
WUC

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



GOVERNMENT RELATIONS UPDATE

From Gmerek Government Relations, Inc.

212 Locust Street ♦ Suite 300 ♦ Harrisburg, PA 17101 ♦ Phone: 717-234-8525 ♦ Cell: 717-574-3963 ♦ Fax:
717-234-8812 ♦ Erik A. Ross, Senior Lobbyist ♦ www.ggrgov.com

Harrisburg, PA

eross@ggrgov.com

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

NAWC – PA Chapter Honors State Rep. John Maher for Dedication to Safe Drinking Water

On May 3, 2016, the National Association of Water Companies, Pennsylvania Chapter (NAWC) recognized State Representative John A. Maher (R-Allegheny/Washington) with its James McGirr Kelly Award for Excellence. The organization honored Maher during its awards luncheon at the NAWC Annual Meeting in the Commonwealth Keystone Building in Harrisburg.



Left to right: Kathy Pape, Rep. John Maher, Jeff Hines, and John Hollenbach

The James McGirr Kelly Award for Excellence is the highest honor bestowed by NAWC. The industry association presents the award each year to a resident of Pennsylvania who most exemplifies dedication to promoting the availability of safe drinking water in the commonwealth.

“This award reflects our industry’s sincere gratitude to Representative Maher for his years of dedicated public service and advocacy for policies that promote a healthy environment and reinvestment in infrastructure to ensure safe and reliable water and wastewater service for all Pennsylvanians,” said NAWC Pennsylvania Chapter Chairman David Kaufman.

As state representative for the 40th Legislative District, Maher chairs the House Environmental Resources and Energy Committee. He was a key supporter of Act 11 of 2012, which gives the Public Utility Commission (PUC) the authority to allow utilities to recover the capital costs associated with investment in infrastructure in a timely manner. In addition, Rep. Maher is the prime sponsor of House Bill 1737 – Safe Pharmaceutical Disposal – which allows expired or unwanted prescription drugs generated by households and collected as part of a registered collection event to be destroyed.

“Failures in Flint, Michigan, and elsewhere are in stark contrast with the amazing records of Pennsylvania's water companies,” said Maher. “Pennsylvanians can take safe tap water for granted precisely because thousands working for water utilities never do!”

The NAWC Annual Meeting coincides with “Drinking Water Week” in Pennsylvania and featured presentations by Pennsylvania Public Utility Commission Chairman Andrew Place; Dana Aunkst, deputy secretary for Water Programs at the Department of Environmental Protection; Dr. Mark W. LeChevallier, director of Innovation & Environmental Stewardship at American Water; and an executive forum featuring utility executives from the NAWC.

The NAWC (www.nawc.org) represents all aspects of the private water service industry including ownership of regulated drinking water and wastewater utilities and the many forms of public-private partnerships and management contract arrangements. The Pennsylvania Chapter consists of seven member companies that provide safe and adequate drinking water service to over 3.1 million Pennsylvanians in 492 communities in 39 counties. In addition, four member companies provide wastewater service to approximately 195,000 Pennsylvanians in 34 communities across nine counties.

Source: NAWC -- PA Chapter, 5/3/2016

Governor Wolf Nominates David Sweet to Pennsylvania Public Utility Commission

On May 4, 2016, Governor Tom Wolf nominated David Sweet to serve as commissioner on the Public Utility Commission.

"I am pleased to nominate David Sweet to serve as commissioner on the Public Utility Commission," said Governor Wolf. "David's expertise in finance law, his knowledge of state government and economic development, and his depth of work on energy issues makes him an

important fit for the PUC. It is imperative for our economy to harness Pennsylvania's abundance of energy resources and to ensure we have the infrastructure in place to further develop the natural gas and other energy industries. Additionally, David's government experience will be an asset to the PUC, especially in helping consumers."

Biography:

David Sweet joined the Wolf Administration in April 2015, where he served as the senior advisor to Governor Wolf, focusing on energy and economic development issues. Among his many assignments was serving as liaison to the Philadelphia Regional Port Authority. Sweet also served as the governor's designee on the Banking and Securities Commission.

Prior to his time with the Wolf Administration, Sweet was a former partner at two major Pennsylvania law firms. His focus was on administrative and regulatory matters, legislative advocacy and public finance. Sweet has represented clients before state and local agencies, boards and commissions, and in matters before the Pennsylvania General Assembly and the executive branch. His clients included large businesses, emerging new companies, and major universities. David has expertise in public and project finance, where he has served as bond counsel, underwriter's counsel, and special counsel in financings totaling over \$3 billion. These projects were located in Pittsburgh and Philadelphia, and in counties throughout the state, including Bedford, Montgomery, Dauphin, Washington, Huntingdon, Northumberland, Butler, Greene, and Berks, as well as in New Jersey, Virginia and Maryland. Sweet has also served as bond counsel or special counsel for the Commonwealth of Pennsylvania and the Pennsylvania Economic Development Financing Authority (PEDFA), the Commonwealth Finance Authority (CFA) and the County Commissioners Association of Pennsylvania.

