



HIGH SWARTZ

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October 2, 2017

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: West Goshen Township v. Sunoco Pipeline, L.P.
Docket No. C-2017-2589346**

Dear Ms. Chiavetta:

Enclosed is West Goshen Township's Motion to Dismiss Sunoco Pipeline, L.P.'s Objections to Interrogatories and Compel Responses, copies of which were served upon the individuals listed below and in the enclosed Certificate of Service in accordance 52 Pa. Code § 1.54.

Thank you for your attention to this matter.

Please feel free to contact me with any questions.

Very truly yours,

Richard C. Sokorai

RCS:jmg
Enclosure

Cc: Honorable Elizabeth H. Barnes (via email and US Mail)
Christopher Lewis, Esquire (via email and US Mail)
Michael Montalbano, Esquire (via email and US Mail)
Frank L. Tamulonis, Esquire (via email and US Mail)

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

HIGH SWARTZ LLP
David J. Brooman, Esquire (I.D. No. 36571)
Richard C. Sokorai, Esquire (I.D. No. 80708)
Mark R. Fischer, Jr., Esquire (I.D. No. 94043)
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Attorneys for West Goshen Township

WEST GOSHEN TOWNSHIP,	:	
Petitioner	:	Docket No. C-2017-2589346
	:	
v.	:	
	:	
SUNOCO PIPELINE, L.P.,	:	
Respondent	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code § 5.342 you are hereby notified that you must file a written response to the enclosed Motion to Dismiss Sunoco Pipeline, L.P.’s (“SPLP”) Objections to Interrogatories within five (5) days from service of the Motion or a decision may be rendered against you without a response. Any response to said Motion must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served upon counsel for West Goshen Township and the Administrative Law Judge presiding over the issue.

File your response with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Attorneys for West Goshen Township

WEST GOSHEN TOWNSHIP,	:	
Petitioner	:	Docket No. C-2017-2589346
	:	
v.	:	
	:	
SUNOCO PIPELINE, L.P.,	:	
Respondent	:	

**WEST GOSHEN TOWNSHIP’S MOTION TO DISMISS SUNOCO PIPELINE L.P.’S
OBJECTIONS TO INTERROGATORIES AND COMPEL RESPONSES**

Petitioner, West Goshen Township (“Township”), through its attorneys, High Swartz LLP, pursuant to 52 Pa. Code § 5.342(g), respectfully submits this motion to dismiss Respondent Sunoco Pipeline, L.P.’s (“SPLP”) objections to the Township’s Interrogatories 1, 6, 10, 13, 14, 19, 20, 21, 22, and 23, and compel SPLP to provide complete answers to said Interrogatories, and in support thereof avers the following:¹

¹ The Township incorporates herein by reference the other defined terms listed in its Interrogatories with Requests for Documents directed to SPLP dated September 12, 2017.

I. BACKGROUND

1. In this action the Township seeks enforcement of a Settlement Agreement executed by the parties and ending prior PUC litigation between them, which included an agreement regarding the location of a valve and other facilities within the Township appurtenant to SPLP's Mariner East pipeline project.

2. On July 24, 2017, upon the petition of the Township and after a hearing, Administrative Law Judge Elizabeth Barnes issued an Interim Emergency Order and Certification of Material Question, which question remains pending before the Commission.

3. On September 1, 2017, upon motion of SPLP, Judge Barnes entered a Protective Order relating to information exchanged by the parties in this matter.

4. On September 12, 2017 the Township served its Interrogatories with Requests for Documents ("Interrogatories") directed to SPLP. A true and correct copy of the Township's Interrogatories, with cover letter, are attached hereto as Exhibit "A."

5. On September 21, 2017 SPLP served objections to the Township's Interrogatories, which include general objections to all Interrogatories and specific objections to Interrogatories 1, 6, 10, 13, 14, 19, 20, 21, 22, and 23. A true and correct copy of SPLP's Objections are attached hereto as Exhibit "B."

6. 52 Pa. Code § 5.342(g) provides that "[w]ithin 10 days of service of an objection to interrogatories, the party submitting the interrogatories may file a motion requesting the presiding officer to dismiss an objection and compel that the interrogatory be answered."

7. For the reasons set forth below, the Township moves for an Order dismissing SPLP's Objections to Interrogatories 1, 6, 10, 13, 14, 19, 20, 21, 22, and 23, and compelling SPLP to answer the subject Interrogatories in full within ten (10) days after the Court's Order.

II. ARGUMENT

8. Township Interrogatory 1 and SPLP's Objection thereto state the following:

Interrogatory 1: Identify all SPLP employees, representatives and consultants that were involved in the study, evaluation, selection and design of Valve 344 and its location, and the design, configuration and location of all equipment or facilities that would impact or affect the location of Valve 344.

SPLP Objection: SPLP objects to WGT 1 on the grounds that identifying "all" individuals that were involved with "all" equipment that would impact Valve 344 is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361 (a)(4). Without waiver of this objection and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

9. SPLP's Objection to Interrogatory 1 must be dismissed because:

a. The Interrogatory is narrowly tailored to seek information about any individuals having knowledge relating to SPLP's evaluation and decisions regarding the location of Valve 344.

b. Said information goes to the heart of the Township's Complaint and unquestionably falls within the permitted scope of discovery under the Commission's Rules of Administrative Practice and Procedure. *See* 52 Pa. Code § 5.321(c).²

² 52 Pa. Code §5.321(c) sets forth the permissible scope of discovery in matters before the Commission as: "*Scope.* Subject to this subchapter, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence."

