
WUC

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



GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

200 North 3rd Street ♦ Suite 1500 ♦ Harrisburg, PA 17101 ♦ Phone: 717-232-5322 ♦ Erik A. Ross, Senior Associate ♦ www.millirongoodman.com

Harrisburg, PA

Erik@millirongoodman.com

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Revenue Department Releases September 2021 Collections

Pennsylvania collected \$4.0 billion in General Fund revenue in September, which was **\$495.9 million, or 14.1 percent, more than anticipated**, Revenue Secretary Dan Hassell reported today. Fiscal year-to-date General Fund collections total \$9.3 billion, which is **\$628.3 million, or 7.3 percent, above estimate**.

Sales tax receipts totaled \$1.1 billion for September, \$93.0 million above estimate. Year-to-date sales tax collections total \$3.5 billion, which is **\$142.3 million, or 4.3 percent, more than anticipated**.

Personal income tax (PIT) revenue in September was \$1.5 billion, \$97.8 million above estimate. This brings year-to-date PIT collections to \$3.5 billion, which is **\$164.9 million, or 5.0 percent, above estimate**.

September corporation tax revenue of \$898.2 million was \$233.7 million above estimate. Year-to-date corporation tax collections total \$1.2 billion, which is **\$257.4 million, or 27.3 percent, above estimate**.

Inheritance tax revenue for the month was \$143.4 million, \$25.4 million above estimate, bringing the year-to-date total to \$370.6 million,

which is **\$12.8 million, or 3.6 percent, above estimate**.

Realty transfer tax revenue was \$75.6 million for September, \$14.8 million above estimate, bringing the fiscal-year total to \$181.9 million, which is **\$16.3 million, or 9.8 percent, more than anticipated**.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes, totaled \$183.5 million for the month, \$13.8 million above estimate and bringing the year-to-date total to \$490.1 million, which is **\$16.3 million, or 3.4 percent, above estimate**.

Non-tax revenue totaled \$39.1 million for the month, \$17.5 million above estimate, bringing the year-to-date total to \$85.8 million, which is **\$18.3 million, or 27.2 percent, above estimate**.

In addition to the General Fund collections, the **Motor License Fund** received \$236.8 million for the month, \$20.0 million above 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 \$729.8 million, which is **\$22.5 million, or 3.2 percent, above estimate**.

Source: PA Department of State Press Release, 10/1/2021

PUC Damage Prevention Committee Announces Most Recent Disciplinary Actions, Plans Virtual Meeting on Oct. 5

Latest Enforcement Actions Reflect 115 Disciplinary Actions Against 68 Underground Facility Owners, Excavator & Project Owners

A total of 115 disciplinary actions, including \$60,250 in administrative penalties, have been taken against 68 underground facility owners, excavators and project owners in the **latest enforcement actions** https://www.puc.pa.gov/media/1653/dpc_case_summaries091421.pdf by the Public Utility Commission's (PUC's) Damage Prevention Committee (DPC). These actions were taken during the DPC's September 2021 meeting.

The next virtual meeting of the Damage Prevention Committee (DPC) is Tuesday, Oct. 5, 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** https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDRIMTgzM2UtOTk1YS00MDkyLTg3NmUtNTY2NmQzODdlOTA2%40thead.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d event link or by calling into the telephone conference by dialing 267-332-8737, and then entering passcode 784 964 790# to listen to the meeting. The **meeting agenda** https://www.puc.pa.gov/media/1656/dpc_agenda_100521.pdf is available on the PUC's website.

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 actions taken** <https://www.puc.pa.gov/pipeline/damage-prevention-committee/> 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, 9/28/2021

Yaw: Senate Committee Approves Creation of Significant Environmental Programs, Increase in Lease Agreement Transparency

On September 28, 2021, the Senate Environmental Resources and Energy (ERE) Committee approved three bills designed to create significant environmental programs and increase the transparency for lease agreements with natural gas operators.

"Today's actions will have a generational affect," said Senator Yaw, chair of the ERE committee. "By establishing these two funds, we will ensure an impact for years to come as we provide the resources needed to protect our natural resources."

Senate Bill 525

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=S&type=B&bn=0525> - establishes the framework for a Growing Greener III program to protect Pennsylvania's water, land, forests and other natural resources; stimulate economic growth in our communities and improve the quality of life for all Pennsylvanians.

Since its inception in 1999, the state's Growing Greener program has funded hundreds of local parks and trail projects, conserved more than 80,000 acres of threatened open space, and restored hundreds of miles of streams and waterways. The program has also protected more than 78,000 acres of farmland, restored more than 1,600 acres of abandoned mine land, and helped reduce flooding and water pollution through 400 watershed protection projects and more than 100 drinking and wastewater treatment improvements.

Funding will come from an infusion of \$500 million appropriated from the recently adopted federal American Rescue Plan Act of 2021.

Senate Bill 832

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo>

[.cfm?sYear=2021&sInd=0&body=S&type=B&bn=0832](https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=S&type=B&bn=0832) - establishing a Clean Streams Fund for Pennsylvania, dedicated to water quality, specifically focused on mitigating "non-point" sources of pollution, such as agricultural runoff and acid mine drainage.

Pennsylvania has been blessed with over 85,000 miles of rivers and streams; a density of surface water unmatched in the continental United States. Unfortunately, a legacy of intensive land use has left almost one-third of those waters unsafe for either humans or fish. By restoring these waters, we will reduce the cost of drinking water treatment and invest in our top two industries - tourism and agriculture - by helping farms improve soil health and increasing recreational opportunities throughout the Commonwealth.

