



Incinerator Host-Fee Follow-up Water System Monetization Evaluation Progress

MFRAC Meeting
January 25, 2022

Items for Discussion

- Incinerator Host Fee Follow-up
- Water System Monetization Evaluation Progress





Incinerator Host Fee Follow-up



Summary

- At the last MFRAC meeting (January 11, 2022), the Receiver's Chief of Staff presented on the host fee agreement between the City and Covanta which operates the incinerator
- The presentation noted that the host fee rates were reduced in the 2017 host agreement, but at the time, the Receiver did not know by how much.
- Since that time, the Receiver's team has learned how much the rates were reduced and has obtained information that permits an estimate of the financial impact of those reductions on the City which will be presented today.
- Based on our estimates, through Q3 2021, **the City of Chester missed out on between \$5.5 million (unescalated) and \$6.8 million (escalated) due to the 2017 host fee rate reductions.**
- If the HCA rate structure remains the same for an additional 3 years (per Covanta's renewal), **Chester would miss out on another \$4.9 million (unescalated) or \$5.6 million (escalated) over the next three years, for a total of \$10.5 million (unescalated) or \$12.3 million (escalated) from the 2017 rate reductions**

Host Community Agreement



- The City of Chester has received Community Host Fees (“Host Fees”) since the construction and opening of the Waste-to-Energy Incinerator (“Incinerator”) in 1989.
 - In the 2022 Adopted Budget, Host Fees are estimated to be **\$4.9 million**, approximately **9 percent** of regularly recurring City General Fund revenues (excludes one-time ARPA funding, prior year carryforwards, and other one-time cash infusions).
- The City of Chester negotiates the amount of the Host Fees through Host Community Agreements (“HCA”), the first of which was executed on January 30, 1989, between Delaware County/Westinghouse Electric Corporation and the City of Chester. **The host fees for DCSWA waste are passed through to the DCSWA.**
- The most recent HCA was agreed to and signed on June 28, 2017, between the now owner/operator of the facility, Covanta Delaware Valley, L.P. (“Covanta”) and the City of Chester.
- The HCA expires on April 30, 2022. According to paragraph 18 of the HCA, Covanta has the option to extend the contract for a term of up to ten (10) years, either in one ten (10) year increment or successive increments of not less than one (1) year that do not exceed ten (10) years in total
- Covanta sent a letter to the City on January 11, 2022, exercising that option for a 3-year term beginning May 1, 2022. However, in separate correspondence to the Receiver’s team, Covanta also noted that it would be willing to consider proposals made by the Receiver. The Receiver’s attorneys sent Covanta a letter on January 21, 2022, indicating that proposals were forthcoming and requesting times in February to begin discussing the terms of the host agreement.

Host Fee History



Document	Date	Description
Original Host Community Agreement ("HCA")	January 1989	\$2.50 per ton , with a minimum of \$2 million annually. <u>Annual rate increase tied to escalation factor.</u>
1st Amended HCA	June 1993	<u>No change to host fee provision.</u> City agrees to maintain Harwick Street Access road at no cost to the Company.
2nd Amended HCA	March 1997	<u>No change to host fee provision.</u> Added the following requirements: 1) internship program for local residents (2 interns); 2) \$125,000 for general industrial business development in the City; 3) \$150,000 grant to study impacts of waste transportation options; and, 4) commits Company employees to serve on advisory boards and support community needs including facility tours, hotlines, and sponsorship of youth sports programs.
3rd Amended HCA	March 2004	<u>No change to host fee provision.</u> Clarifies and establishes HCA termination date as December 31, 2016.
4th Amended HCA	December 2016	<u>No change to host fee provision.</u> Extends termination date to April 30, 2017.
New HCA	June 2017	<u>Establishes new fee structure with \$2.5 million minimum payment:</u> 1) \$2.00 per ton (un-escalated) for waste delivered by Delaware County Solid Waste Authority; 2) \$4.45 per ton (escalated annually) for waste delivered by all other customers; 3) \$0.25 per ton (un-escalated) for waste in excess of 1.275 million tons annually; and, 4) 7% of net revenue for the sale of renewable energy certificates.

- The original 1989 HCA had a Host Fee of \$2.50 per ton, regardless of the point of origin of waste, with an annual escalation tied to the growth in the cost of labor and materials.
- **Just prior to the 2017 agreement, the host fee rates for ALL waste (DCSWA and non) was \$4.92/ton.**
- The most recent 2017 HCA **reduced** the Host Fee to **\$2.00 per ton** (un-escalated) for Delaware County waste and set a rate of **\$4.45 per ton** (with an annual escalation) for waste delivered by all other customers.



Host Fee History (continued)

- Prior to the 2017, the host fee amount for both DCSWA and non-DCSWA waste had escalated to \$4.92/ton.
- The 2017 (and current) HCA established a new host fee structure that reduced the host fee amount as follows:
 - Reduced the rate for DCSWA waste from \$4.92/ton to \$2.00 per ton (un-escalated) which is a reduction of \$2.92 a ton or 59.3%;
 - Reduced the rate for waste delivered by all other customers from \$4.92 to \$4.45 per ton (escalated annually) which is a reduction of \$0.47/ton or 9.6%;
 - \$0.25 per ton (un-escalated) for waste in excess of 1.275 million tons annually; and,
 - 7% of net revenue for the sale of renewable energy certificates

DCSWA Incinerator Host Fee vs. DCSWA Landfill Host Fee



DCSWA operates the Rolling Hills Landfill in Earl Township Berks County and also pays host fees to those entities. In 2016, DCSWA host fee rates for the Chester Incinerator at \$4.92/ton and the Berks County Landfill at \$5.00/ton were roughly the same. However, in 2017, the host fee rates for the incinerator were significantly reduced, but no similar reduction occurred with the landfill. Since 2017, and continuing through today, the DCSWA pays a rate of 2.5 times more in host fees for the Berks County landfill than the Chester incinerator.