10. Township Interrogatory 6 and SPLP's Objection thereto state the following:

Interrogatory 6: Identify and summarize all communications between any SPLP employees, representatives and consultants regarding the evaluation, selection and design of the location of Valve 344, including in Your response the names of the participants, the date(s), and the substance of the discussion(s). Please attach copies of all documents relating to said communications, including but not limited to meeting agendas, meeting minutes, notes, emails, correspondence and other documents.

SPLP Objection: SPLP objects to WGT 6 on the grounds that identifying and summarizing "all" communications related to the evaluation, selection, design and location of Valve 344 is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361 (a)(2), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361 (a)(4). SPLP further objects to WGT 6 to the extent it seeks information or documents that are protected by attorney/client privilege, the work product privilege, and/or any other privilege. 52 Pa. Code § 5.361 (a)(3). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

11. SPLP's Objection to Interrogatories 6 must be dismissed because:

- a. The Interrogatory is narrowly tailored to seek communications among SPLP's representatives specifically relating to the location of Valve 344.
- b. Said information goes to the heart of the Township's Complaint and unquestionably falls within the permitted scope of discovery under the Commission's Rules of Administrative Practice and Procedure. *See* 52 Pa. Code § 5.321(c), *supra*.
- c. To the extent that SPLP seeks to withhold any communications pursuant to the attorney/client privilege, the work product privilege and/or any other privilege, the Township reserves its right to dispute any such objection upon receipt of any privilege log or other information identifying any specific information withheld.

12. Township Interrogatory 10 and SPLP's Objection thereto state the following:

Interrogatory 10: Identify all reports, plans, memoranda, notes, correspondence and other documents submitted by or on behalf of SPLP to any other state or local governmental or regulatory agency for any portion of the Mariner East Project within the Township, and produce copies of each.

SPLP Objection: SPLP objects to WGT 10 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information related to "any portion of the Mariner East Project within the Township," which is unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321(c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory with respect to Valve 344.

13. SPLP's Objection to Interrogatory 10 must be dismissed because:

a. The Interrogatory is narrowly tailored, in that it seeks only that documentation actually "submitted by or on behalf of SPLP to any state or local government or regulatory agency" relating to the "portion of the Mariner East Project within the Township."

b. Said information is clearly relevant to the Township's claims in this matter and within the scope of permissible discovery under 52 Pa. Code § 5.321(c), in that the requested document may include information on SPLP's chosen location for Valve 344, when that decision was made, and whether the SPLP Use Area was ever considered as a location for Valve 344. *See id.*

14. Township Interrogatory 13 and SPLP's Objection thereto state the following:

Interrogatory 13: Identify all communications between SPLP or any of its representative and the Township regarding the acquisition of properties, easements or other rights for the use of land or right of way for the installation or completion of the Mariner East Project, and produce copies of each.

SPLP Objection: SPLP objects to WGT 13 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks

information related to “properties, easements or other rights for the use of land or right of way for the installation or completion of the Mariner East Project,” which is unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321 (c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory with respect to the siting of Valve 344.

15. SPLP’s Objection to Interrogatory 13 must be dismissed because:

a. The Interrogatory is narrowly tailored, in that it seeks communications between only SPLP and the Township regarding property transactions relating to the Mariner East Project.

b. This information is reasonably calculated to identify the locations through which SPLP sought to run the Mariner East Project pipelines and is therefore relevant to whether SPLP attempted to site Valve 344 on the SPLP Use Area as agreed in the Settlement Agreement.

c. Therefore the requested information falls within the scope of permissible discovery under 52 Pa. Code § 5.321(c). *See id.*

16. Township Interrogatory 14 and SPLP’s Objection thereto state the following:

Interrogatory 14: Identify acquisitions and attempted acquisitions of property, easements or other property rights within the Township related to the Mariner East Project in the last five years, and produce copies of any documents relating to Your response.

SPLP Objection: SPLP objects to WGT 14 on the grounds that identifying and producing documents regarding all acquisitions and attempted acquisitions in the Township in the past five years is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361 (a)(2), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361 (a)(4). SPLP further objects to WGT 14 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321 (c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory with respect to the siting of Valve 344.

17. SPLP's Objection to Interrogatory 14 must be dismissed because:

a. The Interrogatory is narrowly tailored, in that it seeks information regarding property transactions only within the Township relating to the Mariner East Project, which has been ongoing for several years.

b. This information is reasonably calculated to identify the locations through which SPLP sought to run the Mariner East pipelines and is therefore relevant to whether SPLP attempted to site Valve 344 on the SPLP Use Area as agreed in the Settlement Agreement.

c. Therefore the requested information falls within the scope of permissible discovery under 52 Pa. Code § 5.321(c). *See id.*

18. Township Interrogatory 19 and SPLP's Objection thereto state the following:

Interrogatory 19: Identify SPLP's emergency response plan regarding the portion of the Mariner East Project running through the Township and produce a copy of any documents relating thereto.

SPLP Objection: SPLP objects to WGT 19 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information unrelated to the siting of Valve 344 or the meaning of Settlement Agreement. 52 Pa. Code § 5.321 (c).

