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# WUC

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



## GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

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### Revenue Department Releases July 2019 Collections

Pennsylvania collected \$2.3 billion in General Fund revenue in July, the first month of the 2019-20 fiscal year, Revenue Secretary Dan Hassell reported.

Sales tax receipts totaled \$925.4 million in July.

Personal income tax (PIT) revenue in July was \$1 billion.

Corporation tax revenue was \$116.9 million for July.

General Fund revenue figures for July included \$98.5 million in inheritance tax and \$21.1 million in realty transfer tax.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes totaled \$110.4 million for the month.

Non-tax revenue totaled \$34 million for the month.

In addition to the General Fund collections, the Motor License Fund received \$223 million for the month, which includes the commonly known gas and diesel taxes, as well as other license, fine and fee revenues.

July collection data does not include a comparison against anticipated amounts because revenue estimates for each month are not yet finalized.

**Source:** PA Department of Revenue Press Release, 8/1/2019

### New PUC Chief Counsel Appointed

On August 8, 2019, the Pennsylvania Public Utility Commission (PUC) announced the appointment of Chief Counsel Renardo "Rick" L. Hicks, effective August 12.

Hicks comes to the Commission with more than 30 years of legal experience, including extensive service in the government sector, private practice and telecommunications industry.

As chief counsel, Hicks will lead the PUC's Law Bureau, which provides legal support to the Commissioners and various Commission bureaus on regulatory issues involving public utilities and other legal matters involving the PUC. Attorneys from the Law Bureau also represent the Commission in cases heard by state and federal courts and help formulate PUC input to federal agencies, the courts and the legislature when public utility issues arise.

Hicks comes to the PUC with a deep background in public protection. At the Pennsylvania Office of

Attorney General - where he was Executive Deputy Attorney General and Director of the Public Protection Division - Hicks guided legal matters related to consumer protection, civil rights, antitrust, and charitable trusts and estates.

He has also represented the interests of consumers in rate cases and complaints heard by the PUC, as an assistant consumer advocate, and is a past member and chair of the PUC's Consumer Advisory Council, which advises the Commissioners on matters relating to the protection of consumer interests.

Additionally, Hicks also brings to the PUC his experience as regional vice president and regulatory counsel for XO Communications, with legal and regulatory responsibilities covering Pennsylvania and several other states - along with private practice addressing state and federal issues involving public utilities, governmental entities, educational institutions, and non-profit organizations.

A resident of Harrisburg, Hicks received his bachelor's degree from Hamilton College, his law degree from Northeastern University School of Law and a master's degree in clinical legal education from Temple University School of Law.

Hicks replaces long-serving PUC Chief Counsel Bohdan "Buck" Pankiw, who retired on July 5.

The Pennsylvania Public Utility Commission balances the needs of consumers and utilities; ensures safe and reliable utility service at reasonable rates; protects the public interest; educates consumers to make independent and informed utility choices; furthers economic development; and fosters new technologies and competitive markets in an environmentally sound manner.

Visit the PUC's website at <http://www.puc.pa.gov/> for recent news releases and video of select proceedings. You can also follow us on Twitter, Facebook, LinkedIn, Instagram and YouTube. Search for the "Pennsylvania Public Utility Commission" or "PA PUC" on your favorite social media channel for updates on utility issues and other helpful consumer information.

Source: PUC Press Release, 8/8/2019

## PUC to Livestream August 13 Damage Prevention Committee Meeting

The Pennsylvania Public Utility Commission (PUC) will livestream a meeting of the Damage Prevention Committee (DPC) on **Tuesday, Aug. 13, 2019, at 9 a.m.** in Hearing Room 1 of the Commonwealth Keystone Building, Harrisburg.

To view the livestream, visit the **PUC's website** [http://www.puc.pa.gov/about\\_puc/live\\_streaming\\_video.aspx](http://www.puc.pa.gov/about_puc/live_streaming_video.aspx) . The **agenda** [http://www.puc.pa.gov/transport/gassafe/pdf/DPC\\_Agendas/2019/DPC081319.pdf](http://www.puc.pa.gov/transport/gassafe/pdf/DPC_Agendas/2019/DPC081319.pdf) also is available on the PUC's website.

