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# WUC

Water Utility Council of the  
PA-Section, American Water  
Works Association (PA-AWWA)



## GOVERNMENT RELATIONS UPDATE

### From Gmerek Government Relations, Inc.

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*PA- Section, American Water Works Association  
National Association of Water Companies  
Water Works Operators' Association of Pennsylvania*

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## DEP Seeks Nominations for Governor's Award for Environmental Excellence; Deadline to Apply is Monday, March 2

**O**n January 28, 2015, DEP Acting Secretary John Quigley invited Pennsylvania individuals and organizations to apply for the 2015 Governor's Award for Environmental Excellence. The awards program is open to all Pennsylvania businesses, farms, government agencies, educational institutions, non-profit organizations and individuals who have created or participated in the development of a project that promotes environmental stewardship and economic development in the state.

“We want to recognize and showcase the innovative ways these projects transformed environmental obstacles into opportunities,” Quigley said. “Sharing the details of their success may spark change for other businesses and organizations struggling with the same challenges.”

Eligible projects must have been completed between Aug. 1, 2013 and July 31, 2014. Projects

should showcase technological advances, promote renewable energy solutions, reduce environmental threats, provide environmentally responsible economic opportunity, foster environmental education or restore watersheds.

Projects will be selected based on the following seven criteria:

- Environmental Protection
- Partnership
- Public Service
- Environmental Education and Outreach
- Pollution Prevention
- Economic Impact
- Innovating Technology.

Winners will be recognized in April during an awards ceremony and dinner hosted by the Pennsylvania Environmental Council.

The award application and guidelines are available on DEP's website. For more information, visit [www.dep.state.pa.us](http://www.dep.state.pa.us), keyword: Governor's Award.

**Source:** DEP Press Release, 1/28/2014

## State Senate Unanimously Approves Yaw Leaseholder Protection Bills

Two bills protecting natural gas leaseholders across the state were unanimously approved January 28, 2015 by the full state Senate, according to Senator Gene Yaw (R-23).

Yaw, who sponsored both legislative measures, said Senate approval of the bills was a clear sign that fair and proper treatment of landowners leased with natural gas drilling companies must remain paramount.

"These bills will give landowners more weapons to use in their arguments with the gas drilling companies that pay their royalties," Yaw said. "We've tried to provide them with the tools that they can use to determine the accuracy their royalty reports."

As approved today, [Senate Bill 147](#) would allow a royalty interest owner the opportunity to inspect records of a gas company to verify proper payment. In addition, the legislation requires that proceeds from production of oil and gas shall be paid within 90 days of production to ensure monthly royalty payments, unless otherwise stated in the lease.

Further, [Senate Bill 148](#) would prohibit a gas company from retaliating against a royalty interest owner by terminating the lease agreement or ceasing development because a landowner questions the accuracy of the royalty payments.

Both bills now move to the House of Representatives for consideration.

For more information, visit Sen. Yaw's website at [www.SenatorGeneYaw.com](http://www.SenatorGeneYaw.com), on Facebook [www.facebook.com/gene.yaw.3](https://www.facebook.com/gene.yaw.3), or on Twitter @SenatorGeneYaw.

Source: Senator Yaw Press Release, 1/28/2015

## Governor Wolf Signs Executive Order Reinstating

## Moratorium on New Leases for Oil and Gas Development in State Parks and Forests

On January 29, 2015, Governor Tom Wolf signed an executive order reinstating a moratorium on new leases for oil and gas development in state parks and forests. At an event in Benjamin Rush State Park, Governor Wolf signed the executive order with members of the General Assembly in attendance.

"Natural gas development is vital to Pennsylvania's economy, but so is the economic and environmental viability of our parks and forests," said Governor Wolf. "This is about striking the right balance. Our state parks and forests are unique assets that should be preserved, protected, and utilized by our residents for recreational purposes."

"Our parks host 38 million visitors annually, support over 13,000 jobs, and provide \$1.2 billion to the state's economy," Governor Wolf continued. "We should be looking for opportunities to grow our recreational and tourism economy through a revitalized parks and forest system that ensures we are preserving our natural resources and protecting our people and the environment."

Pennsylvania's Department of Conservation and Natural Resources (DCNR) has concluded that additional leasing jeopardizes the agency's ability to sustain the commonwealth's gold-standard forest certification, which is vital the economic and environmental well-being of the state's parks and forests. The executive order states that effective immediately, DCNR is directed to protect the lands of the Commonwealth that are held in trust for its citizens and for future generations, and subject to future advice and recommendations made by DCNR, no State Park and State Forest lands owned and/or managed by DCNR shall be leased for oil and gas development.