Sweet was a member of the Pennsylvania House of Representatives (D., Washington County) from 1977 to 1988. He was chairman of the House Local Government Committee for the 1987-88 legislative session, and through his efforts, major legislation on local tax reform, distressed municipalities and

Pennsylvania's land use and zoning regulations was enacted. In 1993-94, David chaired Pennsylvania Governor Casey's Commission on Corrections Planning and the Pennsylvania Chamber of Business and Industry's State Government Committee.

Sweet earned a B.A. from the University of Pennsylvania in 1970, a M.A. from University of Chicago in 1971, and a J.D. from The Pennsylvania State University - Dickinson School of Law in 1981.

Source: Governor Wolf's Press Office, 5/4/2016

EPA's WaterSense and Partners Encourage Americans to Spruce up Their Sprinklers for Summer Watering

One broken sprinkler head can waste 25,000 gallons of water in just six months. To avoid issues like this, EPA is reminding homeowners to give their sprinklers a little spruce up prior to the onset of warmer weather and increased outdoor watering. The easiest way to spruce up a sprinkler is to find an irrigation professional certified by a WaterSense labeled program that has been trained on water-efficient techniques. For those who prefer the hands-on approach to sprucing up their sprinklers they can follow four easy steps: [inspect](#), [connect](#), [direct](#) and [select](#).

Learn [More](#).

Source: Water Headlines from EPA, 5/4/2016

EPA Celebrates American Wetlands Month: Learn! Explore! Take Action!

EPA and its partners are announcing a number of events to celebrate American Wetlands Month this May. On May 11th, the

Environmental Law Institute, EPA, and other federal partners will honor a diverse group of individuals for their extraordinary commitment to conserving wetlands at the [National Wetlands Awards Ceremony](#).

On May 18th, EPA will co-host a [webinar](#) featuring the new Wetland Treasures Program created by the Society of Wetland Scientists. The results of the 2011 National Wetlands Condition Assessment will be published mid-May and will be accessible through the EPA Wetlands homepage. Everyone is encouraged to follow the EPA on Twitter (@EPAwater) and share pictures of you and others celebrating American Wetlands Month using the hashtag #WetlandsWork.

Learn [More](#).

Source: Water Headlines from EPA, 5/4/2016

Pennsylvania Revenue Department Releases April 2016 Collections

Pennsylvania collected \$3.7 billion in General Fund revenue in April, which was \$24.8 million, or 0.7 percent, less than anticipated, Secretary of Revenue Eileen McNulty reported on May 2, 2016. Fiscal year-to-date General Fund collections total \$25.9 billion, which is \$122.6 million, or 0.5 percent, above estimate.

Sales tax receipts totaled \$842.2 million for April, \$21.5 million below estimate. Year-to-date sales tax collections total \$8.1 billion, which is \$6.3 million, or 0.1 percent, more than anticipated.

Personal income tax (PIT) revenue in April was \$1.9 billion, \$85 million below estimate. This brings year-to-date PIT collections to \$10.5 billion, which is \$106.5 million, or 1 percent, below estimate.

April **corporation tax revenue** of \$481.9 million was \$33.3 million above estimate. Year-to-date corporation tax collections total \$4.5 billion,

which is \$105.8 million, or 2.4 percent, above estimate.

Inheritance tax revenue for the month was \$67.2 million, \$11.3 million below estimate, bringing the year-to-date total to \$769.6 million, which is \$20 million, or 2.7 percent, above estimate.

Realty transfer tax revenue was \$32.8 million for April, \$3.8 million below estimate, bringing the fiscal-year total to \$389.2 million, which is \$1.5 million, or 0.4 percent, more than anticipated.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and table games taxes, totaled \$119.1 million for the month, \$500,000 above estimate and bringing the year-to-date total to \$1.1 billion, which is \$3.3 million, or 0.3 percent, below estimate.

Non-tax revenue totaled \$234.8 million for the month, \$62.9 million above estimate, bringing the year-to-date total to \$574.5 million, which is \$98.8 million, or 20.8 percent, above estimate.

In addition to the General Fund collections, the **Motor License Fund** received \$220.4 million for the month, \$27.2 million below estimate. Fiscal year-to-date collections for the fund - which include the commonly known gas and diesel taxes, as well as other license, fine and fee revenues - total \$2.2 billion, which is \$38 million, or 1.7 percent, below estimate.

