. Thank you.

22 MR. BALLENGER: Thank
23 you.

24 COUNCILMAN DRISCOLL:

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1 Ms. McDonald, anybody else to
2 testify?

3 THE CLERK: We have
4 (inaudible) public comment, yes.

5 COUNCILMAN DRISCOLL:
6 Signed up for public comment?
7 (Witness approached
8 witness table.)

9 COUNCILMAN DRISCOLL:
10 Please state your name for the
11 record.

12 MR. HAVER: Sure. My
13 name is Lance Haver. I'm the
14 former Director of Consumer Affairs
15 for the City of Philadelphia, and
16 I'm currently the Consumer Reporter
17 for Philadelphia Hall Monitor.

18 Councilman Jones, you're
19 right on the money, you're right on
20 time, but I'm going to read my
21 testimony and then talk
22 specifically about your point.
23 And, Councilmember Young, you're
24 absolutely right. The idea of

1 charging a sales tax on a basic
2 necessity of life, water, to pay
3 for a very needed program is
4 insane. No one would suggest
5 raising a sales tax on food to pay
6 for SNAP. And yet people,
7 including Community Legal Services,
8 talk about a sales tax increasing
9 water bills to pay for the TAP
10 program.

11 There are five reasons
12 why the water rates have gone up by
13 52% in the last five years. One,
14 you have reappointed the same Water
15 Commissioners who voted for every
16 water rate hike. They have voted
17 to raise the average bill from \$63
18 to \$96 a month, and it's going up
19 even more in September. You
20 reappoint them without bringing
21 them in and asking why do you
22 continue to vote for rate
23 increases.

24 Two, no one has required

1 PGW and PWD to look for savings by
2 combining services and office
3 spaces. There's no reason why PWD
4 offices can't be moved to save
5 money. Move them to PGW's
6 headquarters. Why do they have to
7 be in Center City? Let them help a
8 neighborhood that's in trouble or
9 is struggling with all of their
10 employees.

11 Three, at every rate
12 increase both the advocate
13 appointed by the Rate Board,
14 Community Legal Services, and PWD's
15 experts refuse to hire consultants
16 to find ways to save money. And
17 this is what Councilmember Jones
18 was talking about. Yes, they're
19 audited by the Controller, but
20 there is no management audit to
21 find cost savings.

22 Community Legal Services
23 refuses to hire an expert to find
24 cost savings. The Water Department

1 refuses to hire an expert to find
2 cost savings. They both spend
3 literally hundreds of thousands of
4 dollars on consultants arguing
5 about how much water rate should go
6 up. And let's be clear about this:
7 Every one of these rate increases
8 I've talked about has been a direct
9 result of settlement that Community
10 Legal Services, Mr. Ballenger,
11 agreed to with the Water
12 Department. Every single one of
13 these settlements has been a direct
14 result of the public advocate who
15 answers to nobody other than the
16 Rate Board, settling a case and
17 raising the bills by 52% over these
18 six years.

19 Three, Philadelphia
20 Water Department refuses to recruit
21 water-intensive industries to
22 Philadelphia. One of our greatest
23 assets in the city is how much
24 water we have access to. The

1 Southeast, the Southwest, they
2 don't have the water that we do.
3 Yet the Water Department does
4 absolutely no recruitment of water-
5 intensive industries. If we could
6 bring more industries like Dietz &
7 Watson in that uses water in their
8 processing, we would have more
9 sales and we would lower the per
10 gallon cost. Yet the Water
11 Department refuses to do that.

12 Five, the advocate
13 appointed by the Rate Board,
14 Mr. Ballenger, has supported every
15 rate increase over the last six
16 years. And every year, without a
17 public hearing, without public
18 input, he is given a no-bid
19 contract by the Rate Board.
20 Mr. Ballenger will claim that he
21 saved ratepayers money, but it's
22 just a game. Philadelphia Water
23 Department asked for more than what
24 it wants. Then in private, what I

1 call secret, they negotiate and
2 they reach a settlement.

3 The bills from \$63 to
4 \$96 could not have happened without
5 Community Legal Services, which has
6 no client group, which doesn't come
7 before any of you to seek guidance
8 on whether they should agree to
9 these rate increases or not, could
10 not happen without their
11 acquiescing. I'm happy to answer
12 any more questions, but I want to
13 make two more quick points. I did
14 bring copies of my testimony. I'm
15 not sure you're interested.

16 One, I want to go back
17 to Councilmember Jones, if I could.
18 What you're asking for I believe,
19 sir, is a management audit, someone
20 to look at efficiencies, someone to
21 find efficiencies, not a financial
22 audit which says, did you spend
23 \$12, yes, they spend \$12 but it was
24 a wasted \$12. A management audit

1 says you should not have spent that
2 \$12. They have not done that in a
3 quarter of a century, and they
4 continue to defend their waste and
5 mismanagement.

6 Second and again,
7 Councilmember Young, you raised
8 this question. I'm going to try
9 and say it without being outraged,
10 but here it is: The TAP program is
11 necessary. It should be expanded
12 to 200%. The Councilmember was
13 absolutely correct. All of you are
14 correct. But who should pay for
15 that is a separate question.

16 There are two questions:
17 One, should we help people who need
18 help; and two, how should that be
19 paid for. By making it a sales
20 tax -- now, I know they don't call
21 it a sales tax. They call it
22 something else. But it's an extra
23 payment that you make on water,
24 whether you want to call it a

1 surcharge or something else doesn't
2 change the fact. You pay your
3 water bill and then they charge you
4 for a program, a social welfare
5 program, a surcharge. That's
6 simply wrong.

7 The money, first of all,
8 doesn't come from everyone. If
9 you're a speculator in the city,
10 you don't pay to support the TAP
11 program. If you're a construction
12 company that doesn't have an office
13 in the city, you don't pay for the
14 surcharge. If you're a visitor to
15 the city, you don't pay to help cut
16 the cost of the TAP program. Only
17 if it comes out of the general
18 operating budget does everyone pay
19 a fair share.