Source: Governor's Press Office, 1/29/2015

## Pennsylvania American Water Announces New

# Senior Director of Operations

**O**n January 27, 2015, Pennsylvania American Water announced the appointment of Beatty Wynn Morgan to the position of Senior Director of Field Operations for Pennsylvania American Water.

Morgan will be responsible for leading distribution and production in western Pennsylvania for the company's water and wastewater business, serving more than 300,000 Pennsylvania American Water customers in communities throughout Allegheny, Armstrong, Beaver, Butler, Clarion, Fayette, Indiana, Jefferson, Lawrence, McKean, Warren and Washington counties. He will be based in the company's McMurray office.

Morgan comes to Pennsylvania from sister company Missouri American Water, where he joined the company in 2009, and held a number of positions. He most recently served as senior manager of field services and production. Prior to that role, he served as superintendent, engineering manager and senior project manager.

"During my short time in Pennsylvania, I've had the opportunity to experience how customer-focused our operations, production and engineering staff are throughout our 11-county service area," said Morgan. "I am honored to be serving our customers in western Pennsylvania and proud to be associated with the professionals who work for Pennsylvania American Water in this area. Those professionals ensure our customers enjoy high-quality water and wastewater service."

Morgan has served in the U.S. Air Force and received his bachelor's degree in chemical engineering from Auburn University.

Pennsylvania American Water, a subsidiary of American Water (NYSE: AWK), is the largest water utility in the state, providing high-quality and reliable water and/or wastewater services to approximately 2.1 million people.

Founded in 1886, American Water is the largest publicly traded U.S. water and wastewater utility

company. With headquarters in Voorhees, N.J., the company employs approximately 6,600 dedicated professionals who provide drinking water, wastewater and other related services to an estimated 14 million people in more than 40 states and parts of Canada. More information can be found by visiting [www.amwater.com](http://www.amwater.com).

**Source:** Pennsylvania American Water, 1/27/2015

## PUC: Chapter 14 Implementation; Tentative Order

**O**n October 22, 2014, Governor Corbett signed into law HB 939, or Act 155 of 2014, which is intended to protect responsible bill paying customers from rate increases attributable to the uncollectible accounts of customers. The legislation is applicable to electric distribution utilities, water distribution utilities, natural gas distribution utilities, steam heat and wastewater utilities. The Act reauthorized and amended Chapter 14 of the Public Utility Code (66 Pa.C.S. §§ 1401—1419), Responsible Utility Customer Protection. The amended Chapter 14 supersedes a number of Chapter 56 regulations, and is directed to revise Chapter 56 and promulgate regulations to administer and enforce Chapter 14.

Ultimately, the Commission will promulgate a rulemaking to revise Chapter 56. Parties will have an opportunity to participate in this proceeding where the Commission will consider and decide upon a number of issues related to Act 155. However, a rulemaking is a lengthy process, and the Commission is aware of some issues in Act 155 that may be in need of more immediate Commission guidance as to their implementation and interpretation. The Commission proposes to start addressing these more urgent issues via this tentative implementation order.

In reviewing Act 155, the following two issues are in the most need of immediate attention:

- Section 1403, Definition of Medical Certificate: The Commission is approving the "form" that a medical certificate must take.

- Section 1410.1(3) and (4): Utility reporting requirements concerning accounts with arrearages in excess of \$10,000.00 and annual reporting of medical certificate usage.

Although the Commission considers these two issues to be the most pressing, they understand that this is an on-going process and that other implementation issues may need to be resolved either in the rulemaking or another Commission proceeding. As such, parties are invited to suggest other Act 155 implementation issues in response to this Tentative Order that they think the Commission needs to address sooner rather than waiting for the conclusion of a rulemaking.

Interested parties shall have 30 days (deadline March 2, 2015) from the date of publication in the Pennsylvania Bulletin to submit written comments with the Pennsylvania Public Utility Commission.

The contact persons for this matter are Dan Mumford, Bureau of Consumer Services, (717) 783-1957 or [dmumford@pa.gov](mailto:dmumford@pa.gov) or Patricia T. Wiedt, Law Bureau (717) 787-5755 or [pwiedt@pa.gov](mailto:pwiedt@pa.gov).

Source: [PA Bulletin, 1/31/2015](#)

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*This newsletter provides general information, not legal advice as to any specific matter. It should not be used as a substitute for appropriate legal advice.*