19. SPLP's Objection to Interrogatory 19 must be dismissed because:

a. The Interrogatory is narrowly tailored, in that the purpose of the Settlement Agreement, and SPLP's agreement therein to site Valve 344 on the SPLP Use Area, was to address the Township's safety concerns pertaining to the Mariner East Project.

b. The Township anticipates that SPLP's emergency response plan will include information addressing how Valve 344 at its proposed location on the Janiec 2 Tract factors into SPLP's emergency response plan, and whether the safety concerns raised by the

Township and its citizens prior to the Settlement Agreement have been properly addressed by SPLP.

c. Therefore this information is relevant and reasonably calculated to lead to the discovery of other admissible evidence, thereby falling within the scope of permissible discovery under 52 Pa. Code § 5.321(c). *See id.*

20. Township Interrogatory 20 and SPLP's Objection thereto state the following:

Interrogatory 20: Identify all traffic studies performed by or on behalf of SPLP regarding the portion of the Mariner East Project within the Township or within townships adjacent to the Township, and produce a copy of any reports and other documents relating to said studies.

SPLP Objection: SPLP objects to WGT 20 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information regarding traffic studies in adjacent townships, which is unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321 (c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory in relation to Valve 344.

21. SPLP's Objection to Interrogatory 20 must be dismissed because:

a. The Interrogatory is narrowly tailored to seek information aimed at assessing the credibility of testimony given by SPLP representative, Matthew Gordon, at the July 18, 2017 hearing on the Township's Petition for Interim Emergency Order. *See, e.g.,* Hearing Transcript at pp. 189-190 (Gordon testified that it would be highly unlikely for Penndot to permit open- cut installation on Boot Road).

b. Given Mr. Gordon's testimony regarding the permissible curvature of the Mariner East pipelines, and how this impacts SPLP's ability to run the pipeline through the SPLP Use Area, the traffic study information for adjacent townships may have impacted SPLP's decisions regarding the location of Valve 344.

c. This information is relevant to the Township's claims in this case regarding SPLP's attempts to locate Valve 344 on the SPLP Use Area and therefore falls within the scope of permissible discovery under 52 Pa. Code § 5.321(c). *See* 52 Pa. Code § 5.321(c), *supra*.

22. Township Interrogatory 21 and SPLP's Objection thereto state the following:

Interrogatory 21: Identify the results of all soil borings and other geological testing performed by or on behalf of SPLP for the portion of the Mariner East Project within Chester County, Pennsylvania and Delaware County, Pennsylvania, and produce a copy of any results, logs, reports and other documents relating to said borings and testing.

SPLP Objection: SPLP objects to WGT 21 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321 (c). SPLP further objects to WGT 21 on the grounds that identifying "all" soil boring and geological testing in Chester and Delaware Counties and "all" related documents is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361 (a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361 (a)(4). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory in relation to Valve 344.

23. SPLP's Objection to Interrogatory 21 must be dismissed because:

a. The Interrogatory is narrowly tailored to the Counties in which the Township sits and the County directly adjacent thereto, and seeks information aimed at assessing the credibility of Matthew Gordon's testimony at the July 18, 2017 hearing.

b. Specifically, Mr. Gordon testified that SPLP's decision regarding the location of Valve 344 was impacted by the presence of fractured rock under Route 202 near the SPLP Use Area. *See, e.g.*, Hearing Transcript at p. 232.

c. The Interrogatory seeks information from other locations around the Township at which SPLP may have drilled through similar soils despite the concerns raised by Mr. Gordon.

d. This information is relevant to the Township's claims in this case regarding SPLP's attempts to locate Valve 344 on the SPLP Use Area and therefore falls within the scope of permissible discovery under 52 Pa. Code § 5.321. *See*, 52 Pa. Code § 5.321(c), *supra*.

24. Township Interrogatory 22 and SPLP's Objection thereto state the following:

Interrogatory 22: Identify all locations along the Mariner East Project in the last three years at which SPLP performed HDD through rock identified as "SM" (described by Matthew Gordon at pp. 192-193 of the Hearing Transcript as a type of unconsolidated sandstone), and produce all documents related to the decision to directionally drill through the identified locations rather than drill through another location or open cut.

SPLP Objection: SPLP objects to WGT 22 on the grounds that identifying "all" locations along the Mariner East Project in the last three years where HDD through SM was performed, and producing "all" related documents is unreasonable, oppressive, burdensome, and expensive, 52 Pa Code § 5.361 (a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361 (a)(4). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

25. SPLP's Objection to Interrogatory 22 must be dismissed because:

a. The Interrogatory is narrowly tailored to a specific type of rock allegedly encountered by SPLP on the Mariner East Project, and seeks information aimed at assessing the credibility of Matthew Gordon's testimony at the July 18, 2017 hearing. *See, e.g.*, Hearing Transcript at p. 192-193, 232.

b. The Interrogatory seeks information from other locations along the Mariner East Project to determine whether SPLP drilled through similar soils despite the concerns raised by Mr. Gordon.

c. This information is relevant to the Township's claims in this case regarding SPLP's attempts to locate Valve 344 on the SPLP Use Area and therefore falls within the scope of permissible discovery under 52 Pa. Code § 5.321(c). *See*, 52 Pa. Code § 5.321(c), *supra*.