	Host Fee Paid by DCSWA for Waste Burned in Chester Incinerator	Host Fee Paid by DCSWA for Ash and Waste Dumped in Berks County Rolling Hills Landfill
2016	\$4.92 (escalated)	\$3 to Earl Twp. + \$2 to Berks County = \$5.00 (unescaled)
2017 and Today	\$2.00 (unescaled)	\$5.00 (no change)
Change (\$)	-\$2.92	No change
Change (%)	- 59.3%	No change

Note: We acknowledge that there is a difference between the method of disposal between an incinerator and a landfill. However, whether that means the host fee amounts should be different or which one should be higher, is an open question.

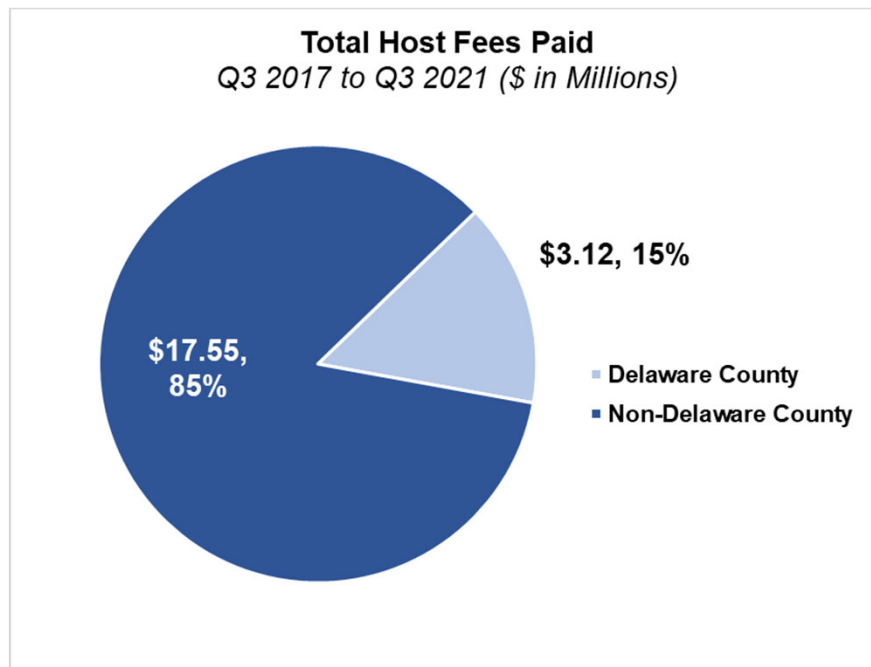
How Big Was the Impact of the 2017 Host Fee Rate Reduction on Chester?



- The next set of slides provides our estimate as to how much these rate reductions impacted potential revenues from host fees to Chester
- To calculate these estimates, we obtained the DCSWA tonnage and non-DCSWA tonnage as well as the host fee rates utilized over this period
 - We were able to confirm the tonnage amounts with the Pennsylvania Department of Environmental Projection
 - We also obtained the Quarterly Host Municipality Benefit Fee Reports (Form: 2500-FM-BVM0160) that were filed over this period by Covanta
- Once we had the above data, we applied the different host fee rates to the tonnage over that time period. We calculated these amounts two different ways – one assuming that the \$4.92/ton rate in 2016 did not change (unescalated) and one escalating that rate based on the escalation rate that occurred for non-DCSWA waste over this time period (escalated)
- **Based on our estimates, through Q3 2021, the City of Chester missed out on between \$5.5 million (unescalated) and \$6.8 million (escalated) due to the 2017 rate reductions**

Historical Analysis

Q3 2017 to Q3 2021 Totals



- Over the four (4) year period measured from Q3 2017 (which is the start of the 2017 contract period) through Q3 2021 (most recent data available), the City of Chester received a total of **\$20.67 million** in Host Municipality Fees.
 - **15%** of the fees were received from DCSWA sources
 - **85%** of the fees were received from Non-Delaware County sources

Historical Analysis

Tonnage of Waste by Quarter



Quarter	Year	Delaware County	Delaware County % of Total	Non-Delaware County	Non-Delaware County % of Total	Total Tonnage
Q3	2017	95,174.5	28.9%	234,636.6	71.1%	329,811.1
Q4	2017	92,867.0	28.7%	230,465.6	71.3%	323,332.6
Q1	2018	69,272.6	23.4%	227,358.4	76.6%	296,631.0
Q2	2018	95,601.8	28.7%	237,659.7	71.3%	333,261.5
Q3	2018	84,591.4	25.5%	247,297.2	74.5%	331,888.6
Q4	2018	85,382.0	27.3%	227,453.6	72.7%	312,835.6
Q1	2019	73,961.7	25.3%	218,266.9	74.7%	292,228.6
Q2	2019	94,954.3	28.9%	233,395.2	71.1%	328,349.5
Q3	2019	94,011.0	28.9%	230,883.9	71.1%	324,894.9
Q4	2019	93,119.4	34.6%	175,891.2	65.4%	269,010.6
Q1	2020	85,158.2	28.9%	209,325.8	71.1%	294,484.0
Q2	2020	96,430.7	32.0%	204,977.5	68.0%	301,408.2
Q3	2020	101,027.1	30.9%	225,986.3	69.1%	327,013.4
Q4	2020	97,969.2	31.1%	217,015.3	68.9%	314,984.5
Q1	2021	84,937.8	28.5%	213,422.9	71.5%	298,360.7
Q2	2021	108,931.6	33.6%	215,356.1	66.4%	324,287.7
Q3	2021	104,714.2	32.5%	217,137.6	67.5%	321,851.8