20 If you think about it
21 for more than a second, this is the
22 most regressive form of taxation
23 not even Donald Trump would
24 support. It is a tax on a basic

1 necessity of life, water, in a
2 regressive form that is flat. It's
3 not based on the more you make, the
4 more you pay, just the opposite.
5 The less you make, the higher the
6 tax rate.

7 And with that, I will
8 thank you for listening to me and I
9 appreciate your time.

10 COUNCILMAN DRISCOLL:

11 Thank you.

12 Hearing no further
13 questions from members of this
14 panel and there being no other
15 panels to testify --

16 COUNCILMAN JONES: I
17 just want to thank you, man, for
18 the decades you've been doing and
19 fighting for consumers in this
20 city. Thank you so much.

21 MR. HAVER: Thank you.
22 And I really appreciate the time
23 and energy you've put into this and
24 I know you've had a long day.

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1 COUNCILMAN DRISCOLL:

2 Thank you. Well, let's move on to
3 Bill No. 260426.

4 Ms. McDonald, please
5 call the first panel we have to
6 testify this afternoon on Bill No.
7 260426.

8 THE CLERK: Kate
9 Sullivan, Chief Commercial Officer,
10 Department of Aviation.

11 (Witness approached
12 witness table.)

13 COUNCILMAN DRISCOLL:
14 Good afternoon. Please state your
15 name for the record and proceed
16 with your testimony.

17 MS. SULLIVAN: Good
18 afternoon. I'm Kate Sullivan, the
19 Chief Commercial Officer for the
20 Department of Aviation. Good
21 afternoon, Chairman Driscoll and
22 members of the Committee on
23 Transportation and Public
24 Utilities. My name is Kate

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1 Sullivan, Chief Commercial Officer
2 for the Department of Aviation,
3 which manages both Philadelphia
4 International Airport, or PHL, and
5 Northeast Philadelphia Airport,
6 PNE.

7 I'm here today to
8 testify in support of Bill No.
9 260426, authorizing the Director of
10 the Department of Aviation, on
11 behalf of the City, to modify a
12 certain easement and acquire
13 additional easement interests in
14 connection with a portion of the
15 parcel of land commonly known as
16 8350 Executive Avenue, under
17 certain terms and conditions.

18 PHL is a self-sustaining
19 entity, which uses no local
20 taxpayer dollars for its operation
21 and generates significant economic
22 annual impact for our region. PHL
23 is in the process of creating
24 additional refrigerated warehouse

1 space, which would provide new
2 economic growth and create jobs.
3 The addition of this refrigerated
4 warehouse space, otherwise known as
5 a Cool Port, will help attract new
6 businesses and generate new tax
7 revenue for Philadelphia and the
8 Commonwealth.

9 Cool Port facilities
10 offer broad cooler and freezer
11 temperatures to accommodate
12 perishable cargo, including
13 pharmaceuticals, lifescience-
14 related goods, perishable food and
15 specialized electronics. Bill No.
16 260426 would expand the current
17 easement granted to 4630 Island
18 Ave. It's a property owned by the
19 City's Department of Aviation and
20 the site of the location of the
21 project, to allow for the
22 installation and maintenance of
23 water pipes, natural gas pipes,
24 fiber optic cables, conduits,

1 electrical, telecommunications and
2 related equipment structures,
3 infrastructure, fixtures and other
4 personal property, both above and
5 below ground.

6 The easement is
7 connected to 8350 Executive Ave and
8 expands the current easement
9 agreement between the two
10 properties. This project is
11 essential to the completion of the
12 project and will allow construction
13 to commence and will support the
14 facility once completed.

15 Thank you for the
16 opportunity to testify in support
17 of Bill No. 260426. I kindly ask
18 the committee for a favorable
19 recommendation and that the rules
20 be suspended to allow for first
21 reading at the next session of
22 Council. I'm happy to answer any
23 questions that you have.

24 COUNCILMAN DRISCOLL: I

Committee on Transportation and Public Utilities

1 think you're good. Thank you for
2 your testimony.

3 MS. SULLIVAN: Thank
4 you.

5 COUNCILMAN DRISCOLL:
6 Hearing no further questions from
7 members of this panel, and there's
8 no other panels to testify on
9 Bill -- is it Bill 260427, Maur?

10 THE CLERK: (Inaudible).

11 COUNCILMAN DRISCOLL: So
12 we're going to move on to 427.
13 Okay.

14 And you're going to
15 testify for that?

16 MS. SULLIVAN: Yep. You
17 got me again.

18 COUNCILMAN DRISCOLL:
19 Okay. Please proceed.

20 MS. SULLIVAN: Okay.
21 I'm still Kate Sullivan, still
22 Chief Commercial Officer for the
23 Department of Aviation. Good
24 afternoon, Chairman Driscoll and

Committee on Transportation and Public Utilities

1 members of the Committee on
2 Transportation and Public
3 Utilities. My name is Kate
4 Sullivan, Chief Commercial Officer
5 for the Department of Aviation,
6 which manages both Philadelphia
7 International Airport, PHL, and
8 Northeast Philadelphia Airport,
9 PNE.

10 I'm here today to
11 testify in support of Bill No.
12 260427, authorizing the Director of
13 the Department of Aviation, the
14 DOA, to acquire, on behalf of the
15 City, fee simple title or lesser
16 interest by purchase, amicable
17 negotiation, dedication, donation,
18 condemnation, agreement in lieu of
19 condemnation or otherwise, in and
20 to all or portions of a certain
21 parcel of land known as 8800
22 Tinicum Boulevard in Philadelphia
23 County, under certain terms and
24 conditions.

1 As a self-sustaining
2 entity which uses no local taxpayer
3 dollars for its operations, PHL
4 generates significant annual
5 economic impact for our region and
6 creates thousands of jobs.

7 However, compared to many of our
8 peer airports, our facility has
9 very little room to grow, as it's
10 surrounded by I-95, the Schuylkill
11 River, the Delaware River and
12 Tinicum Township.