26. Township Interrogatory 23 and SPLP's Objection thereto state the following:

Interrogatory 23: Identify all locations along the Mariner East Project in the last three years at which SPLP dug a "shored excavation vertical shaft" (described by Matthew Gordon at p. 193 of the Hearing Transcript) to perform HDD, and produce all documents relating to SPLP's decision to dig such a shaft rather than drill through another location or open cut.

SPLP Objection: SPLP objects to WGT 23 on the grounds that identifying "all" locations in the past three years where SPLP dug a "shored excavation vertical shaft", and producing "all" related documents is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361 (a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361 (a)(4). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

27. SPLP's Objection to Interrogatory 23 must be dismissed because:

a. The Interrogatory is narrowly tailored to seek information pertaining to a specific excavation method identified in Matthew Gordon's testimony at the July 18, 2017 hearing. *See, e.g.*, Hearing Transcript at p. 193.

b. The Township presently has no information on locations in which this excavation method may have been used, if at all, and therefore is unable to limit the request to specific locations; rather, only SPLP can investigate its own records and locate this information.

c. The information is relevant to the Township's claims in this case regarding SPLP's attempts to locate Valve 344 on the SPLP Use Area and therefore falls within the scope of permissible discovery under 52 Pa. Code § 5.321(c). *See*, 52 Pa. Code § 5.321(c), *supra*.

WHEREFORE, the Township respectfully requests that Your Honor grant its motion and enter an Order dismissing SPLP's Objections to Township Interrogatories 1, 6, 10, 13, 14, 19, 20, 21, 22, and 23, and compelling SPLP to serve complete answers to said Interrogatories within ten (10) days of said Order.

HIGH SWARTZ LLP

By:  _____

David J. Brooman, Esquire
Richard C. Sokorai, Esquire
Mark R. Fischer, Jr., Esquire
Attorneys for Petitioner
West Goshen Township

Date: 10/2/17

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

HIGH SWARTZ LLP
David J. Brooman, Esquire (I.D. No. 36571)
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Attorneys for West Goshen Township

WEST GOSHEN TOWNSHIP,	:	
Petitioner	:	Docket No. C-2017-2589346
	:	
v.	:	
	:	
SUNOCO PIPELINE, L.P.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that on October 02, 2017 I served a true and correct copy of West Goshen Township’s Motion to Dismiss Sunoco Pipeline, L.P.’s Objections to Interrogatories upon the parties listed below by email and U.S. Mail, first-class, postage prepaid, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Honorable Elizabeth H. Barnes
P.O. Box 3265
Harrisburg, PA 17105-3265
ebarnes@pa.gov

Christopher A. Lewis, Esquire
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HIGH SWARTZ LLP

By: 
Richard C. Sokorai, Esquire

Date: 10/2/17

EXHIBIT “A”



HIGH SWARTZ
Attorneys At Law LLP

MARK R. FISCHER, JR., ESQUIRE
(610) 275-0700
mfischer@highswartz.com
Reply to: Norristown
Licensed in Pennsylvania and New Jersey

September 12, 2017

Via Email & U.S. Mail

Christopher Lewis, Esquire
Michael Montalbano, Esquire
Blank Rome, LLP
One Logan Square
130 North 18th St.
Philadelphia, PA 19103-6998

**Re: West Goshen Township vs. Sunoco Pipeline, LP
Docket No. C-2017-2589346**

Dear Counsel:

Enclosed are West Goshen Township's Interrogatories with Requests for Documents directed to Sunoco Pipeline, L.P. in the above matter. Please provide Respondent's verified responses within twenty (20) days in accordance with 52 Pa. Code §5.342.

Thank you.

If you have any questions or concerns, please contact me.

Very truly yours

Mark R. Fischer, Jr.

MRF:jmg
Enclosure

cc: Richard C. Sokorai, Esquire (via email)
David J. Brooman, Esquire (via email)

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

HIGH SWARTZ LLP
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Attorneys for West Goshen Township

WEST GOSHEN TOWNSHIP,
Petitioner

Docket No. C-2017-2589346

v.

SUNOCO PIPELINE, L.P.,
Respondent

**INTERROGATORIES WITH REQUESTS FOR DOCUMENTS
DIRECTED TO SUNOCO PIPELINE, L.P.**

Complainant, West Goshen Township, by and through its attorneys, High Swartz, LLP., propounds the following Interrogatories, with requests for documents, upon Respondent, Sunoco Pipeline, L.P., pursuant to 52 Pa. Code §5.341. You are required to provide verified answers within twenty (20) days of service hereof in accordance with 52 Pa. Code §5.342.

These Interrogatories are addressed to You as a party to this action and Your answers shall be based upon all information known to You and Your representatives. These Interrogatories are continuing and any additional information which becomes known to You after answers are served shall be set forth in supplementary answers which are to be served, without demand by the Township's attorney, as soon as the additional information is known.

INSTRUCTIONS AND DEFINITIONS

A. "Identify" when referring to a person or persons means that all of the following information should be supplied as if the following list were incorporated each time the word "identify" appears: the person's or persons' (1) full name; (2) present or last known address; (3) present or last known employer and job classification; and (4) present or last known business address.

