



City of Philadelphia

**LAW DEPARTMENT
Water Division
1101 Market Street
5th Floor
Philadelphia, PA 19107**

686868

M E M O R A N D U M

**TO: Howard M. Neukrug, Commissioner
Dave Katz, Deputy Commissioner
Erin Williams, Stormwater Billing Manager
Philadelphia Water Department**

**FROM: Scott Schwarz, Divisional Deputy City Solicitor
Water Division**

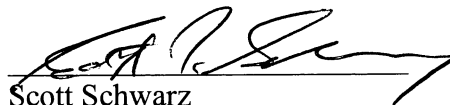
DATE: June 8, 2015

**SUBJECT: AMENDMENT TO PHILADELPHIA WATER DEPARTMENT
REGULATIONS**

DEPARTMENT OF RECORDS
2015 JUN 10 PM 3:42

I have reviewed the attached amendments to Section 204.0 of the Philadelphia Water Department Regulations and find the regulations to be legal and in proper form.

In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, you may forward this Regulation to the Department of Records where they will be made available for public inspection.


Scott Schwarz
Deputy Divisional City Solicitor

Proposed Final Regulation

204.0 ENHANCED CAP

(A) Enhanced CAP is an assistance program that sets limits on a Non-residential property's monthly SWMS charge increase due to the phase-in of parcel area-based charges, subject to eligibility criteria.

Enhanced CAP is an account-based program effective January 1, 2013 and it replaces the SWAPP described in section 203.0 of these Regulations.

(B) Eligibility. To be eligible for Enhanced CAP, an account must meet all of the following criteria:

- (i) Account must be for a Non-residential property;
- (ii) For a fiscal year with a scheduled rate increase, the current fiscal year monthly SWMS charge must be at least 10% more than the prior fiscal year's monthly SWMS charge;
- (iii) For a fiscal year with a scheduled rate increase, the current fiscal year monthly SWMS charge must be at least \$100 more than the prior fiscal year's monthly SWMS charge;
- (iv) Account shall not be delinquent in (a) any tax payments to the City or (b) the payment of water/sewer/stormwater charges; and
- (v) Account shall not be for a property owned by the City, state, or federal governments, or owned by any quasi-City or City-related agency.

(C) Base Year. The Base Year refers to the fiscal year to which the Enhanced CAP eligibility criteria shall be applied and from which the Enhanced CAP monthly SWMS charge shall be calculated. The Base Year SWMS charge shall be set as follows:

(i) For customers enrolled in SWAPP as of December 31, 2012, the Base Year SWMS charge will be the SWAPP SWMS charge that existed on June 30, 2012.

(ii) For new enrollees in the Enhanced CAP program, the base year SWMS charge will be the SWMS charge that existed on the last day of the prior fiscal year.

(D) Enrollment Period. Eligible accounts may enroll in Enhanced CAP from January 1, 2013 through September 30, 2013.

(E) The Enhanced CAP program is subject to further review, extension, modification or termination in a subsequent Rate Determination.

(F) Assistance.

Eligible accounts shall receive payment assistance in the form of an adjustment towards the account's monthly stormwater bill. Starting January 1, 2013, the adjustment shall be set at such an amount so that the eligible account's monthly stormwater bill during the remainder of Fiscal Year 2013 shall be equal to the account's Fiscal Year 2012 monthly bill plus 10.00% (ten percent). For Fiscal Year 2014, the adjustment shall be set at such an amount so that the eligible account's monthly stormwater bill during that Fiscal Year shall be equal to its Fiscal Year 2013 monthly bill plus 10.00% (ten percent). For Fiscal Year 2015 and any subsequent fiscal year for the duration of the Enhanced CAP assistance program, the adjustment shall be set at such an amount so that the eligible account's monthly stormwater bill during the current fiscal year shall be equal to the preceding fiscal year's monthly bill plus 10.00% (ten percent).

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DEPARTMENT OF REVENUE

Proposed Amendments to Current Regulation

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DEPARTMENT OF REVENUE
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stormwater bill during ~~that~~ the current fiscal
year shall be equal to ~~its Fiscal Year 2014~~
the preceding fiscal year's monthly bill plus
10.00% (ten percent).

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