13 So when able, PHL looks
14 for opportunities to expand its
15 footprint by acquiring adjacent
16 property. The parcel of land at
17 8800 Tinicum Boulevard consists of
18 31.56 acres of space, including a
19 441,000 square foot office building
20 and has a parking lot that can
21 accommodate 1285 cars.

22 The lot currently stands
23 vacant and borders airport
24 property, something which makes it

1 prime consideration for
2 acquisition. Bill No. 260427 would
3 allow the DOA to acquire the parcel
4 of land known as 8800 Tinicum
5 Boulevard. This purchase would
6 utilize airport commercial funds
7 and would not impact the General
8 Fund. The parcel would allow the
9 airport to expand its footprint and
10 could be utilized for many
11 purposes, prime among them office
12 space and parking.

13 Thank you for the
14 opportunity to testify in support
15 of Bill 260427. I kindly ask the
16 committee for a favorable
17 recommendation, and that the rules
18 be suspended to allow for first
19 reading at the next session of
20 Council.

21 COUNCILMAN DRISCOLL:
22 Chair recognizes Member Phillips.

23 COUNCILMAN PHILLIPS:
24 Thank you. I just want to know

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1 what is the plan for the parcel of
2 land? Do you have a clear plan for
3 what you'd like to do with it, out
4 of curiosity?

5 MS. SULLIVAN: Thank you
6 very much for the question,
7 Councilmember. As I said in my
8 testimony, PHL is just incredibly
9 land-constrained. We're about 2500
10 acres and do about 30 million
11 passengers a year on those 2500
12 acres, so we're hemmed in by
13 highways, by rivers, by towns. So
14 basically, policy-wise when an
15 adjacent parcel comes available for
16 us to look at, we at least want to
17 have a conversation about it.

18 We don't have a final
19 determination on what the use will
20 be, but we're looking at a couple
21 of possible uses, including using
22 the building as office space.

23 COUNCILMAN PHILLIPS:
24 Okay. So ultimately, you simply

1 just want to be able to acquire
2 this parcel of land without having
3 a sense of what you want to do with
4 it?

5 MS. SULLIVAN: Without a
6 final determination, yeah. We are
7 looking at a number of potential
8 uses.

9 COUNCILMAN PHILLIPS: It
10 doesn't cost taxpayer money, but I
11 just don't understand -- I think
12 you should have a plan, but thank
13 you.

14 MS. SULLIVAN: I
15 appreciate that. Thanks.

16 COUNCILMAN DRISCOLL:
17 Member Jones.

18 COUNCILMAN JONES: Is
19 this in Tinicum Township or in
20 Philly?

21 MS. SULLIVAN: This is
22 in Philly.

23 COUNCILMAN JONES: Thank
24 you.

1 COUNCILMAN DRISCOLL:

2 Okay. Seeing no further questions
3 for this panel and there be no
4 other panelists to testify on Bill
5 No. 260427, we will now move on to
6 Bill No. 260464.

7 Ms. McDonald, please
8 call the first panel we have to
9 testify this afternoon on Bill No.
10 260464.

11 THE CLERK: Jessica
12 Noon, Sustainability Manager,
13 Department of Aviation.

14 (Witnesses approached
15 witness table.)

16 COUNCILMAN DRISCOLL:
17 Good afternoon. Please state your
18 name for the record and proceed
19 with your testimony.

20 MS. NOON: Good
21 afternoon. My name is Jessica
22 Noon. I'm the Sustainability
23 Manager for the Department of
24 Aviation. Good afternoon, Chairman

Committee on Transportation and Public Utilities

1 Driscoll and members of the
2 Committee on Transportation and
3 Public Utilities. My name is
4 Jessica Noon. I'm the
5 Sustainability Manager for
6 Department of Aviation, which
7 manages both Philadelphia
8 International Airport, PHL, and
9 Northeast Philadelphia Airport,
10 PNE.

11 I'm here today to
12 testify in support of Bill No.
13 260464, authorizing the Procurement
14 Department, on behalf of the City
15 of Philadelphia, to enter into an
16 agreement with the Philadelphia
17 Energy Authority to purchase
18 electricity and certain attributes
19 and benefits related to the
20 generation of such electricity from
21 a solar energy facility to be built
22 and owned by Reactivate, LLC,
23 located at Northeast Philadelphia
24 Airport for use at and in

1 connection with City facilities,
2 all under certain terms and
3 conditions.

4 To protect our
5 environment, The Department of
6 Aviation has taken many steps to
7 move towards sustainable and green
8 practices, such as setting
9 ambitious goals to mitigate our
10 environmental impact. The
11 Department of Aviation is committed
12 to purchasing or generating 100%
13 renewable energy through
14 collaboration with the City of
15 Philadelphia's Office of
16 Sustainability.

17 To achieve this goal,
18 the Philadelphia Energy Authority,
19 PEA, has partnered with the DOA,
20 Department of Aviation, alongside
21 the chosen developer and owner,
22 Reactivate, to build and maintain a
23 solar farm at PNE. The new solar
24 farm will provide approximately

1 3000 megawatts of annual energy to
2 the PNE airport, meeting PNE's
3 total electricity needs.

4 Bill No. 260464 would
5 allow the Department of Aviation to
6 enter into a 25-year Power Purchase
7 Agreement to build and procure
8 renewable energy from Reactivate
9 Solar Farm, creating the largest
10 solar array within Philadelphia.
11 The Department of Aviation will
12 purchase electricity for 25 years
13 through this PPA, reducing risk
14 exposure to volatile energy markets
15 and providing an expected \$116,000
16 in energy cost savings over the
17 agreement's lifetime.

18 Reactivate will be
19 responsible for construction,
20 ownership, maintenance and
21 operation of the solar farm, and
22 the Department of Aviation will
23 have no additional costs or
24 responsibilities regarding the

1 maintenance or operation of this
2 project.