B. "Identify" when referring to a document, means that all of the following information should be supplied as if the following list were incorporated each time the word "identify" appears: (1) the nature of the document, e.g. whether it is a statement, brochure, report, letter, book, photograph or something else; (2) its physical description; (3) the location of the document and its custodian or possessor; (4) the person to whom the document was directed; (5) the contents of the document or, in the alternative, You may attach a clear copy of the particular document to your answers to the interrogatories; and (6) if a book, journal or other publication, its name and publisher and the volume, date and issue in which the document appears.

C. "Document" shall mean, and include, the original or any copy (regardless of origin or location) of any statement, paper writing, letter, fax, memoranda, reports, log book, note, article, journal, journal article, magazine, manual, handbook, newsletter, check book, plan, map, register tape, receipt, blueprint, drawing, sketch, book, pamphlet, record, audio recording, video recording, picture, photograph negative, email, text message and any other object containing a written, printed, spoken or photographic image or sound. "Document" shall also include electronically stored information, which shall mean, without limitation, all communications, records and information stored on any electronic device (e.g., computers,

laptops, tablets, iPads, cell phones and all derivatives thereof). Electronically stored information shall be produced in the form in which it is ordinarily maintained or in a reasonably usable form.

D. Where the context so requires the terms “and” and “or” mean “and/or;” the plural of a word includes the singular, and the singular includes the plural; the past tense of a verb includes the present, and the present tense includes the past; and, the masculine gender includes feminine and neuter, and the feminine includes the masculine and neuter, and the neuter includes the masculine and feminine.

E. “Sunoco,” “SPLP,” “You”, and “Your” shall mean Respondent, Sunoco Pipeline, L.P., and any of its predecessor entities, successor entities, employees and representatives.

F. “Township” shall mean Complainant, West Goshen Township, and its employees and representatives.

G. “Litigation” shall mean the above-captioned matter.

H. “Complaint” shall mean the First Amended Formal Complaint filed in the Litigation by the Township on March 30, 2017.

I. “New Matter” shall mean the New Matter included in SPLP’s Answer and New Matter to the Complaint.

J. “Hearing Transcript” shall mean the transcript of testimony from the hearing held in the Litigation on July 18, 2017.

K. “Settlement Agreement” refers to the Settlement Agreement dated June 15, 2015, a copy of which is attached to the Complaint as Exhibit “A.”

L. All terms defined in the Settlement Agreement are incorporated herein by reference and shall have the same definitions herein as in the Settlement Agreement, including

but not limited to “Mariner East Project,” “SPLP Existing Site,” “SPLP Additional Acreage,” and “SPLP Use Area.”

M. “HDD” shall mean horizontal direction drilling.

N. “Valve 344” shall mean the valve station referenced in paragraph II.A.2 of the Settlement Agreement.

O. “Janiec 2 Tract” shall mean the 6.646 acre tract of property in the Township, located across Boot Road from the SPLP Use Area, on the north side of Boot Road, near the US Route 202 northbound on-ramp (east of US Route 202), as further described in the Hearing Transcript.

INTERROGATORIES

1. Identify all SPLP employees, representatives and consultants that were involved in the study, evaluation, selection and design of Valve 344 and its location, and the design, configuration and location of all equipment or facilities that would impact or affect the location of Valve 344.

2. Identify all SPLP employees, representatives and consultants that were involved in the preparation, negotiation, review, revision, and/or approval of the Settlement Agreement, and produce all documents and communications relating to the negotiation of the Settlement Agreement.

3. Identify all individuals that were included in “SPLP’s project team and engineering group” as referenced in paragraphs 7, 8 and 9 of SPLP’s New Matter.

4. Identify and explain all of the work performed by SPLP’s project team and engineering group “to determine the feasibility of siting Valve 344 on the SPLP Use Area,” as referenced in Paragraph 7 of SPLP’s New Matter. Please attach copies of all documents relating to said work on the determination, including but not limited to plans, reports, studies, surveys, test results, meeting agendas, meeting minutes, and other documents.

5. Identify all engineering constraints that render SPLP unable to construct Valve 344 on the SPLP Use Area, as referenced in paragraph 8 of SPLP’s New Matter. Please attach copies of all documents relating to said constraints, including but not limited to plans, reports, studies, surveys, test results, meeting agendas, meeting minutes, and other documents.

6. Identify and summarize all communications between any SPLP employees, representatives and consultants regarding the evaluation, selection and design of the location of Valve 344, including in Your response the names of the participants, the date(s), and the substance of the discussion(s). Please attach copies of all documents relating to said communications, including but not limited to meeting agendas, meeting minutes, notes, emails, correspondence and other documents.

7. Identify the results of all testing, surveys, studies and other investigation performed by or on behalf of SPLP related to the location of Valve 344 and/or the design, configuration and location of all equipment or facilities that would impact the location of Valve 344. Please attach copies of all documents relating to said testing, including but not limited to surveys, timelines, reports, draft reports, memoranda, comments, minutes, notes and other documents relating to the work referenced in Your response.

8. Identify all plans (draft, proposed, preliminary, final or otherwise) prepared by, for, or on behalf of SPLP, identifying, discussing or depicting the location or alternative locations considered for Valve 344 and produce copies of each.

9. Identify all reports, plans, memoranda, notes, correspondence and other documents submitted by or on behalf of SPLP to the Township which identify the location of Valve 344, and produce copies of each.