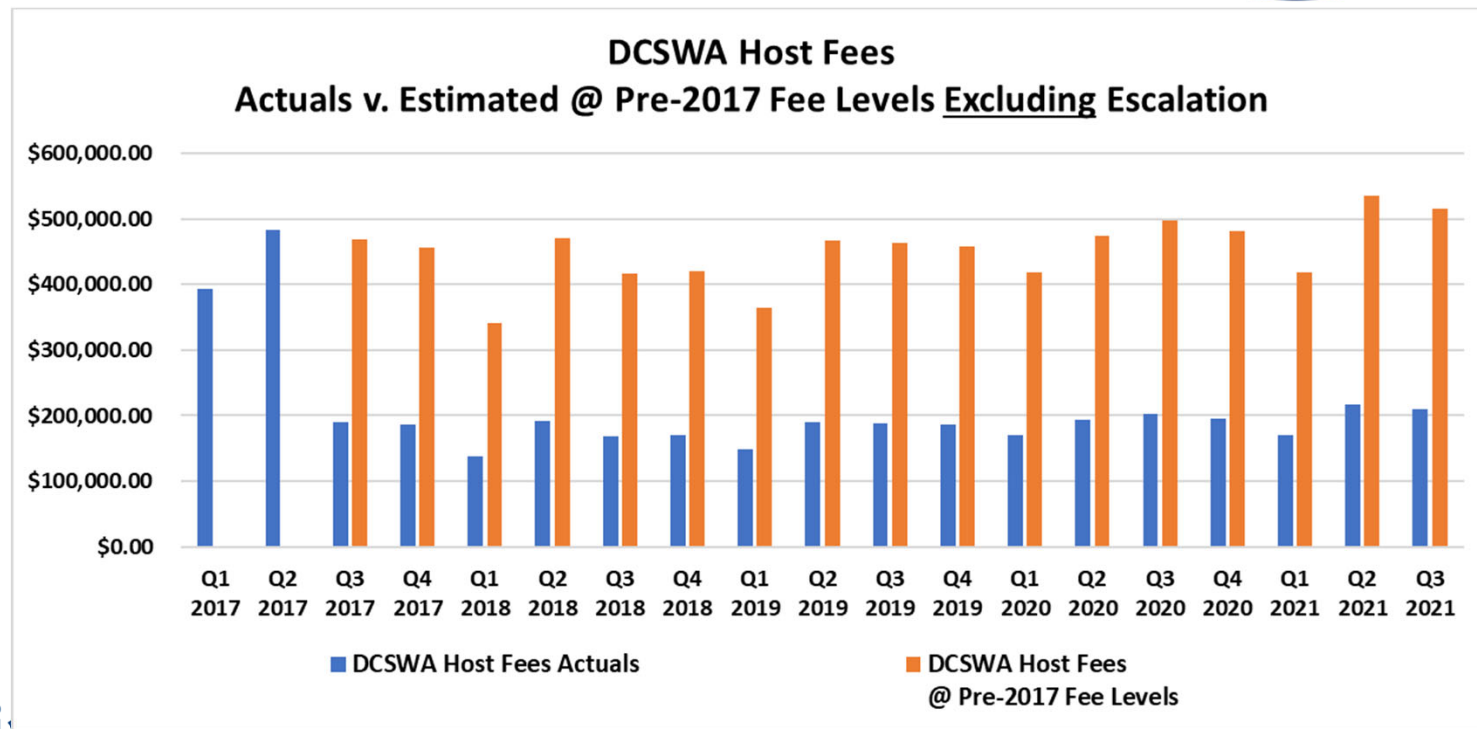
- The total tonnage processed by Covanta in Chester has remained relatively constant, with DCSWA’s share of total tonnage increasing a few percentage points over this time period.
- **While DCSWA only accounts for 15% of total host fee revenues, they contribute over 30% of the total tonnage incinerated in Chester.**



DCSWA Quarterly Host Fees

Actuals v. Estimated Pre-2017 Fees Excluding Escalation

- Even keeping the host fee rate at the 2016 level of \$4.92/ton, the DCSWA has saved approximately **\$4.55 million** since the 2017 rate reduction at the City's expense.