3 Thank you for the
4 opportunity to testify in support
5 of Bill No. 260464. I kindly ask
6 the committee for adoption of the
7 amendment, a favorable
8 recommendation and that the rules
9 may be suspended to allow for first
10 reading at the next session of
11 Council. I'm happy to answer any
12 questions that you may have.

13 COUNCILMAN DRISCOLL:
14 Please state your name for the
15 record and proceed with your
16 testimony.

17 MS. BARTOLOTTA: Sure.
18 Good afternoon, Chair Driscoll and
19 members of the committee. I'm
20 Katie Bartolotta, Vice President of
21 Policy and Strategic Partnerships
22 with the Philadelphia Energy
23 Authority or PEA. I'm testifying
24 in support of Bill No. 260464. PEA

1 is an independent municipal
2 authority advancing projects and
3 programs that deliver on the city's
4 most urgent priorities, lower
5 bills, stronger infrastructure,
6 safer neighborhoods and quality
7 jobs.

8 Since 2016, PEA has
9 supported over \$1.3 billion in
10 investment, creating more than
11 11,000 jobs in Philadelphia and
12 driving \$2.4 billion in economic
13 benefits across Pennsylvania. PEA
14 works closely with the Office of
15 Sustainability and other city
16 departments, such as the Department
17 of Aviation, or DOA, to fulfill its
18 normal course of business,
19 evaluating and pursuing cost-
20 effective energy procurement
21 strategies that align with the
22 goals of the municipal energy plan.

23 In particular, PEA
24 provides capabilities that the city

1 does not have on its own, including
2 holding long-term contracts for
3 energy procurement for projects
4 like the onsite PNE solar project.
5 PEA provides energy deal structure
6 and contracting expertise to
7 support the city's robust energy
8 procurement strategy.

9 Selected through a
10 competitive bid process, the 1.5
11 megawatt PNE solar Power Purchase
12 Agreement will cover 100% of PNE's
13 electricity needs. As Jessica
14 mentioned, a PPA is a very common
15 structure used to develop and
16 finance solar installations, in
17 which the city commits to buying
18 the electricity from the array, and
19 the third party handles
20 construction and operations and
21 maintenance through the entire term
22 of the contract.

23 It will be the city's
24 largest onsite solar project within

1 the city limits. And through this
2 procurement contract, the city will
3 purchase electricity at a fixed
4 rate, resulting in increased budget
5 stability and reducing risk
6 exposure to volatile energy
7 markets, something I know Council
8 has been talking about quite a bit
9 lately.

10 Some members may recall
11 that DOA and PEA brought this
12 project before Council once before
13 in 2022. The project did not
14 advance at that time due to
15 challenges with the PECO
16 interconnection process that caused
17 months of delay and our vendor
18 could not hold pricing until that
19 was resolved.

20 But DOA has been a very
21 patient and diligent partner to
22 PECO, making the necessary upgrades
23 so PECO can be ready to help
24 connect this important cost-

1 stabilizing clean energy resource
2 to the grid. We expect PECO will
3 continue to be a good partner to
4 ensure a smooth interconnection
5 process to allow our vendor
6 Reactivate to bring this project
7 into operation in time to capture
8 the sunseting federal tax credits.

9 PEA supports the PNE
10 solar project. It's a key strategy
11 in DOA's sustainability goals to
12 ensure that the city's energy
13 supply is clean, cost-controlled,
14 and affordable for the long term.
15 For these reasons, we ask for your
16 support of Bill No. 260464.

17 COUNCILMAN DRISCOLL:
18 Vice-Chair Young.

19 COUNCILMAN YOUNG: Thank
20 you. Once the solar is installed,
21 is the vendor allowed to then sell
22 that energy to other places other
23 than the airport?

24 MS. BARTOLOTTA: That's

1 a great question. The vendor is
2 selling the electricity to the
3 airport for the entire term of the
4 contract, so they will be the only
5 off-taker of the power from that
6 solar array.

7 COUNCILMAN YOUNG: Okay.
8 Thank you.

9 COUNCILMAN DRISCOLL:
10 Thank you for your testimony.

11 We'll now move on to
12 Bill No. 260464 -- I'm sorry.
13 We'll move on to Bill No. 260431.

14 Ms. McDonald, please
15 call the first panel we have to
16 testify this afternoon on Bill No.
17 260431.

18 THE CLERK: Jessica
19 Noon, Sustainability Manager,
20 Department of Aviation.

21 COUNCILMAN DRISCOLL:
22 Please state your name for the
23 record and proceed with your
24 testimony.

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1 MS. NOON: Good
2 afternoon, Chairman Driscoll and
3 members of the Committee on
4 Transportation and Public
5 Utilities. My name is Jessica
6 Noon, Sustainability Manager for
7 the Department of Aviation, DOA,
8 which manages both Philadelphia
9 International Airport and Northeast
10 Philadelphia Airport.

11 I'm here today to
12 testify in support of Bill No.
13 260431, authorizing the Procurement
14 Commissioner, on behalf of the
15 City -- this is the wrong one.
16 Sorry about that.

17 COUNCILMAN DRISCOLL:
18 Take your time.

19 MS. NOON: This is
20 correct. I'm here to testify in
21 support of Bill No. 260431,
22 authorizing the Procurement
23 Commissioner, on behalf of the
24 City, to enter into a concession

1 agreement with Positive Energy,
2 Inc. for the procurement,
3 construction, installation,
4 operation, and maintenance of
5 direct current fast chargers in the
6 cell phone lot at Philadelphia
7 International Airport, under
8 certain terms and conditions.

9 With the interest in
10 electric vehicles growing within
11 Philadelphia, many Philadelphians
12 struggle to find places to charge
13 their vehicles for the past few
14 years. Our team has been studying
15 to assess the appropriate location
16 and opportunity at PHL to install
17 EV charging stations for our
18 passengers, rideshare vehicles and
19 the public.

20 The site was chosen as
21 PHL cell phone waiting lot, as it
22 is accessible to both I-95 and
23 Route 291. The cell phone lot is
24 located immediately northwest of

1 the terminal complex and provides
2 temporary parking spaces for
3 individuals waiting to pick up
4 travelers coming through PHL.