10. Identify all reports, plans, memoranda, notes, correspondence and other documents submitted by or on behalf of SPLP to any other state or local governmental or regulatory agency for any portion of the Mariner East Project within the Township, and produce copies of each.

11. Identify any communication by which SPLP contends it has notified the Township that engineering constraints made SPLP unable to construct Valve 344 on the SPLP Use Area as set forth in the Settlement Agreement, including in Your response the name of the person that made the communication, the name of the person to whom the communication was made, the date of the communication, and the method by which it was made. Please attach copies of all documents relating to Your response.

12. Identify any communication by which SPLP contends it has notified the Township of SPLP's decision to site Valve 344 on a location other than the SPLP Use Area as set forth in the Settlement Agreement, including in Your response the name of the person that made the communication, the name of the person to whom the communication was made, the date of the communication, and the method by which it was made. Please attach copies of all documents relating to Your response. Please attach copies of all documents supporting Your response.

13. Identify all communications between SPLP or any of its representative and the Township regarding the acquisition of properties, easements or other rights for the use of land or right of way for the installation or completion of the Mariner East Project, and produce copies of each.

14. Identify acquisitions and attempted acquisitions of property, easements or other property rights within the Township related to the Mariner East Project in the last five years, and produce copies of any documents relating to Your response.

15. Other than the SPLP Use Area as set forth in the Settlement Agreement and the proposed location on the Janiec 2 Tract, identify any other locations in the Township that SPLP considered as a site for Valve 344. Please produce copies of any plans, designs, test results, and other documents relating to SPLP's consideration of said locations.

16. Identify all communications between SPLP or any of its representatives and the Township regarding the location of Valve 344, including in Your response the names of the individuals involved, the date of the communication, and the substance of the communication. Please attach copies of any documents, including but not limited to emails, relating to Your response.

17. Identify all communications between SPLP or any of its representatives and Richard Kuprewicz regarding the location of Valve 344, including in Your response the names of the individuals involved, the date of the communication, and the substance of the communication. Please attach copies of any documents, including but not limited to emails, relating to Your response.

18. Identify the “inadvertent return plan” for the portion of the Mariner East Project running through the Township and provide a copy of any documents relating to Your response.

19. Identify SPLP’s emergency response plan regarding the portion of the Mariner East Project running through the Township and produce a copy of any documents relating thereto.

20. Identify all traffic studies performed by or on behalf of SPLP regarding the portion of the Mariner East Project within the Township or within townships adjacent to the Township, and produce a copy of any reports and other documents relating to said studies.

21. Identify the results of all soil borings and other geological testing performed by or on behalf of SPLP for the portion of the Mariner East Project within Chester County, Pennsylvania and Delaware County, Pennsylvania, and produce a copy of any results, logs, reports and other documents relating to said borings and testing.

22. Identify all locations along the Mariner East Project in the last three years at which SPLP performed HDD through rock identified as “SM” (described by Matthew Gordon at pp. 192-193 of the Hearing Transcript as a type of unconsolidated sandstone), and produce all documents related to the decision to directionally drill through the identified locations rather than drill through another location or open cut.

23. Identify all locations along the Mariner East Project in the last three years at which SPLP dug a “shored excavation vertical shaft” (described by Matthew Gordon at p. 193 of the Hearing Transcript, to perform HDD), and produce all documents relating to SPLP’s decision to dig such a shaft rather than drill through another location or open cut.

24. Identify all locations along the Mariner East Project in the last three years at which drilling mud spilled onto a roadway while SPLP was performing HDD (discussed by Matthew Gordon at p. 193 of the Hearing Transcript), and produce all documents relating to said occurrences.

25. Identify all plans, reports, studies and investigatory information obtained by or on behalf of SPLP prior to the Settlement Agreement regarding drilling under Route 202 in the Township for the Mariner East Project. Please produce copies of any plans, designs, reports, test results, and other documents relating to Your response.

26. Identify all cost comparisons performed by or on behalf of SPLP regarding the siting of Valve 344 on the SPLP Use Area versus the Janiec 2 Tract, and produce any reports, spreadsheets, memoranda and other documents relating to Your response.

27. Identify and provide copies of any documents relating to the following:

- a. All drawings and computer models reflecting the “parallel paths” run by SPLP to determine how to best install Valve 344, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;
- b. All “utility locate data” relating to the location of Valve 344 received by SPLP in the fall/winter of 2015, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;

- c. All geotechnical data relating to the location of Valve 344 received by SPLP after the Settlement Agreement, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;

- d. All instructions from Sunoco upper management received by Gordon in 2016 and 2017 regarding the siting of Valve 344, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;

- e. All “KMZs” reviewed by SPLP in relation to Valve 344, as referenced by Matthew Gordon on pp. 226 and 231 of the Hearing Transcript;

- f. All emails confirming SPLP’s attempts to locate Valve 344 on the SPLP Use Area, as referenced by Matthew Gordon on p. 231 of the Hearing Transcript;

- g. All correspondence between Matthew Gordon and the consultant referenced by Matthew Gordon on p. 232 of the Hearing Transcript;

- h. All emails from any consultant to Matthew Gordon stating that Valve 344 could not be safely located on the SPLP Use Area, as referenced by Matthew Gordon on p. 245 of the Hearing Transcript; and

- i. All communications between SPLP or any of its representatives and the homeowner on the corner of Mary Jane Lane and Boot Road, as referenced by Matthew Gordon on p. 251 of the Hearing Transcript.