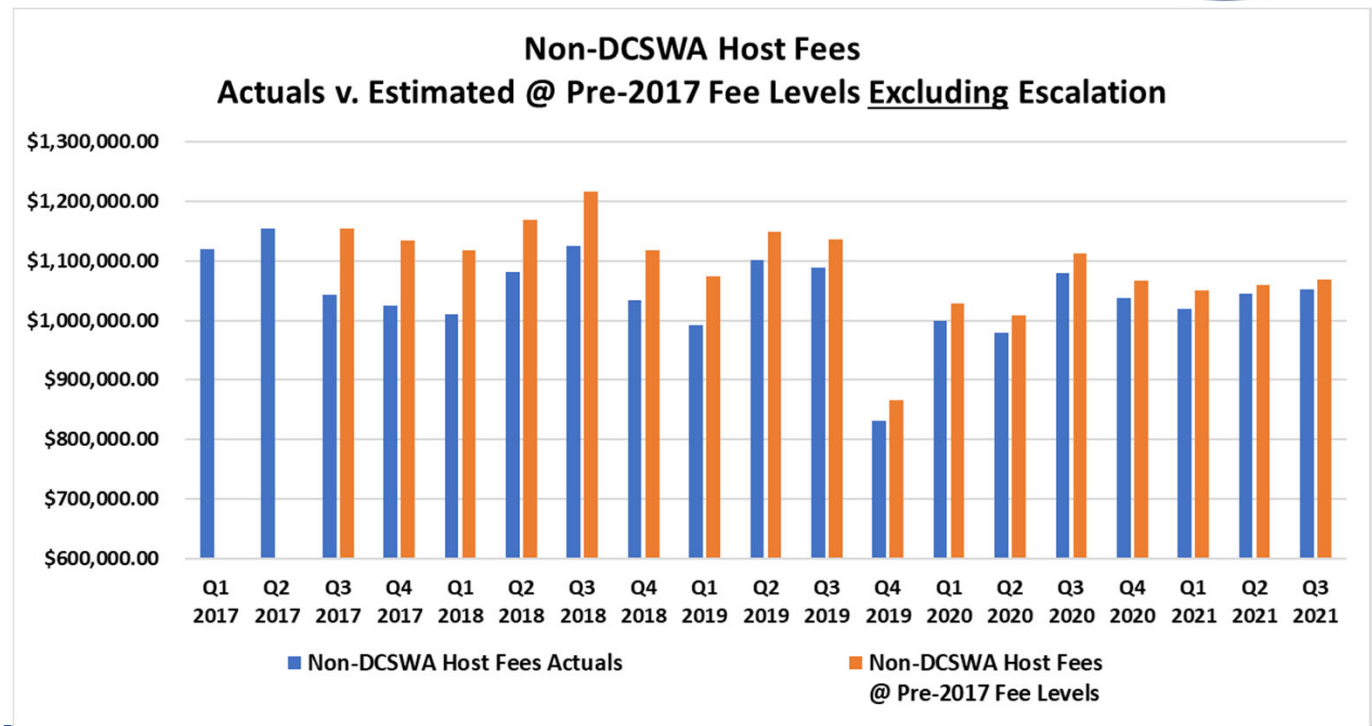




Non-DCSWA Quarterly Host Fees

Actuals v. Estimated Pre-2017 Fees Excluding Escalation

- Even keeping the host fee rate at the 2016 level of \$4.92/ton, non-DCSWA entities saved approximately **\$980,000** since the 2017 rate reduction at the City's expense.

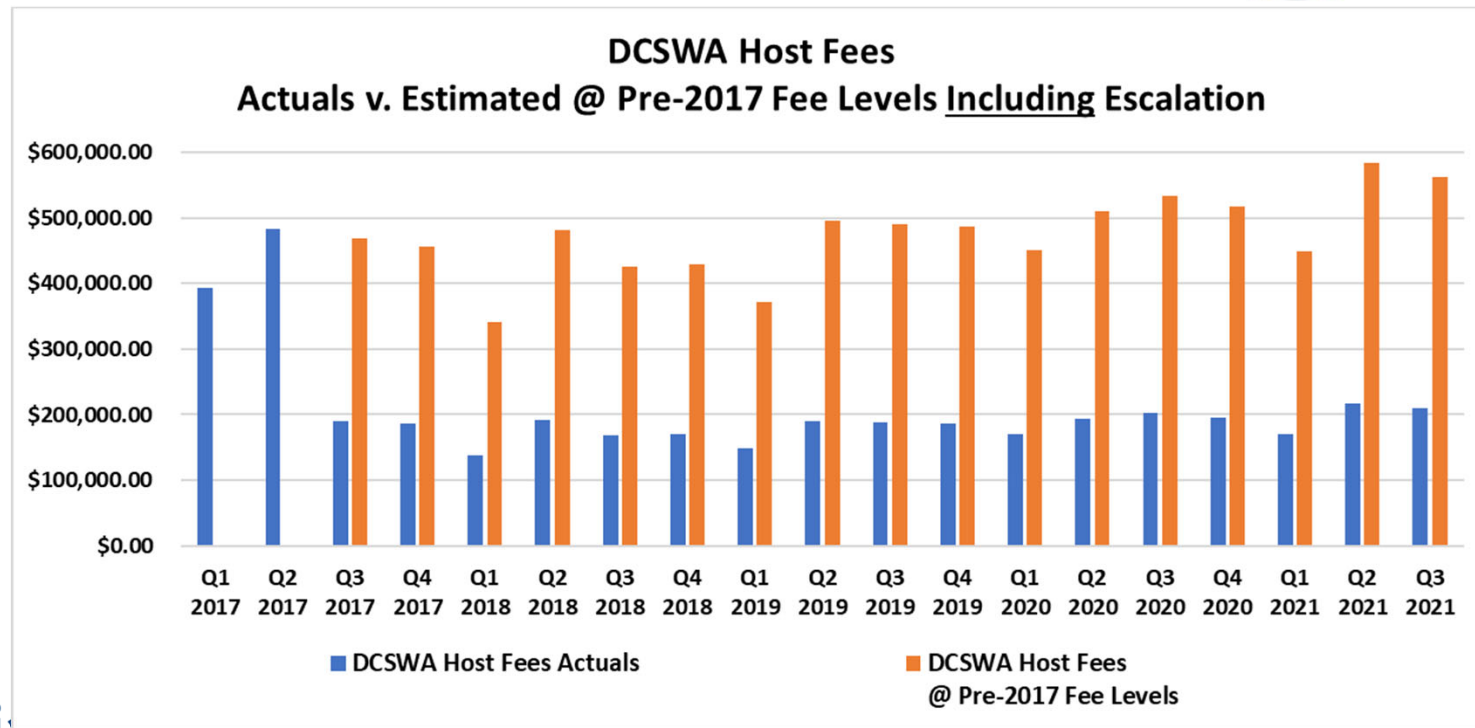




DCSWA Quarterly Host Fees

Actuals v. Estimated Pre-2017 Fees Including Escalation

- Accounting for escalation, the DCSWA has saved approximately **\$4.93 million** since the 2017 rate reduction at the City's expense.

