**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

West Goshen Township :

:

v. : C-2017-2589346

: P-2017-2613461

Sunoco Pipeline, L.P. :

**PREHEARING ORDER**

An in-person initial hearing in the above-captioned case is scheduled for Tuesday, July 18, 2017 at 1:00 p.m. in Hearing Room No. 2 of the Commonwealth Keystone Building in Harrisburg.

On July 10, 2017, West Goshen Township (Petitioner) filed a Petition for Issuance of an Ex Parte Emergency Order and Interim Emergency Order (Petition) against Sunoco Pipeline, L.P. (Sunoco) at Docket No. C-2017-2589346. Petitioner seek emergency relief under two sections of the Commission’s regulations, *ex parte* emergency relief under Section 3.2, 52 Pa. Code § 3.2, and interim emergency relief under Section 3.6, 52 Pa.Code

§ 3.6. Also on July 10, 2017, Sunoco filed an Opposition To West Goshen Township’s Request for Ex Parte Relief at C-2017-2589346.

Docket No. P-2017-2613461 was then assigned to the Petition as only the Commission has the authority to issue an *ex parte* emergency order when there exists a clear and present danger to life or property or when the relief requested is uncontested and action is required prior to the next scheduled public meeting. 52 Pa.Code § 3.1. The Commission declined to issue an *ex parte* emergency order under Section 3.2. However, the Commission directed that the Petition proceed solely at Docket Number C-2017-2589346 as a petition for interim emergency relief pursuant to Sections 3.6 - 3.12 of the Commission’s regulations, 52 Pa.Code §§ 3.6-3.12.

In accordance with the directive of the Commission’s Secretarial Letter dated July 11, 2017, which was ratified at Public Meeting on July 12, 2017, the Petition will proceed to a hearing scheduled on July 18, 2017. The issues to be heard at said hearing include the following: (1) whether the petitioner’s right to relief is clear; (2) the need for relief is immediate; (3) the injury would be irreparable if relief is not granted; and (4) the relief requested is not injurious to the public interest. 52 Pa. Code § 3.6. After the anticipated hearing and receipt of transcript, an order granting or denying the interim emergency relief will be issued on or about July 25, 2017. 52 Pa. Code § 3.7. The Order will be immediately effective upon issuance and it will be certified to the Commission for interlocutory review pursuant to 52 Pa. Code § 3.10.

THEREFORE,

IT IS ORDERED:

1. An initial in-person hearing is scheduled for Tuesday, July 18, 2017, at 1:00 p.m. in Hearing Room No. 2 of the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. You must be present at this time or you may lose your case. The parties are directed to comply with the following requirements.

2. If you are an individual, you may either represent yourself or have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you. However, if you are a partnership, corporation, trust, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall comply with the Commission’s appearance requirements. 52 Pa. Code § 1.24(b).

3. A copy of anything filed with the Secretary or submitted shall be sent directly to the presiding officer. The correct address is: Administrative Law Judge Elizabeth H. Barnes, Office of Administrative Law Judge, P.O. Box 3265, Harrisburg PA 17105-3265

4. This hearing is a formal proceeding and will be conducted in accordance with the Commission’s rules of practice and procedure. 52 Pa. Code Chapters 1, 3 and 5.

5. If you wish to offer into evidence at the hearing material in the form of documents, you should bring with you the required number of copies (an original and two copies for the Commission, one copy for every party in the case, and a copy for yourself). 52 Pa.Code § 5.409. Documents should be properly pre-marked for identification.

6. That the transcript turnaround for the hearing shall be one day.

7. That the witnesses may appear by telephone.

Dated: July 12, 2017 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Elizabeth H. Barnes

Administrative Law Judge

**C-2017-2589346 - WEST GOSHEN TOWNSHIP v. SUNOCO PIPELINE L.P.**

***(Revised 7/10/2017)***

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