28. Identify and produce copies of all notes taken by any SPLP representative at the January 2016 meeting with the Township.

29. Identify any statements, as described in 52 Pa. Code § 5.323(b), provided to You by any party or witness in regard to the matters alleged in the Complaint, including the name of the speaker, the date of the statement, and the substance of the statement. Please attach a copy of any documents relating to Your response.

30. Identify the name, address and title (if applicable) of all fact witnesses that will testify on Your behalf at the trial in this Litigation and summarize the substance of what each will testify.

31. Identify the name and address of all expert witnesses that will testify on Your behalf at the trial in this Litigation, the subject matter on which each expert witness will testify, the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion. Please attach a copy of any report(s) prepared by said expert witness(es) and his or her curriculum vitae.

32. Identify all documents that You intend to introduce as evidence at the trial in this Litigation and attach a copy of each to Your response.

33. Identify the name and address of all individuals that contributed to the preparation of the answers to these interrogatories.

HIGH SWARTZ LLP

By:  _____

David J. Brooman, Esquire
Richard C. Sokorai, Esquire
Mark R. Fischer, Jr., Esquire
Attorneys for Petitioner
West Goshen Township

Date: 9/12/2007

EXHIBIT “B”

WEST GOSHEN TOWNSHIP	:	
	:	
Complainant,	:	Docket No. C-2017-2589346
	:	
v.	:	
	:	
SUNOCO PIPELINE L.P.,	:	
	:	
Respondent.	:	
	:	

**OBJECTIONS OF SUNOCO PIPELINE L.P. TO WEST GOSHEN
TOWNSHIP’S INTERROGATORIES WITH REQUEST FOR DOCUMENTS
DIRECTED TO SUNOCO PIPELINE L.P.**

Pursuant to the provisions of 66 Pa. C.S.A. § 333, and 52 Pa. Code §§ 5.342(c), 5.349(d), and 5.361, Sunoco Pipeline L.P. (“SPLP”), by its undersigned attorneys, hereby objects to the Interrogatories with Request for Documents of West Goshen Township directed to SPLP and propounded by electronic mail and regular mail on September 12, 2017. A certificate verifying service of these Objections on West Goshen Township has been filed with the Secretary of the Pennsylvania Public Utility Commission pursuant to 52 Pa. Code § 5.342(e).

I. GENERAL OBJECTIONS

1. SPLP objects to each and every interrogatory and document request to the extent that it requires an obligation or response beyond that required by the Pennsylvania Public Utility Code or the regulations applicable to matters before the Pennsylvania Public Utility Commission.

2. SPLP objects to each and every interrogatory and document request to the extent it is overly broad, unduly burdensome, oppressive, duplicative or cumulative.

3. SPLP objects to each and every interrogatory and document request to the extent it seeks information not relevant to this proceeding or not reasonably calculated to lead to the discovery of admissible evidence.

4. SPLP objects to each and every interrogatory and document request to the extent it seeks information or documents that are protected by attorney/client privilege, the work product privilege, and/or any other privilege. SPLP hereby claims such privileges and applicable protections. Inadvertent disclosure of any such privileged information or documents shall not be deemed to be a waiver of any privilege.

5. SPLP objects to each and every interrogatory and document request to the extent that it requires the making of an unreasonable investigation by SPLP.

6. SPLP objects to each and every interrogatory and document request to the extent that it seeks publicly available information or information that is equally available to both parties, on the basis that any such request imposes an undue burden on SPLP.

7. SPLP objects to each and every interrogatory and document request to the extent they are propounded in bad faith, in violation of Pa.R.C.P. 4011.

8. SPLP objects to each and every interrogatory and document request to the extent they seek information already in the knowledge, possession, or control of the Township.

9. SPLP objects to each and every interrogatory and document request to the extent they have already been asked and answered at the hearing on the Interim Emergency Order.

10. SPLP's responses to each and every interrogatory and document request will be made only after reasonable inquiry into the relevant facts within the time allotted for responding to discovery requests. SPLP hereby expressly reserves the right to supplement, modify, amend, or correct its responses and objections as continuing discovery efforts reveal additional information in any hearing or other proceeding in this matter or on appellate review thereof. SPLP objects to any interpretation of any interrogatory and document request and/or the instructions in connection therewith that is inconsistent with the foregoing.

11. All of the foregoing General Objections are incorporated by reference in response to each and every interrogatory, regardless of whether additional objections, general or specific, are made in regard to a specific discovery request.

II. SPECIFIC OBJECTIONS

SPLP submits the following Specific Objections to West Goshen Township's ("WGT's") Interrogatories with Request for Production of Documents, Nos. 1-33 as follows:

WGT 1. Identify all SPLP employees, representatives and consultants that were involved in the study, evaluation, selection and design of Valve 344 and its location, and the design, configuration and location of all equipment or facilities that would impact or affect the location of Valve 344.

SPLP Objection 1: SPLP objects to WGT 1 on the grounds that identifying "all" individuals that were involved with "all" equipment that would impact Valve 344 is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361(a)(4). Without waiver of this objection and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 2. Identify all SPLP employees, representatives and consultants that were involved in the preparation, negotiation, review, revision, and/or approval of the Settlement Agreement, and produce all documents and communications relating to the negotiation of the Settlement Agreement.

