
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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October State Revenue \$365.6 Million over Estimates; \$824.5 Million above for Fiscal Year

On November 2, the Department of Revenue collected \$2.6 billion in General Fund revenue in October, which was \$365.6 million, or 16.4 percent, more than anticipated.

Fiscal year-to-date General Fund collections total \$12.5 billion, which is **\$824.5 million, or 7.1 percent, above estimate.**

The Independent Fiscal Office released its own report on October state revenues saying they were **\$275.2 million or 11.9 percent higher than their projections.** Read more [here](http://www.ifo.state.pa.us/download.cfm?file=Resources/Documents/MRU-2020-10.pdf)

“Revenue collections are ahead of estimate to this point in part because of better than expected collections in our three primary revenue sources — sales tax, personal income tax and corporate net income tax,” Secretary Hassell said. “We’re pleased to see the national economy is bouncing back from the recession caused by the COVID-19 pandemic. However, we still have a long way to go to recover the revenue that was lost during the economic downturn earlier this year.”

The Department of Revenue will continue to closely monitor revenue collections so that the Governor and members of the General Assembly have the latest information as it becomes available.

Below is a full overview of October revenues by tax type:

Sales tax receipts totaled \$1.1 billion for October, \$145.0 million above estimate. Year-to-date sales tax collections total \$4.4 billion, which is **\$328.4 million, or 8.1 percent, more than anticipated.**

Personal income tax (PIT) revenue in October was \$1.0 billion, \$123.2 million above estimate. This brings year-to-date PIT collections to \$5.5 billion, which is **\$185.6 million, or 3.5 percent, above estimate.**

October **corporation tax revenue** of \$122.6 million was \$25.2 million above estimate. Year-to-date corporation tax collections total \$1.3 billion, which is **\$157.8 million, or 14.3 percent, above estimate.**

Inheritance tax revenue for the month was \$97.1 million, \$17.0 million above estimate, bringing the year-to-date total to \$405.6 million, which is **\$51.3 million, or 14.5 percent, above estimate.**

Realty transfer tax revenue was \$65.4 million for October, \$22.2 million above estimate, bringing the fiscal-year total to \$193.2 million, which is

\$55.3 million, or 40.1 percent, more than anticipated.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes, totaled \$161.1 million for the month, \$24.2 million above estimate and bringing the year-to-date total to \$639.1 million, which is **\$77.9 million, or 13.9 percent, above estimate.**

Non-tax revenue totaled \$32.3 million for the month, \$8.7 million above estimate, bringing the year-to-date total to \$86.7 million, which is **\$31.8 million, or 26.8 percent, below estimate.**

In addition to the General Fund collections, the **Motor License Fund** received \$205.3 million for the month, \$6.3 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 \$975.3 million, which is **\$6.1 million, or 0.6 percent, below estimate.**

Source: PA DOR Press Release, 11/2/2020

PUC to Hold Virtual Damage Prevention Committee Meeting on Nov. 10

The Pennsylvania Public Utility Commission (PUC) will hold a virtual meeting of the Damage Prevention Committee (DPC) on **Tuesday, Nov. 10, at 9 a.m.**

Members of the public, the media and others will be able to access the virtual conference by clicking on this **Microsoft Teams event** https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjI4ZmIwZGUtNTM2ZC00YjFiLWE1ZWEtYTk2YjgyN2UwMzdk%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d link or by calling into the telephone conference. The meeting agenda

https://www.puc.pa.gov/media/1216/dpc_agenda_111020.pdf is available on the PUC's website.

Under the unique circumstances presented by the COVID-19 pandemic, conducting public meetings and other routine Commission business telephonically and virtually - to help minimize non-essential personal social contact - is consistent with the Governor's Proclamation of Disaster Emergency and the requirements of the Public Utility Code.

About the DPC

The DPC is a peer-based group of 13 representatives, nominated by their industry or affiliated organization and appointed by the PUC. Creation of the committee was authorized by Act 50 of 2017, which enhances Pennsylvania's Underground Utility Line Protection Act - also known as the "One Call Law." The focus of the DPC is to reduce the number of "hits" on underground lines and utilities.