5 Bill No. 260431 would
6 install four EV fast chargers,
7 which can charge up to eight
8 vehicles at a time and provide a
9 full charge within 30 minutes. All
10 members of the public, including
11 PHL passengers, rideshare
12 operators, who are typically not
13 allowed on the cell phone lot, will
14 be allowed to access these
15 chargers, creating an easily
16 accessible EV charging station for
17 people who live and work around the
18 airport.

19 The selected vendor,
20 Positive Energy, Inc. will initiate
21 a PECO amount account for this
22 location and design and build the
23 chargers, while the Department of
24 Aviation will review all design and

1 construction via concession
2 contract. Positive Energy shall
3 own and maintain the chargers and
4 not impose a fee for use of them.
5 The Department of Energy will
6 receive 33% of the revenue for the
7 first five years of this contract
8 and 37% for the following five
9 years.

10 Thank you for the
11 opportunity to testify in support
12 of Bill No. 260431. I kindly ask
13 the committee for a favorable
14 recommendation and that the rules
15 be suspended to allow for the first
16 reading at the next session of
17 Council. I'm happy to answer any
18 questions that you may have.

19 COUNCILMAN DRISCOLL: I
20 think we're good.

21 So hearing no further
22 questions from members for this
23 panel and there being no other
24 panels to testify on Bill No.

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1 260431, we'll move on to Bill No.
2 260428.

3 Ms. McDonald, will you
4 please call the first panel we have
5 to testify this afternoon on Bill
6 No. 260428.

7 THE CLERK: Anna Kelly,
8 Senior Policy Advisor for EV and
9 Parking, Office of Transportation
10 and Infrastructure Systems.

11 (Witnesses approached
12 witness table.)

13 COUNCILMAN DRISCOLL:
14 Good afternoon. Please state your
15 name for the record and proceed
16 with your testimony.

17 MS. KELLY: Good
18 afternoon, Chairperson Driscoll and
19 members of the Transportation
20 Committee. My name is Anna Kelly.
21 I'm Senior Policy Advisor for EV
22 and Parking with the Office of
23 Transportation and Infrastructure
24 Systems or OTIS. I'm here today

1 with Chris Puchalsky, Director of
2 Policy and Strategic Initiatives at
3 OTIS, and we're here to offer
4 testimony on Bill No. 260428
5 sponsored by Councilmember
6 Driscoll.

7 In addition to
8 Councilmember Driscoll, we'd like
9 to thank the Councilmembers and
10 staff for their ongoing engagement
11 on this program. So this bill will
12 authorize the launch of Charge PHL,
13 a public-private partnership in
14 which two vendors will provide over
15 800 publicly-available EV charging
16 stations across the city over the
17 next 10 years at no capital cost to
18 the city.

19 This bill will first
20 authorize OTIS and the Procurement
21 Commissioner, on behalf of the
22 City, to execute separate multi-
23 year concession agreements with
24 Itselectric and PositivEnergy to

1 site, design, install, own and
2 maintain a network of publicly-
3 available EV charging stations
4 throughout the city at curbside
5 locations and surface parking lots.

6 PositivEnergy and
7 Itselectric were selected out of
8 six bids submitted for this
9 opportunity. The procurement
10 process was quite extensive and
11 included several interviews,
12 demonstrations and extensive
13 negotiations. Both companies were
14 selected for their experience,
15 operations and maintenance plans,
16 and siting and expansion
17 approaches. In addition to this
18 criteria, both vendors have been
19 excellent partners throughout the
20 negotiations, expressing a
21 commitment to providing safe public
22 charging throughout all
23 Philadelphia neighborhoods and
24 ensuring that chargers throughout

1 the city provide the best possible
2 user experience.

3 While several companies
4 that applied had the technical
5 qualifications, these two companies
6 rose above as partners in the work
7 to expand EV access. Second, this
8 bill would amend Title 12, entitled
9 "Traffic Code" to authorize the
10 installation, use, administration
11 and enforcement of EV parking
12 spaces, provide for administrative
13 enforcement of violations of EV
14 parking violations, which would
15 include camera-based enforcement
16 and towing and finally, amend
17 Chapter 11-604 to sunset the
18 existing private curbside charging
19 program over the next 10 years.

20 This program was
21 initiated because the current state
22 of EV charging in the city is
23 unsafe and insufficient.
24 Currently, the average

1 Philadelphia lives a half mile
2 from a gas station, but 1.4 miles
3 from an EV charger. The lack of
4 available charging infrastructure
5 leaves many EV owners dangling
6 extension cords out of windows or
7 across sidewalks.

8 Through this program,
9 the city would provide a safe
10 option for existing EV owners and
11 to encourage EV uptake. The
12 expansion of EV infrastructure will
13 also improve the city's air
14 quality. Motor vehicles are
15 responsible for 60% of the city's
16 pollution, and Philadelphia
17 consistently receives an F grade
18 for pollution from the American
19 Lung Association.

20 The transition to EVs
21 will reduce these pollutants and as
22 a result, decrease the devastating
23 impacts of asthma and heart disease
24 in our communities. This expansion

1 of our EV infrastructure will come
2 at minimal cost to the city.
3 Capital costs will be contributed
4 by the vendors in conjunction with
5 federal funding, and vendors will
6 be responsible for the design,
7 installation, operations and
8 maintenance of the charging
9 network.

10 Securing these contracts
11 in a timely fashion is essential to
12 accessing federal funding rounds,
13 some of which are coming up at the
14 end of the summer between \$14
15 million to \$18 million in federal
16 funding. Since the legislation was
17 introduced, OTIS has engaged our
18 CEO leaders, advocates and Council
19 offices on this program to answer
20 questions and determine strategies
21 for citing curbside EV charging
22 stations across the city.