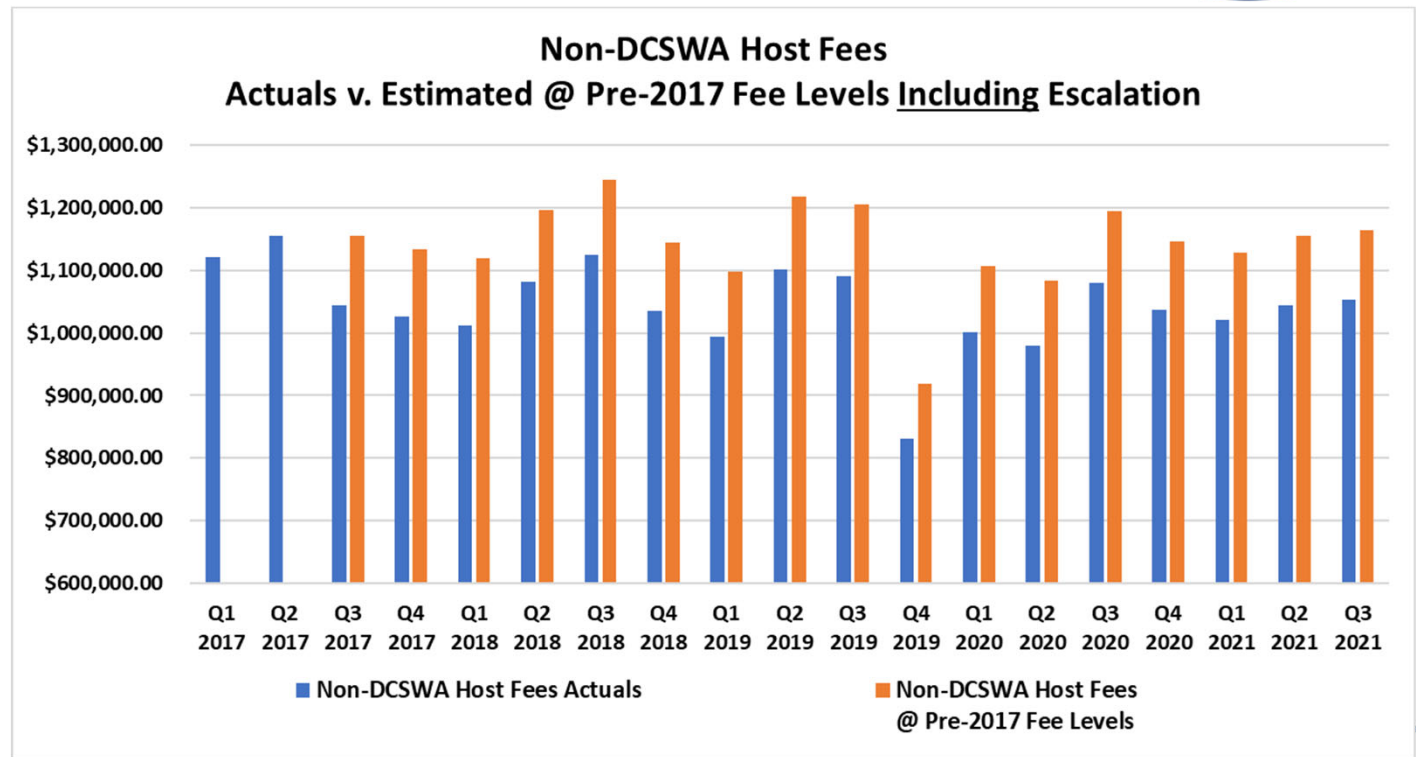




Non-DCSWA Quarterly Host Fees

Actuals v. Estimated Pre-2017 Fees Including Escalation

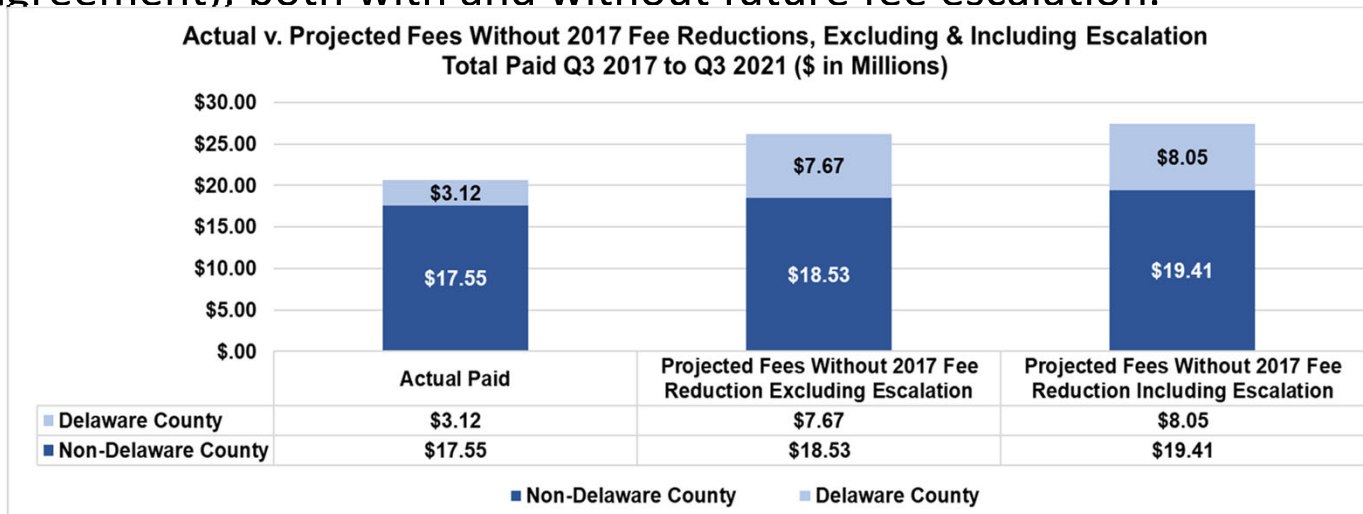
- Accounting for escalation, non-DCSWA entities saved approximately **\$1.86 million** since the 2017 rate reduction at the City's expense.





Cumulative impact of 2017 Negotiations

- The graphic below shows the cumulative host fees paid from Q3 2017 through Q3 2021 compared to the estimated fees that *would* have been collected if the Host Fees were not reduced in July 2017 (i.e., status quo renewal of the original agreement), both with and without future fee escalation.



Actual Paid

\$20.67M

Proj. Fees without 2017 Reductions, Excluding Escalation

\$26.20M

(\$5.5M) Revenue Loss

Proj. Fees without 2017 Reductions, Including Escalation

\$27.46M

(\$6.8M) Revenue Loss



Fiscal impact of 2017 Negotiations

- The fee reduction that took effect in July 2017 had a significant impact on the City of Chester’s Host Municipality Fee revenue. Absent these fee reductions and including escalation, the City of Chester would have received an additional **\$5.5 million** (unescalated) or **\$6.8 million** (escalated) over this four (4) year period.
 - DCSWA reaped significant savings - nearly \$5 million - under the 2017 fee reductions over this four-year period, at the expense of Chester City.