### Digging Safety - PA One Call

Every year, underground lines across the state are struck more than 6,000 times - which means that during the average workday a pipeline or other vital utility system is hit every 20 minutes. While underground lines are often "out of sight and out of mind," every hit poses a risk to the contractors and homeowners who are doing the digging; to utility workers and emergency responders who are mobilized when lines are struck; and to bystanders who live, work or travel near the locations of the incidents.

State law requires contractors and residents to contact **PA One Call** <http://www.pa1call.org/> at least three business days prior to excavation - triggering alerts to all utilities within an intended digging area and prompting utilities to mark where their facilities are located. Pennsylvanians can dial 8-1-1 to connect with the One Call system, while out-of-state residents or businesses can call 1-800-242-1776.

### About the DPC

The DPC is part of the PUC's independent Bureau of Investigation and Enforcement, which also includes the Pipeline Safety Division.

Modeled after successful programs in other states, the focus of the committee is a reduction in the number of "hits" on underground utilities.

The DPC meets regularly to review alleged violations of the Act and makes determinations as to the appropriate response including, but not limited to, the issuance of warning letters or administrative penalties. The committee holds public meetings in Hearing Room 1 of the Commonwealth Keystone Building, Harrisburg, and each meeting is **livestreamed on the PUC's website** [http://www.puc.pa.gov/about\\_puc/live\\_streaming\\_video.aspx](http://www.puc.pa.gov/about_puc/live_streaming_video.aspx)

Creation of the committee was authorized by **Act 50 of 2017** [http://www.pucpa.gov/about\\_puc/press\\_releases.aspx?ShowPR=3918](http://www.pucpa.gov/about_puc/press_releases.aspx?ShowPR=3918), which enhances Pennsylvania's Underground Utility Line Protection Act - also known as the "One Call Law."

#### About the Bureau of Investigation & Enforcement

As the independent investigation and enforcement bureau of the PUC, I&E enforces state and federal pipeline safety and motor carrier safety laws and regulations and represents the public interest in ratemaking and service matters before the PUC's Office of Administrative Law Judge. I&E has the authority to bring enforcement action, seek emergency orders from the Commission or take other steps to ensure public safety.

**Source:** PUC Press Release, 8/9/2019

## **August 11 Reminds Pennsylvania Residents to Dial 8-1-1 before Digging**

**P**ennsylvania 811 hopes this date on the calendar - Sunday, August 11 - will serve as a natural reminder for residents to dial 8-1-1 prior to any digging project to have underground utility lines marked.

Utility services that your family depends on, such as cable TV, high-speed internet, landline telephone, electric, gas, water and sewer, are buried

underground in many communities. Striking one of these lines can result in inconvenient outages for entire neighborhoods, harm to yourself or someone else, and repair costs.

The best way to avoid damage to your utilities, injury or loss of service is to call 811 three business days before digging to learn the approximate location of buried lines in your area.

When dialing 8-1-1, homeowners and contractors are connected to Pennsylvania 811, the local one call center, which notifies the appropriate utility companies of their intent to dig. The utilities send professional locators to the requested digging site to mark the approximate locations of their underground lines with colored flags, spray paint or both.

Every digging project, no matter how large or small, warrants a call to 811. Installing a mailbox, building a deck, planting a tree and laying a patio are all examples of digging projects that need a call to 8-1-1 before starting.

"On Aug. 11 and throughout the year, we remind homeowners and professional contractors alike to dial 8-1-1 before digging to eliminate the risk of striking an underground utility line," said Bill Kiger, President & CEO for Pennsylvania 811. "It really is the only way to know which utilities are buried in your area."

The depth of utility lines can vary for a number of reasons, such as erosion, previous digging projects and uneven surfaces. Utility lines need to be properly marked because the risk of striking an underground utility line exists.

Visit [www.pa811.org](http://www.pa811.org) or [www.paonecall.org](http://www.paonecall.org) for more information about 811 and safe digging practices. To notify utility companies of your intent to dig, dial 8-1-1 or submit your request online: [www.paonecall.org/notify](http://www.paonecall.org/notify).

**Source:** Pennsylvania 811, 8/9/2019

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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.*