23 We've also received
24 letters of support from Physicians

1 for Social Responsibility, Clean
2 Air Council and the Electrification
3 Coalition. Thank you for the
4 opportunity to testify before you
5 today. I'd be happy to answer any
6 questions at this time.

7 COUNCILMAN DRISCOLL:
8 Vice-Chair Young.

9 COUNCILMAN YOUNG: Thank
10 you. Can you tell us if there or
11 what the cost would be for the user
12 on this? Will it be below what the
13 market is for this or can you tell
14 us how the pricing is determined?

15 MS. KELLY: Yeah. So
16 I'll start and then if Chris has
17 anything to add. We will be
18 approving any fee changes within
19 the -- the contract will enforce
20 our approval of any fee changes.
21 Doing some back-of-the-envelope
22 math, a charge overnight would
23 likely cost someone around \$13,
24 which is much lower than the cost

1 of gas and competitive with market
2 rate.

3 COUNCILMAN YOUNG: So I
4 think that's my -- not a concern,
5 but if this is going to be a
6 government program, I would expect
7 that it be a little bit lower than
8 what the market can produce. You
9 mentioned 1.5 miles away for a
10 charger station. I don't want the
11 government to be in the business of
12 potentially gouging folks out
13 because they know that they're just
14 further away from them to move.

15 So I just want us to
16 look at that a little bit to see
17 how we can lower those costs for
18 people. If we're going to
19 encourage EVs in our city, then
20 make sure that the costs attributed
21 to that are a little bit lower.

22 MR. PUCHALSKY:
23 Councilmember, I appreciate that
24 comment. The goal is that you

1 wouldn't be farther from an EV
2 charger than you are currently from
3 a gasoline station. And what we've
4 seen with the private market, it's
5 not so much that the costs are high
6 with the privately-available
7 chargers. Like my colleague Anna
8 said, they're much cheaper than
9 paying for gas. They're just not
10 available in certain neighborhoods.

11 And when we see where
12 the private sector has chosen to
13 install chargers, it's mostly
14 concentrated in Center City. And
15 what we're looking to do for this
16 program is making sure that every
17 resident has access to EV charging
18 close at hand in their
19 neighborhood.

20 COUNCILMAN YOUNG: Thank
21 you. I got drilled by a
22 constituent who lives in Fairmount
23 who's asking for this because they
24 see their neighbors under the old

1 program essentially have a free
2 parking spot in front of their
3 house. And so, they wanted access
4 to this. I mentioned this
5 legislation, but it's 10 years too
6 late for them essentially.

7 So I look forward to
8 helping with this particular
9 program and installing these all
10 over the city, which brings to my
11 next question. In my district we
12 have a lot of city-owned land.
13 Have you guys looked into
14 developing city-owned land for some
15 of these charging stations?

16 MR. PUCHALSKY: Yes. So
17 we are going to be using currently
18 city-owned and public PPA-operated
19 lots are going to be used for the
20 chargers. If there are
21 opportunities with other city-owned
22 land and there's not -- we'll be
23 glad to work with the Department of
24 Public Property to find that, if

1 that's the use that makes sense.

2 COUNCILMAN YOUNG: I
3 mean I'm just thinking, for
4 example, in North Philly, there is
5 no Parking Authority -- I mean,
6 there is a Parking Authority
7 managed lot but it's on city-owned
8 land. So I would just hope that we
9 take a look at some of those
10 outside of -- neighborhoods where
11 we want the expansion of electric
12 vehicles, if we can put that
13 infrastructure there to kind of
14 incentivize those residents to
15 purchase electric vehicles, I think
16 it would be helpful.

17 I mean, I have a lot of
18 friends who they rent Teslas for
19 Ubers, but they had to drive all
20 the way up to the Northeast to
21 charge their cars up while they're
22 working, right. So it'll be
23 helpful if you want to incentivize
24 other residents to purchase these

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1 electric vehicles to install them
2 in those neighborhoods where we
3 might not think that folks will
4 want to have them.

5 MR. PUCHALSKY: Yeah.
6 100% agree, and we will do that.

7 COUNCILMAN YOUNG: Thank
8 you.

9 COUNCILMAN DRISCOLL:
10 Councilmember Jones.

11 COUNCILMAN JONES: Thank
12 you, Mr. Chairman.

13 So currently, how many
14 charging stations do we have in
15 Philadelphia?

16 MS. KELLY: The last
17 count that I did there's around 175
18 that are publicly-available.
19 There's a lot that are private that
20 people have in their garages, et
21 cetera, that we don't have access
22 to that data. But, yeah, just
23 under 200.

24 COUNCILMAN JONES: And

1 the rollout of these stations that
2 are publicly accessible, will they
3 be in a 7-Eleven, you can go in and
4 charge your car? What's the
5 distribution plan for these
6 stations?

7 MS. KELLY: Yeah,
8 absolutely. So there's sort of two
9 categories here. One is the PPA
10 parking lots as we mentioned.
11 We'll be installing charging
12 stations, fast-charging stations,
13 and Level 2 charging stations in a
14 variety of PPA parking lots. And
15 then additionally, we'll be looking
16 at curbside locations and we'll be
17 working with Council offices and
18 with our COs to cite those
19 locations where they best make
20 sense.

21 We are going to build
22 into the contracts a distribution
23 plan that ensures that there are
24 chargers distributed to all Council

1 districts. We want to make sure
2 that that is solidified in this
3 10-year contract so we have
4 distribution across the city.

5 COUNCILMAN JONES: How
6 much is a charging station to
7 install?

8 MS. KELLY: Sorry.
9 Could you repeat that question?

10 COUNCILMAN JONES: Say
11 it again?

12 MS. KELLY: Could you
13 repeat that question?

14 COUNCILMAN JONES: How
15 much does it cost to build a
16 charging station?

17 MS. KELLY: So it varies
18 a little bit. Fast-charging
19 stations are quite expensive.
20 They're around \$800,000 for a
21 project. But Level 2 chargers are
22 much less expensive. They're
23 around \$15,000 to \$25,000. That's
24 one of the reasons we wanted to do

1 a concession contract. That means
2 the vendors are bringing those
3 capital costs to the table in
4 conjunction with federal funds that
5 we already won or are planning on
6 applying for.