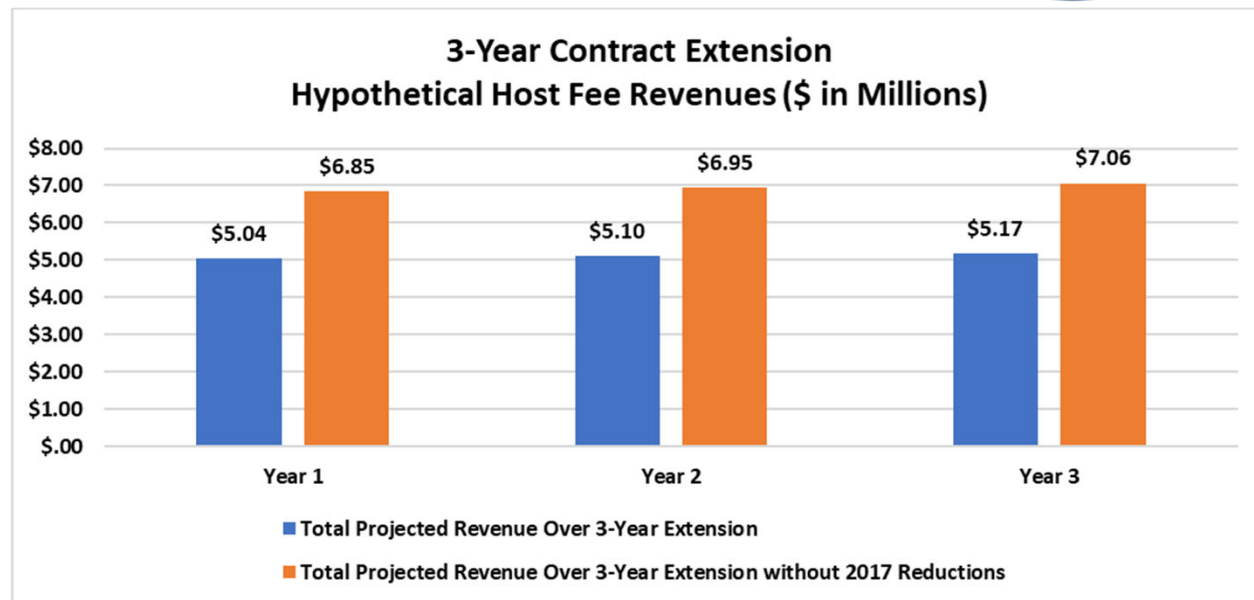
Revenue Impact to Chester from 2017 HCA Changes (Q3 2017 to Q3 2021)

	Savings (Unescalated)	Savings (Escalated)
DCSWA	\$4.55 million	\$4.93 million
Non-DCSWA Entities	\$0.98 million	\$1.86 million
Total	\$5.5 million	\$6.8 million

Fiscal Impact of Covanta 3-Year Extension if Rate Structure Remains the Same as in Current HCA



- Covanta recently exercised their option to extend the current agreement for three (3) years. Note: The Receiver is seeking to renegotiate the rate structure
- If the rate structure remains the same, however, Chester would miss out on another **\$4.9 million** (unescalated) or **\$5.6 million** (escalated) over the next three years, for a total of **\$10.5 million** (unescalated) or **\$12.3 million** (escalated) from the 2017 HCA changes.



Note: Assumes same tonnage as most recent year reported to DEP and 1.5% annual escalation each year.

Next Steps



- Receiver in process of setting up dates in February for negotiations with Covanta



Water System Monetization Evaluation Progress

Background



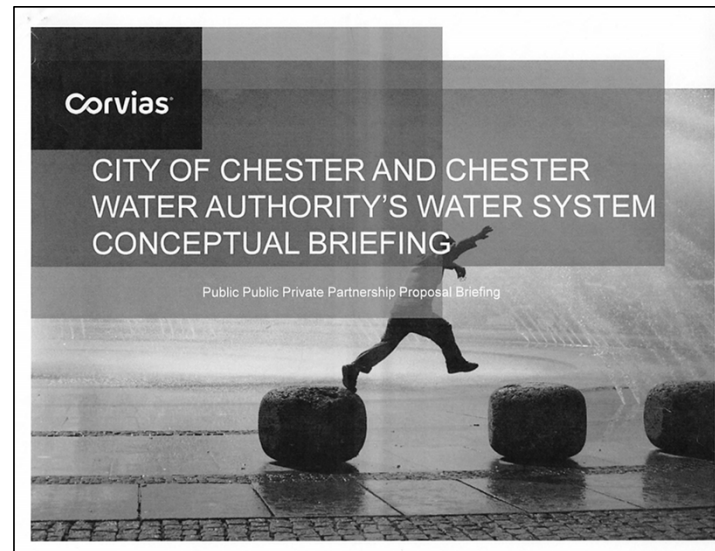
- The Receiver has publicly stated and reaffirmed that he is open to seeing if the Chester Water Authority (CWA) can remain in public hands and that his team is evaluating that possibility
 - Therefore, the Receiver believes that he should explore reasonable concepts that are brought to his attention that could achieve this
- On November 29, 2020, the Delaware County Times published an article that included a concept document that outlined an idea that the City of Chester and CWA were considering in 2018, prior to the City's RFP and litigation
 - The concept, a public-private partnership, would appear to provide the City with a substantial amount of money at same time the system would remain in public hands
 - CWA and the City engaged a company called Corvias to develop this concept

Background (continued)



Below is the cover sheet of the concept document that the Delaware County Times published in its November 29, 2020, article. The reproduced slides in this presentation come from that document.

We believe that the referenced briefing occurred around August 2018.