Source: Pennsylvania Department of Revenue, 5/2/2016

Committee Votes to Halt Implementation of Problematic Oil and Gas Regulations While Solution Worked Out

With a bipartisan voice, the House Environmental Resources and Energy Committee today voted to approve a concurrent resolution to stop implementation of oil and gas drilling regulations because they appear to

be at odds with both legislative intent and recent Supreme Court decisions.

Rep. John Maher (R-Allegheny/Washington), chairman of the committee, observed, "Today's action starts a clock which, I hope, is an opportunity for good faith discussions to sort out important issues."

Pennsylvania's Regulatory Review Act provides for legislative oversight of regulations at the end of each process to ensure that regulations are consistent with statutory law.

Source: Rep. Maher Press Release, 5/3/2016

Senator-Elect Tom Killion to Be Sworn Into Office Wednesday, May 11

State Senator-Elect Tom Killion (R-9) will formally be sworn into office during a ceremony set for 11 a.m., Wednesday, May 11, in the Senate Chamber of the Pennsylvania State Capitol in Harrisburg.

Killion will be sworn in by The Honorable Chad F. Kenney, President Judge of the Delaware County Court of Common Pleas.

Killion was elected to the State Senate on April 26, winning a special election to represent the citizens of the 9th Senatorial District, which includes portions of Chester and Delaware counties.

Prior to his election to the Senate, Killion served as a State Representative for the 168th Legislative District and was Chairman of the Delaware County Council. He also founded two local small businesses.

A graduate of Penn State University, Senator-Elect Killion and his wife Eileen live in Middletown and have two adult daughters.

The swearing-in ceremony will be streamed live at www.pasenategop.com

Source: Senate Republican Communications,
5/5/2016

Former Pennsylvania Public Utility Commissioner Cawley to be Honored by Pennsylvania Bar Association for Leadership in Administrative Law

The Pennsylvania Bar Association Administrative Law Section will present its James S. Bowman Award to former Pennsylvania Public Utility Commission (PUC) James H. Cawley during the state association's Annual Meeting Awards Luncheon on May 12 in Hershey.

The James S. Bowman Award honors a lawyer who is making a significant impact on the practice of administrative law and who is demonstrating leadership in mentoring administrative law practitioners.

Cawley began his legal career in 1970 as one of the seven original law clerks serving judges of the newly-created Commonwealth Court of Pennsylvania.

He was later appointed majority counsel to the Pennsylvania Senate Consumer Affairs Committee and drafted several major amendments to public utility laws and assisted with codification of those laws.

In 1977, Cawley was appointed chief counsel to the Senate Majority Floor Leader. He coauthored the Public Utility Code and later coauthored the Public Utility Rate Case Handbook: *A Guide to Utility Ratemaking Before the Pennsylvania Public Utility Commission*.

From 1979 through 1985, Cawley was a member of the Pennsylvania PUC.

He then returned to private practice, concentrating on administrative law and appellate

practice. His clients included a wide array of public utilities and competitive telephone, electric and natural gas providers.

In 2005, Governor Ed Rendell nominated Cawley to return to the PUC. He was elected vice chair by his colleagues shortly after taking office. During 2008 to 2011, Cawley was chair of the commission. He left the PUC in March of 2015.

In 2010, Cawley was appointed by the Federal Communications Commission to serve on the Federal-State Joint Board for Universal Service, which was created by Congress to ensure the availability of telecommunications services throughout the country.

Cawley served as an adjunct professor of administrative law at Widener University Commonwealth Law School. With the help of PUC staff, the PUC's administrative law judges, lawyers from the Office of Consumer Advocate in the Pennsylvania Office of Attorney General and Widener faculty members, Cawley instituted a program within the law school's Civil Law Clinic to assist indigent persons with their complaints in on-the-record PUC hearings. In 2009, Cawley received the law school's Adjunct Faculty Distinguished Service Award.

Cawley is one of the three co-founders and a past president of the James S. Bowman American Inn of Court. He is a past president and board member of the St. Thomas More Society of Central Pennsylvania.

Cawley was a frequent course planner and presenter of Pennsylvania Bar Institute courses on appellate advocacy, public utility law and ethics.

He is a former member of the PBA Appellate Court Judicial Retention Committee, PBA Special Sustaining Membership Committee and PBA Young Lawyers Section Executive Board.

Cawley serves on the board of directors for the Pennsylvania Commonwealth Court Historical Society, which educates the public about the history of the Commonwealth Court and preserves the

court's heritage and contribution to Pennsylvania jurisprudence.

Cawley is a graduate of St. Bonaventure University and Notre Dame Law School.

Founded in 1895, the Pennsylvania Bar Association strives to promote justice, professional excellence and respect for the law; improve public understanding of the legal system; facilitate access to legal services; and serve the 27,000 lawyers who are members of the association.

Source: Pennsylvania Bar Association

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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.