7 COUNCILMAN JONES:
8 What's your time frame for the
9 rollout?

10 MS. KELLY: We're hoping
11 to have the first chargers
12 installed at the beginning of 2027,
13 if all goes well with contracting
14 timelines.

15 COUNCILMAN JONES: Thank
16 you, Mr. Chairman.

17 COUNCILMAN DRISCOLL:
18 Hearing no further questions from
19 this panel and there being no other
20 panels to testify on bills before
21 the committee, we will now
22 transition to our public comment
23 session.

24 Ms. McDonald, will you

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1 please call the first person making
2 public comment we have to testify
3 this afternoon on the bills before
4 the committee. I will note that
5 Mr. Lance Haver has already spoken.

6 THE CLERK: There are no
7 names for public comment.

8 COUNCILMAN DRISCOLL:
9 Okay. I'd like to thank all our
10 witnesses for joining us today.

11 There being no further
12 questions from members of the
13 committee and no other witnesses to
14 testify on Bill Nos. 251020,
15 251021, 260426, 260427, 260464,
16 260431, 260428. I will ask if
17 there's anyone else present in this
18 hearing whose name we have failed
19 to call and that wishes to offer
20 testimony on the bills being
21 considered today?

22 (No response.)

23 COUNCILMAN DRISCOLL:

24 Hearing none, I want to thank the

Committee on Transportation and Public Utilities

1 panels and the witnesses for their
2 participation today. This
3 concludes the public hearing of the
4 committee. We will now go into a
5 public meeting to consider the
6 action to be taken on the bills
7 before this committee today.

8 Ms. McDonald, will you
9 please call the roll to take
10 attendance. Members that are in
11 attendance, please indicate you are
12 present when your name is called.

13 THE CLERK:
14 Councilmember Brooks.

15 COUNCILWOMAN BROOKS:
16 Present.

17 THE CLERK:
18 Councilmember Jones.

19 COUNCILMAN JONES:
20 Present.

21 THE CLERK:
22 Councilmember Phillips.

23 COUNCILMAN PHILLIPS:
24 Present.

Committee on Transportation and Public Utilities

1 THE CLERK:

2 Councilmember Squilla.

3 COUNCILMAN SQUILLA:

4 Present.

5 THE CLERK: Vice-Chair

6 Young.

7 COUNCILMAN YOUNG:

8 Present.

9 THE CLERK: Chair

10 Driscoll.

11 COUNCILMAN DRISCOLL:

12 Present. The Chair recognizes

13 Councilmember Young for a motion on

14 the amendment to Bill No. 251021.

15 COUNCILMAN YOUNG: Thank

16 you, Mr. Chair.

17 I offer an amendment to

18 Bill No. 251021. A copy of the

19 amendment has been circulated to

20 all members of the committee. I

21 move that the amendment to Bill No.

22 251021 be approved.

23 (Duly seconded.)

24 COUNCILMAN DRISCOLL:

Committee on Transportation and Public Utilities

1 The Chair notes for the record that
2 Councilmember Jones seconds the
3 motion. It has been moved and
4 properly seconded that the
5 amendment to Bill No. 251021 be
6 approved.

7 All those in favor of
8 the motion will signify by saying
9 aye.

10 (Aye.)

11 COUNCILMAN DRISCOLL:

12 Those opposed?

13 (No response.)

14 COUNCILMAN DRISCOLL:

15 The ayes have it. The motion
16 carries and the amendment to Bill
17 No. 251021 has been approved.

18 Chair recognizes
19 Councilmember Young for a motion on
20 the amendment to Bill No. 260464.

21 COUNCILMAN YOUNG: Thank
22 you, Mr. Chair.

23 I offer an amendment to
24 Bill No. 260464. A copy of the

1 amendment has been circulated to
2 all members of the committee. I
3 move that the amendment to 260464
4 be approved.

5 (Duly seconded.)

6 COUNCILMAN DRISCOLL:

7 Chair notes for the record that
8 Councilmember Brooks seconds the
9 motion. It has been moved and
10 properly seconded that the
11 amendment to Bill No. 260464 be
12 approved.

13 All those in favor of
14 the motion will signify by saying
15 aye.

16 (Aye.)

17 COUNCILMAN DRISCOLL:

18 Those opposed?

19 (No response.)

20 COUNCILMAN DRISCOLL:

21 The ayes have it. The motion
22 carries and the amendment to Bill
23 No. 260464 has been approved.

24 Chair recognizes

Committee on Transportation and Public Utilities

1 Councilmember Young for a motion on
2 Bill No. 251021 as amended and Bill
3 No. 260464 as amended.

4 COUNCILMAN YOUNG: Thank
5 you, Mr. Chair.

6 I move that Bill Nos.
7 251021 as amended and Bill No.
8 260464 as amended be reported from
9 this committee with a favorable
10 recommendation, and further move
11 that the rules of Council be
12 suspended to permit the first
13 reading of these bills at our next
14 session of Council.

15 (Duly seconded.)

16 COUNCILMAN DRISCOLL:
17 The Chair notes for the record that
18 Councilmember Brooks seconds the
19 motion.

20 It has been moved and
21 properly seconded that Bill No.
22 251021 as amended and Bill No.
23 260464 as amended be reported from
24 this committee with a favorable

1 recommendation and further move
2 that the rules of Council be
3 suspended to permit first reading
4 of this bill at the next session of
5 Council.

6 All those in favor of
7 the motion will signify by saying
8 aye.

9 (Aye.)

10 COUNCILMAN DRISCOLL:

11 The ayes have it. The motion
12 carries.

13 Chair recognizes
14 Councilmember Young for a motion on
15 Bill Nos. 251020, 260426, 260427,
16 260431 and 260428.

17 COUNCILMAN YOUNG: Thank
18 you, Mr. Chair.

19 I move that Bill Nos.
20 251020, 260426, 260427, 260431 and
21 260428 be reported from this
22 committee with a favorable
23 recommendation, and further move
24 that the rules of Council be

1 suspended to permit first reading
2 of these bills at our next session
3 of Council.