Senate Bill 806

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=S&type=B&bn=0806> - ensuring landowners are afforded a clear and distinct assessment of royalties paid to them through lease agreements with natural gas operators; it would require entities making payments to landowners to provide more description, clarity and uniformity on their royalty check statements. This proposal is designed to help ensure all parties feel their lease agreements are executed as intended, and it will help mitigate concerns that have developed in recent years.

"We have acted to provide the tools to landowners to reassure them that the agreements which they entered into with natural gas operators are what they seem," Senator Yaw said. "As we continue to develop our state's natural gas assets, landowners will know exactly what they are getting in exchange."

All three bills will now go to the full Senate for consideration.

Source: Senator Yaw Press Release, 9/28/2021

Gov. Wolf Announces Federal Low-Interest Loans

Now Available for Those Affected by Ida Remnants

Governor Tom Wolf is reminding Pennsylvanians impacted by Hurricane Ida remnants that caused significant damage (Aug. 31 - Sept. 5), that the U.S. Small Business Administration (SBA) has made financial aid available to survivors.

"Individuals and businesses are still recovering from the devastating storm damage caused by Ida, but now additional help is available through the SBA," Gov. Wolf said. "I am grateful that the SBA is providing much needed assistance, and I urge impacted Pennsylvanians to make educated choices as they undertake their recovery journeys." Residents and businesses in the Bedford, Bucks, Chester, Delaware, Montgomery, Northampton, Philadelphia, and York counties are eligible for Physical Disaster Loans. Additionally, Economic Injury Disaster Loans are available in Adams, Berks, Blair, Cambria, Carbon, Cumberland, Dauphin, Fulton, Huntingdon, Lancaster, Lehigh, Monroe, and Somerset counties.

Low-interest loans of up to \$200,000 are available to homeowners and renters to repair or replace damaged or destroyed real estate, and SBA regulations also permit loans up to \$40,000 to repair or replace damaged personal property, including vehicles. Businesses and nonprofits can borrow up to \$2 million to restore damaged or destroyed buildings, inventory, equipment and other physical losses. Economic Injury Disaster Loans are also available and may also be used to pay fixed debts, payroll, accounts payable and other bills that can't be paid because of the disaster's impact, whether or not the business sustained physical damage from the storm.

The SBA offers long-term repayment options to keep payments affordable, with terms up to a maximum of 30 years. Terms are determined on a case-by-case basis, based upon each borrower's ability to repay.

"I encourage survivors to take advantage of the option to request additional loan funds for mitigation (protective improvements) to help

prevent similar damage from occurring in the future" said Pennsylvania Emergency Management Agency (PEMA) Director Randy Padfield. "SBA's disaster loans may be increase up to 20 percent of their physical damages as verified by the SBA, for mitigation purposes. Eligible mitigation improvements may include a safe room or storm shelter, sump pump, French drain, retaining wall or elevation"

Businesses and residents need not wait for insurance settlements to apply for disaster loans and may immediately obtain information and loan applications by calling the SBA's Customer Service Center at 1-800-659-2955 (1-800-877-8339 for the deaf and hard-of-hearing), or by emailing DisasterCustomerService@sba.gov.

Applicants may also apply online using the Electronic Loan Application (ELA) via **SBA's secure website** <https://disasterloanassistance.sba.gov/ela/s/> or visit one of the SBA Business Recovery Centers. Alternatively, **loan applications can be downloaded** at <https://www.sba.gov/disaster> and completed applications should be mailed to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

The SBA has created a number of fact sheets to help applicants understand the SBA loan process:

- ***The Three Step Process***
https://disasterloanassistance.sba.gov/ela/file-asset/Three_Step_Process_SBA_Disaster_Loa?v=1
- ***FAQ for homeowners and renters***
<https://disasterloanassistance.sba.gov/ela/s/article/FAQ>
- ***Fact Sheet for Homeowners and Renters***
<https://disasterloanassistance.sba.gov/ela/s/article/Fact-Sheet-for-Homeowners-and-Renters>
- ***Fact Sheet for Businesses of All Sizes***
<https://disasterloanassistance.sbagov/ela/s/article/Fact-Sheet-for-Businesses-of-All-Sizes>

The filing deadline to return applications for physical property damage is Nov. 9, 2021. The deadline to return economic injury disaster loan applications is June 10, 2022.

Source: Governor Wolf's Press Office, 10/1/2021

Chesapeake Executive Council Falls Short: CBF Issues Statement

The Chesapeake Executive Council held its meeting on Oct. 1. The Council's job is to lead Bay restoration efforts, establish the policy direction for the restoration and protection of the Bay and its living resources, and be accountable to the public for progress made under the Bay agreements.

By those measures the Executive Council has fallen short. Following the meeting, Chesapeake Bay Foundation (CBF) President William C. Baker issued this statement.

"For Bay restoration to succeed, each of the jurisdictions must meet their promised pollution reductions. EPA agreed to hold them accountable if they slip.

"Once again, the Council ignored the failure of Pennsylvania to meet its commitments. Worse yet, EPA failed to hold the Commonwealth accountable, even as CBF, its partners, and the Attorneys General of Delaware, Maryland, the District of Columbia, and Virginia are suing EPA in federal court to do just that.

"If the Council and EPA refuse to exert leadership, Bay restoration efforts are doomed to fail.

"The Executive Council's sole objective this year was to sign a Climate Change Directive. Sadly, that directive is only a start, taking small steps at a time when bold action is needed.

The Climate Change Directive must do more to meet scientists' findings. While Virginia has set a pollution-reduction goal that includes mitigating the

damage from climate change, Maryland and Pennsylvania have not.

"The 2025 deadline is just around the corner. In 2016, success seemed possible. Today, hope is fading. The last 40 years of Bay restoration efforts have been littered with promises broken and commitments unmet."

Source: CBF Press Release, 10/1/2021

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