

**Right-To-Know Request  
For Information From  
The Department of Community and Economic Development (DCED)  
Filed on November 28, 2017**

As of January 3, 2018, DCED has yet to provide the requested documents in the attached Right-To-Know Request that was filed on November 28, 2017.



**pennsylvania**

OFFICE OF OPEN RECORDS

**DCED RIGHT-TO-KNOW REQUEST FORM**

DATE REQUESTED: 11/28/2017

REQUEST SUBMITTED BY:  E-MAIL     U.S. MAIL     FAX     IN-PERSON

NAME (Required): Nolan Finnerty

MAILING ADDRESS (Required):  
1500 Market St. Suite 3900

CITY/STATE/COUNTY (Required):  
Philadelphia, PA

TELEPHONE (Optional): 2158640126

RECORDS REQUESTED:  
*Provide as much specific detail as possible so the agency can identify the information.*  
See Attachment

DO YOU WANT COPIES? YES or NO (YES)

DO YOU WANT TO INSPECT THE RECORDS? YES or NO (NO)

DO YOU WANT CERTIFIED COPIES OF RECORDS\*? YES or NO (NO)

For Agency Use Only

RIGHT TO KNOW OFFICER: \_\_\_\_\_

DATE RECEIVED BY THE AGENCY: \_\_\_\_\_

**AGENCY FIVE (5)-DAY RESPONSE DUE: \_\_\_\_\_**

*\* Additional Fees for Certified Copies & Notary Apply*

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

Pursuant to the Right-to-Know Law, 65 P.S. § 67.101, et seq., please provide copies of the following documents to:

Nolan Finnerty  
Conrad O'Brien PC  
1500 Market Street  
Centre Square, West Tower, Suite 3900  
Philadelphia, PA 19102

We are happy to pay the costs associated with this request.

To the extent some of the requested information was provided to me in response to my request of August 16, 2017 (Request No.: 2017-137), there is no need to produce that information again. Further, to the extent the DCED does not have documents responsive to the requests, please state that in an affidavit.

1. Copies of all documents, emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages concerning the potential privatization or monetization of the assets of the Chester Water Authority from August 2017 to the present.
2. Copies of all documents, emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages concerning a bid for Aqua America to lease, purchase, operate, or otherwise privatize or monetize the assets of Chester Water Authority from August 2017 to the present.
3. Copies of all communications, including but not limited to emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages, exchanged with Aqua America concerning the Chester Water Authority from August 2017 to the present.
4. Copies of all communications, including but not limited to emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages, exchanged with American Water concerning the Chester Water Authority from August 2017 to the present.
5. Copies of all communications, including but not limited to emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages, exchanged with an investor owned utility concerning the Chester Water Authority from August 2017 to the present.
6. Copies of all records of phone calls with representatives of Aqua America, American Water, or other investor owned utilities from August 2017 to the present.
7. Copies of all documents, emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages concerning a valuation of Chester Water Authority's assets from August 2017 to the present.

8. Copies of all documents, emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages concerning proposals and considerations for the assets of Chester Water Authority from August 2017 to the present.
9. Copies of all documents, emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages from the City of Chester's Act 47 Consultants/Coordinators, including but not limited to written materials exchanged between the City of Chester and Econsult Solutions and/or Fairmount Capital Advisors, Inc., concerning the privatization or monetization of Chester Water Authority from August 2017 to the present.
10. Copies of all documents, emails, text messages, letters, memoranda, proposals, other written materials, and voicemail messages from the City of Chester's Act 47 Consultants/Coordinators, including but not limited to written materials exchanged between the Commonwealth of Pennsylvania or the Pennsylvania Department of Community and Economic Development and Econsult Solutions and/or Fairmount Capital Advisors, Inc., concerning the privatization or monetization of Chester Water Authority from August 2017 to the present.
11. Copies of all records, including but not limited to invoices, concerning payments by the City of Chester, the Commonwealth of Pennsylvania or the Pennsylvania Department of Community and Economic Development to the City of Chester's Act 47 Consultants/Coordinators from August 2017 to the present.
12. Copies of all itemized legal bills from McNees, Wallace, & Nurick LLC for services related to the City of Chester from August 2017 to the present.
13. Copies of all itemized legal bills from David Unkovic, Esquire for services related to the City of Chester from August 2017 to the present.
14. Copies of all itemized bills from Fairmount Capital Advisors, Inc. for services related to the City of Chester from August 2017 to the present.
15. Copies of all itemized bills from Daniel Connelly for services related to the City of Chester from August 2017 to the present.
16. Copies of all itemized bills from Econsult Solutions for services related to the City of Chester from August 2017 to the present.
17. Copies of all itemized bills from Stephen Mullin for services related to the City of Chester from August 2017 to the present.
18. Copies of all contracts between the City of Chester and any Act 47 Consultants/Coordinators, including but not limited to contracts with with McNees Wallace & Nurick LLC, Econsult Solutions and/or Fairmount Capital Advisors, Inc., from August 2017 to the present.

19. Copies of all contracts between the Commonwealth of Pennsylvania or the Pennsylvania Department of Community and Economic Development and any Act 47 Consultants/Coordinators for services related to the City of Chester, including but not limited to contracts with McNees Wallace & Nurick LLC, Econsult Solutions and/or Fairmount Capital Advisors, Inc., from August 2017 to the present.
20. Copies of all itemized bills paid by the City, the Commonwealth of Pennsylvania, and/or the Pennsylvania Department of Community and Economic Development for telephone calls made by the Mayor of Chester City and Chester City Council from August 2017 to the present.



**COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

December 5, 2017

Nolan Finnerty  
1500 Market Street, Centre Square  
West Tower, Suite 3900  
Philadelphia, PA 19102

RTKL Request – 2017- 182

Dear Mr. Finnerty:

On November 28, 2017, the open-records officer of the Department of Community and Economic Development (the "Department") received your written request for information. The Department is responding to your request under the Pennsylvania Right-To-Know Law, 65 P.S. §§ 67.101, *et seq.* (RTKL). You asked for: all documents, emails, text messages, letter, memoranda, proposals, other written materials and voicemail messages concerning specific sewer and water authorities (copy of request enclosed). Under the RTKL, a written response to your request is due on or before December 5, 2017.

This is an interim response, not a final response to your request. Under the provisions of 65 P.S. §67.902(b)(2), you are hereby notified that your request is being reviewed for the reason(s) checked below, and this agency will require up to an additional 30 days, i.e., January 4, 2018, in which to respond to your request.

- Compliance with your request may require the redaction of certain information that is not subject to access under the RTKL.

Further, the estimated or actual total for any fees that will be owed when the record becomes available will be included in our subsequent response. Prepayment is required before providing access when the estimated cost to fulfill a request exceeds \$100.00. 65 P.S. § 67.1307(h).

If you have any questions regarding this letter, please contact Jennifer Fogarty, Deputy Agency Open Records Officer at [jefogarty@pa.gov](mailto:jefogarty@pa.gov) or (717)720-7336.

Sincerely,

Christopher C. Houston, Chief Counsel  
Governor's Office of General Counsel  
Department of Community and Economic Development  
Office of Chief Counsel  
Commonwealth Keystone Building  
400 North Street, 4<sup>th</sup> Floor  
Harrisburg, PA 17120

Enclosure



**pennsylvania**  
DEPARTMENT OF COMMUNITY  
& ECONOMIC DEVELOPMENT