4 (Duly seconded.)

5 COUNCILMAN DRISCOLL:

6 The Chair notes for the record that
7 Councilmember Squilla seconds the
8 motion.

9 It has been moved and
10 properly seconded that Bill Nos.
11 251020, 260426, 260427, 260431 and
12 260428 be reported from this
13 committee with a favorable
14 recommendation and further move
15 that the rules of Council be
16 suspended to permit first reading
17 of these bills at the next session
18 of Council.

19 All those in favor of
20 the motion will signify by saying
21 aye.

22 (Aye.)

23 COUNCILMAN DRISCOLL:

24 The ayes have it. The motion

Committee on Transportation and Public Utilities

1 carries.

2 This concludes the
3 business before this Committee on
4 Transportation -- hold on.

5 This concludes the
6 business before the Committee on
7 Transportation and Public Utilities
8 today. Thank you all very much for
9 your attendance. We're adjourned.

10 (Committee on
11 Transportation and Public Utilities
12 concluded at 4:59 p.m.)

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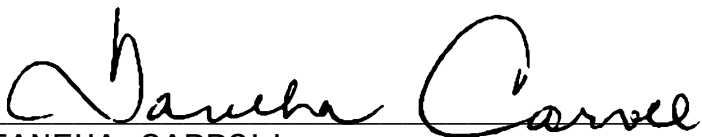
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I, hereby certify that the proceedings
and evidence noted are contained fully and
accurately in the stenographic notes taken
by me in the foregoing matter, and that
this is a correct transcript of the same.


TANEHA CARROLL
Court Reporter - Notary Public

(The foregoing certification of this
transcript does not apply to any
reproduction of the same by any means,
unless under the direct control and/or
supervision of the certifying reporter.)

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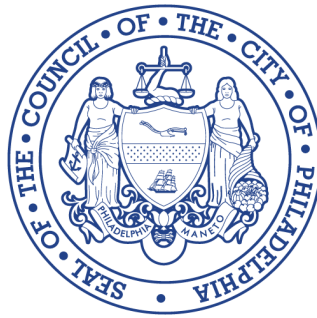
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City of Philadelphia

*City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107*



Meeting Agenda

Tuesday, June 2, 2026

2:00 PM

Room 400, City Hall

Committee on Transportation and Public Utilities

The Committee on Transportation and Public Utilities of the Council of the City of Philadelphia will hold a Public Hearing on Tuesday, June 2, 2026, at 2:00 PM, in Room 400, City Hall, to hear testimony on the following items:

251020

An Ordinance Amending Section 19-1604 of The Philadelphia Code, entitled “Charges Where Water Meter Has Become Defective,” by authorizing the reduction of customer water bills due to defective or inaccurate water meters, under certain terms and conditions.

Attachments: [Bill No. 25102000](#)

251021

An Ordinance Amending Chapter 19-1600 of The Philadelphia Code, entitled “Water and Sewer Rents,” by revising income eligibility standards for rate discounts and installment payment agreements, all under certain terms and conditions.

Attachments: [Bill No. 25102100](#)

260426

An Ordinance Authorizing the Director of Aviation, on behalf of the City of Philadelphia, to modify a certain easement and acquire additional easement interests in connection with a portion of the parcel or parcels of land commonly known as 8350 Executive Avenue, under certain terms and conditions.

Attachments: [Bill No. 26042600](#)

260427

An Ordinance Authorizing the Director of the Department of Aviation to acquire, on behalf of the City, fee simple title or a lesser interest by purchase, amicable negotiation, dedication, donation, condemnation, agreement in lieu of condemnation or otherwise, in and to all or portions of a certain parcel of land known as 8800 Tinicum Boulevard in Philadelphia County, under certain terms and conditions.

Attachments: [Bill No. 26042700](#)

260428

An Ordinance Authorizing the Office of Transportation and Infrastructure Systems and the Procurement Commissioner, on behalf of the City, to execute separate multi-year concession agreements with It's Electric Inc. and Positive Energy Inc. in connection with a City electric vehicle charging program to site, design, install, own, operate and maintain a network of publicly available electric vehicle charging stations throughout the City at curbside locations and surface parking lots; amending Chapter 11-604 of The Philadelphia Code, entitled "Encroachments Upon and Obstructions of the Street" to provide for discontinued approval of Electric Vehicle Charger encroachments; and amending Title 12, entitled "Traffic Code," to authorize the installation, use, administration and enforcement of electric vehicle parking spaces, provide for administrative enforcement of violations of electric vehicle parking violations, including camera-based enforcement and towing, all under certain terms and conditions.

Attachments: [L260428 - Exh A Term Sheet It's Electric Council Final](#)
[L260428 - Exh B Term Sheet PositivEnergy Council Final](#)
[Bill No. 26042800](#)

260431

An Ordinance Authorizing the Procurement Commissioner, on behalf of the City, to enter into a concession agreement with Positive Energy Inc. for the procurement, construction, installation, operation, and maintenance of Direct Current Fast Chargers in the cell phone lot at Philadelphia International Airport, under certain terms and conditions.

Attachments: [Bill No. 26043100](#)

260464

An Ordinance Authorizing the Procurement Department, on behalf of the City of Philadelphia, to enter into an agreement with the Philadelphia Energy Authority to purchase electricity and certain attributes and benefits related to the generation of such electricity from a solar energy facility to be built and owned by Reactivate, LLC, located at Northeast Philadelphia Airport for use at and in connection with City facilities, all under certain terms and conditions.

Attachments: [Bill No. 26046400](#)

Immediately following the public hearing, a meeting of the Committee on Transportation and Public Utilities, open to the public, will be held to consider the action to be taken on the above listed items. Copies of the foregoing items are available in the Office of the Chief Clerk of the Council, Room 402, City Hall.