Background (continued)



- The Receiver has requested the ability to speak with Corvias, the company that developed the concept to see if the concept would be feasible.
- However, the CWA has refused to allow the Receiver to freely meet with Corvias, even after the Receiver offered to include the CWA at those discussions
 - The City and the CWA have a non-disclosure agreement with Corvias. The City is willing to let the Receiver freely speak with Corvias. The CWA is not.
 - Per the City's 2019 RFP, the parties clearly did not move forward with this concept
- As such, the Receiver has not been able to discuss the concept with Corvias which has impacted his ability to evaluate whether it might be able to work
- Nevertheless, because monetization is critical to the City exiting receivership to pay for pension and retiree health care costs, the Receiver is bringing the concept to the MFRAC for discussion based on the concept document published in the Delaware County Times on November 29, 2020

Background (continued)



- Since the CWA has not allowed the Receiver's team to speak freely with Corvias, the Receiver has not been able to vet this concept and does not know whether the estimates in the concept document are accurate
- The CWA is quoted in the November 29, 2020, article taking issue with some of the numbers in the concept document, but has not provided any documentation that the numbers are incorrect. The Receiver would like to be able to discuss those concerns with Corvias as well
- Information in the document, if accurate, raises the question of whether Chester ratepayers are being overcharged or possibly subsidizing suburban ratepayers. CWA denies this.

Concept



In July 2018, prior to the City's RFP and litigation, CWA and the City agree to have Corvias develop a public-private concept that would avoid selling the CWA

Proposal for the Amicable Resolution of the Legal Dispute between the City of Chester and the Chester Water Authority(CWA)

- Corvias has been requested by the City of Chester and CWA to provide a unique proposal for the amicable resolution of the legal dispute between the City of Chester and the CWA to be presented to the City Council and Chester Water Authority for approval(s).
- Additionally, Corvias has been requested to evaluate the benefits and efficiencies (if any) of consolidating its management services, currently being rendered for the Stormwater Authority of Chester, with potential business and construction management services for drinking water within the City boundaries.
- In accordance with those requests Corvias has provided a high level proposal to amicably resolve the legal dispute between the two parties.
- Corvias respects the confidential nature of the Letter of Intent between the City of Chester and the Chester Water Authority (as outlined in Paragraph 4 of the Letter of Intent), and this presentation is for informational purposes only.

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Timeline of Events

- **05/17** Unsolicited proposal to purchase the water system assets of CWA (the "CWA Water System")
- **06/17** CWA Board unanimously rejects proposal to sell the CWA Water System, but approves study to be completed to analyze the impacts and potential benefits of a sale.
- **08/17** CWA receives feasibility study & Board reaffirms their vote that a sale is not in the best interest of its customers.
- **10/17** City of Chester sends letter to CWA expressing the City of Chester reserves its rights under the Chester Water Authority Charter as the founding member.
- **11/17** CWA holds emergency Board meeting, as outside pressure to sell the CWA Water System continues, to reaffirm the Board's decision to not sell the CWA Water System.
- **03/18** City of Chester City Council votes to enter into a Letter of Intent with the CWA to negotiate the resolution of disagreements regarding the future of the CWA.
- **03/18** CWA Board votes to enter into a Letter of Intent with the City of Chester to negotiate the resolution of disagreements regarding the future of the CWA.
- **05/18** Act 47 report recommends the monetization of the CWA Water System to support the fiscal health of the City of Chester.
- **06/18** Kickoff meeting regarding the Letter of Intent between the City of Chester and CWA.
- **07/18** City and CWA agree on Joint Assistance Agreement to have Corvias provide support to develop project concept.
- **08/18** Proposal briefing for a public public private partnership between the City of Chester and the Chester Water Authority.

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Concept (continued)



This concept contemplated creating a “City Division” with a separate management structure operating with revenues from City ratepayers. The CWA would remain in control of rates.

Public Public Private Management Services Agreement

CWA;

- Remains the Water Supplier and Certified Operator for the City of Chester.
- Retains rate control, water quality control and ownership of water infrastructure assets.
- Retains responsibilities as the regional certified water operator.
- Establishes a City Division within the CWA with a separate management structure that operates within the revenues from City ratepayers.
- Hires a corporate business and construction manager (the “Manager”) to maximize revenues and enhance profitability of the City Division for the term of the Agreement.
- Funds the City Litigation Annual Payments based on calculation of City Division revenues

In return...

City of Chester;

- Defers its rights under Section 5622 of the Municipality Authorities Act for up to 30 years or the term of the agreement.
- Receives City Litigation Settlement Payments as compensation for the deferral of its rights under Section 5622.

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Concept (continued)



The City Division would hire Corvias to manage capital projects and increase revenues. Corvias would provide business and construction management services and would make an upfront payment of \$60.2 million (same amount as CWA's response to City RFP).

Public Public Private Management Services Agreement

Chester Water Authority;

- Hires Corvias as the Manager of the City Division to manage capital projects maximize revenues and enhance profitability of the City Division.
- Uses upfront payment from Corvias to make the Initial Payment to the City as legal consideration for the City deferring its Section 5622 rights for at least as long as the term of the Agreement

In return...

Corvias;

- Performs the business and construction management activities to maximize and enhance the revenues of the City Division.
- Leverages the Management Services payments in order to make an upfront concessionaire-like payment of approximately \$60M

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Concept (continued)

The City would receive an upfront payment of \$60.2 million (Note: This amount was CWA’s “bid” in the RFP process). The concept also estimated \$20+ million from grants and annual payments to the City of over \$300 million over 40 years.

Initial Financial Benefit to the City of Chester

Compensation to the City of Chester from CWA in exchange for the deferral of its rights under section 5622 of the Municipality Authorities Act during the term of the Agreement.

- **Initial financial benefit to the City of Chester of approximately \$60 million**
 - Unrestricted capital that can be used at Chester’s discretion
 - Lump Sum Settlement Payment is maximized while transaction costs are minimized by delaying private sector compensation and sourcing flexible capital
- **Additional estimated \$20+ million in grant sourcing for drinking water capital improvements, water affordability programs, and economic development in the City.**
 - Source federal, state, and nonprofit grants for drinking water and community capital investments to the drinking water infrastructure, water affordability and economic development initiatives for the City of Chester.
- **Estimated \$11.1M of Litigation Settlement Annual Payments over the first ten years**
 - Enough to cover entire unfunded Fire Pension Fund

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Long-Term Revenue for the City of Chester

In addition to the Upfront Lump Sum Settlement Payment, **Chester will receive Annual Litigation Settlement Payments** from CWA for the term of the deferral.