The DPC meets regularly to review alleged violations of Act 50 and make informal determinations as to the appropriate response including, but not limited to, the issuance of warning letters, mandatory training programs and/or administrative penalties. **Summaries of action** http://www.puc.pa.gov/utility_industry/transportation/pa_one_call_enforcement/dpc_agendas_Actions.aspx taken at monthly DPC meetings are 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** <https://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 Bureau of Investigation & Enforcement

As the independent investigation and enforcement bureau of the PUC, I&E enforces state and federal pipeline safety, electric 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, 11/6/2020

The Environmental Quality Board Seeks Comments on CO2 Budget Trading Program Regulations

Public Comment Period Open Through January 14, 2021

The Environmental Quality Board will begin accepting public comments on Saturday, November 7, 2020 through Thursday, January 14, 2021 regarding proposed regulations that would reduce carbon dioxide (CO2) pollution from power plants within Pennsylvania and establish Pennsylvania's participation in the **Regional Greenhouse Gas Initiative (RGGI)** <https://www.dep.pa.gov/Citizens/climate/Pages/RGGI.aspx>, a regional CO2 Budget Trading Program.

"The impacts of climate change have had and will continue to have a dramatic effect on Pennsylvania communities and economies," said the Pennsylvania Department of Environmental Protection (DEP) Secretary Patrick McDonnell. "We believe our participation in RGGI will help

protect residents and future generations from the negative impacts of climate change."

Climate change impacts are being caused by the emission and atmospheric concentration of greenhouse gas pollution, namely CO2. Scientists have confirmed that increased CO2 pollution from human activity is causing changes to global climate. Major scientific institutions including the U.S. National Academy of Sciences, the U.S. Global Change Research Program, the American Medical Association, the American Association for the Advancement of Science, and many others support this position.

There are multiple ways to provide comments on the regulation. Comments on the proposed rulemaking will be accepted electronically through **DEP's eComment system** <https://www.ahs.dep.pa.gov/eComment/> or e-mail at RegComments@pa.gov. A subject heading of "CO2 Budget Trading Program" and a return name and address must be included in each transmission.

Written comments may be submitted by U.S. postal mail to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be addressed to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101.

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Pennsylvania Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Board will hold 10 virtual public hearings from December 8-14, 2020.

Persons wishing to present testimony at a hearing must contact Jennifer Swan for the Department and the Environmental Quality Board, (717) 783-8727 or RA-EPEQB@pa.gov, at least 24 hours in advance of the hearing to sign up to present testimony. To help provide interested persons with an opportunity to present testimony, organizations are limited to designating one witness to present testimony on their behalf at one of the hearings.

Verbal testimony is limited to five minutes for each witness. Video demonstrations and screen

sharing by witnesses will not be permitted. Internet connection is not necessary to provide verbal comments at a virtual public hearing, but a telephone line is required.

Witnesses are requested to submit a written copy of their verbal testimony by e-mail to RegComments@pa.gov after providing testimony at a hearing.

Information on how to access the hearings will be available on the Board's webpage found through the **Public Participation tab on DEP's website** <https://www.dep.pa.gov/PublicParticipation/EnvironmentalQuality/Pages/default.aspx>. Prior to each hearing, individuals are encouraged to visit the Board's webpage for the most current information for accessing each hearing.

Any members of the public wishing to observe the public hearing without providing testimony are also directed to access the Board's webpage. Those who have not signed up to provide testimony with Ms. Swan in advance will remain muted for the duration of the public hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs. Persons in need of language interpretation services should reach out to Jennifer Swan by 5:00 PM on Tuesday, December 1, 2020, information listed above.

Source: DEP Press Releases, 11/6/2020

DRBC's WQAC & the Expert Panel Met Oct. 29; Presentations Available

A joint meeting of DRBC's Water Quality Advisory Committee (WQAC) and the Expert Panel was held remotely last week. The Expert Panel is helping with the development of the eutrophication model for DRBC's Aquatic

Life Designated Use Project, and this meeting provided an update on the progress.

The presentations given are now available at https://www.nj.gov/drbc/about/advisory/WQAC_expertpanel_oct292020.html.

The next meeting of DRBC's WQAC will be on December 3, 2020, beginning at 9:30 a.m. An agenda will be shared closer to the meeting date.

Please contact John Yagecic john.yagecic@drbc.gov with any questions.

Source: DRBC, 11/4/2020

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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.