- New revenue source for City to be used for operating deficit, unfunded pension obligations and other financial priorities
- Total projected cash flow exceeds \$300 million
- Present value of projected cash flow is nearly \$130 million, discounted at the 30-year treasury rate

Residual Cash Proceeds Available to City	
Years 1-10	\$ 11,100,000
Years 11-20	\$ 33,200,000
Years 21-30	\$ 65,500,000
Years 31-40	\$ 205,100,000
TOTAL	\$ 314,900,000

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Financial Structure

- The financial concept is that the City would receive annual payments after operating costs and the management services fee is covered
- In order for this concept to work, this would mean that the revenues from City ratepayers would need to exceed costs

Pro Forma and Assumptions

	Distributed to:	2018	2019	2020	2021
Payment by Manager	CWA	60,281,279			
City Litigation Settlement - Lump Sum Payment from CWA	City	(60,281,279)			
	Distributed to:	2018	2019	2020	2021
Estimated Revenue from City Division Ratepayers ¹	CWA		\$10,000,250	\$10,200,255	\$10,404,260
Contractual Revenue Adjustment			(3,554,558)	(3,625,649)	(3,698,162)
Management Services Fee	Manager		(6,045,682)	(6,121,253)	(6,197,769)
City Litigation Settlement - Annual Payment from CWA	City		(400,010)	(453,353)	(508,329)
Net					

(1) Annual consumption growth is estimated at 2% annually through 2021.

Initial

- Manager makes a \$60.2M one-time, up-front payment to the CWA
- CWA pays a Litigation Settlement Lump Sum Payment to the City for \$60.2M

Annual

- Estimated revenue for the City Division for 2019 is \$10.0M
- Estimated CWA Operating Expense for the City Division for 2019 is \$3.5M
- Management Services Fee to the Manager is fixed at \$6.0M
- City Litigation Settlement Annual Payments to the City beginning in 2019 is estimated at \$400K

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Financial Structure (continued)

- Corvias estimates that:
 - Revenues from City ratepayers are \$10 million, but operating expenses for City ratepayers are only \$3.5 million – a difference of \$6.5 million.
- One question that we have is, assuming that these estimates are reasonable, where is all the other City ratepayer money going?
 - This leads to question of whether Chester ratepayers are being overcharged or possibly subsidizing suburban ratepayers

Pro Forma and Assumptions

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What Happened Next?

- Based on the timeline, it appears that this concept document was discussed in August 2018
- We believe that legal documents continued to be drafted in late November 2018
- After that point, we do not have any further information as to what happened. However, the concept clearly did not proceed after June 2019
 - The City released its RFP for the water system monetization in June 2019
 - In the RFP, the City stated “For the better part of [2018], the City and the Authority attempted to resolve this impasse, and, for a period of time in Fall 2018, it appeared that they had done so. However, the apparent agreement was illusory as the Authority continually resisted incorporating into proposed documents important elements of the apparent agreement.” [RFP dated June 12, 2019 at I-3(G)].



Receiver's Right to Know Request

- In late 2020, the Receiver asked PFM Financial Advisors (“PFM”) to evaluate and compare the bids received by the City to purchase the CWA assets. PFM conducted its own independent analysis and due diligence of the proposals received without influence from any other party. PFM was not involved in the bidding process.
- So that PFM could actually analyze CWA’s bid, the Receiver made a right to know request of CWA

Receiver Right to Know Request



That Right to Know Request asked for the following:

1. Future Capital Improvement Plans
 - a. Any formal capital plans that have been approved in the last 10 years
 - b. If no formal capital plan has been approved, the projected capital spend (broken out between debt and pay-go) for the next 15-year period
2. Rate Projections
 - a. Any rate study or internal analysis that projects future water rates
3. Number of total system EDUs (equivalent dwelling unit) broken out by customer class in 2019 (Residential, Commercial, Industrial, Fire Protection, Other Utilities)
4. Total annual billed flow in gallons for each customer class in 2019 (Residential, Commercial, Industrial, Fire Protection, Other Utilities)
5. Loan amortizations and agreements for any non-public debt (bank loans)
6. Most recent copies of collective bargaining agreements with unions. Any tentative agreement with unions for a successor collective bargaining agreement.



CWA's Response

- In its November 17, 2020, response to the Receiver, CWA did not produce any documents and listed the following 14 reasons for why it denied the Receiver's request:
 - 1. Information that is legally privileged, exempt from disclosure under the RTKL or contains trade secrets, and confidential or proprietary information about the CWA
 - 2. Lack of Specificity – Time Frame
 - 3. Lack of Specificity – Requesting Answers or Information Not a Record
 - 4. Request for Information Not a Record
 - 5. Records Do Not Exist

CWA's Response



- Continued:
 - **6. Disclosure Endangers Safety**
 - **7. Disclosure Endangers Safety**
 - 8. Records Protected under The Public Utility Confidential Security Information Disclosure Protection Act
 - 9. Pre-Decisional Deliberations
 - 10. Business or Operational Strategy
 - 11. Attorney Client Privilege and/or the Attorney Work Product Doctrine
 - 12. Records Exempted in Connection with Real Property/Real Estate
 - 13. Attorney Client Communications
 - 14. Correspondence with member of General Assembly

Receiver's Situation



- Receiver would like to explore keeping the CWA in public hands however the CWA itself is blocking the Receiver from doing so by:
 - Not allowing the Receiver to freely speak with a company that the CWA and the City engaged to develop a public-private partnership concept
 - Refusing to provide very basic information that would allow the Receiver's team to evaluate the CWA's bid and potentially develop an alternative that would allow the system to remain in public hands
 - Additionally, this information would also shed some light onto the question of whether Chester residents are being overcharged or potentially subsidizing suburban ratepayers at the expense of Chester ratepayers