SPLP Objection 2: SPLP objects to WGT 2 to the extent it seeks information or documents that are protected by attorney/client privilege, the work product privilege, and/or any other privilege. 52 Pa. Code § 5.361(a)(3). Without waiver of this objection and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 3. Identify all individuals that were included in "SPLP's project team and engineering group" as referenced in paragraphs 7, 8 and 9 of SPLP's New Matter.

SPLP Objection 3: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 4. Identify and explain all of the work performed by SPLP's project team and engineering group "to determine the feasibility of siting Valve 344 on the SPLP Use Area," as referenced in Paragraph 7 of SPLP's New Matter. Please attach copies of all documents relating to said work on the determination, including but not limited to plans, reports, studies, surveys, test results, meeting agendas, meeting minutes, and other documents.

SPLP Objection 4: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 5. Identify all engineering constraints that render SPLP unable to construct Valve 344 on the SPLP Use Area, as referenced in paragraph 8 of SPLP's New Matter. Please attach copies of all documents relating to said constraints, including but not limited to plans, reports, studies, surveys, test results, meeting agendas, meeting minutes, and other documents.

SPLP Objection 5: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 6. Identify and summarize all communications between any SPLP employees, representatives and consultants regarding the evaluation, selection and design of the location of Valve 344, including in Your response the names of the participants, the date(s), and the substance of the discussion(s). Please attach copies of all documents relating to said communications, including but not limited to meeting agendas, meeting minutes, notes, emails, correspondence and other documents.

SPLP Objection 6: SPLP objects to WGT 6 on the grounds that identifying and summarizing “all” communications related to the evaluation, selection, design and location of Valve 344 is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a)(2), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361(a)(4). SPLP further objects to WGT 6 to the extent it seeks information or documents that are protected by attorney/client privilege, the work product privilege, and/or any other privilege. 52 Pa. Code § 5.361(a)(3). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 7. Identify the results of all testing, surveys, studies and other investigation performed by or on behalf of SPLP related to the location of Valve 344 and/or the design, configuration and location of all equipment or facilities that would impact the location of Valve 344. Please attach copies of all documents relating to said testing, including but not limited to surveys, timelines, reports, draft reports, memoranda, comments, minutes, notes and other documents relating to the work referenced in Your response.

SPLP Objection 7: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 8. Identify all plans (draft, proposed, preliminary, final or otherwise) prepared by, for, or on behalf of SPLP, identifying, discussing or depicting the location or alternative locations considered for Valve 344 and produce copies of each.

SPLP Objection 8: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 9. Identify all reports, plans, memoranda, notes, correspondence and other documents submitted by or on behalf of SPLP to the Township which identify the location of Valve 344, and produce copies of each.

SPLP Objection 9: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 10. Identify all reports, plans, memoranda, notes, correspondence and other documents submitted by or on behalf of SPLP to any other state or local governmental or regulatory agency for any portion of the Mariner East Project within the Township, and produce copies of each.

SPLP Objection 10: SPLP objects to WGT 10 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information related to “any portion of the Mariner East Project within the Township,” which is unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321(c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory with respect to Valve 344.

WGT 11. Identify any communication by which SPLP contends it has notified the Township that engineering constraints made SPLP unable to construct Valve 344 on the SPLP Use Area as set forth in the Settlement Agreement, including in Your response the name of the person that made the communication, the name of the person to whom the communication was made, the date of the communication, and the method by which it was made. Please attach copies of all documents relating to Your response.

SPLP Objection 11: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 12. Identify any communication by which SPLP contends it has notified the Township of SPLP's decision to site Valve 344 on a location other than the SPLP Use Area as set forth in the Settlement Agreement, including in Your response the name of the person that made the communication, the name of the person to whom the communication was made, the date of the communication, and the method by which it was made. Please attach copies of all documents relating to Your response. Please attach copies of all documents supporting Your response.

SPLP Objection 12: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 13. Identify all communications between SPLP or any of its representative and the Township regarding the acquisition of properties, easements or other rights for the use of land or right of way for the installation or completion of the Mariner East Project, and produce copies of each.

SPLP Objection 13: SPLP objects to WGT 13 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information related to “properties, easements or other rights for the use of land or right of way for the installation or completion of the Mariner East Project,” which is unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321(c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory with respect to the siting of Valve 344.

WGT 14. Identify acquisitions and attempted acquisitions of property, easements or other property rights within the Township related to the Mariner East Project in the last five years, and produce copies of any documents relating to Your response.

SPLP Objection 14: SPLP objects to WGT 14 on the grounds that identifying and producing documents regarding all acquisitions and attempted acquisitions in the Township in the past five years is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a)(2), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361(a)(4). SPLP further objects to WGT 14 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321(c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory with respect to the siting of Valve 344.

WGT 15. Other than the SPLP Use Area as set forth in the Settlement Agreement and the proposed location on the Janiec 2 Tract, identify any other locations in the Township that SPLP considered as a site for Valve 344. Please produce copies of any plans, designs, test results, and other documents relating to SPLP's consideration of said locations.

SPLP Objection 15: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 16. Identify all communications between SPLP or any of its representatives and the Township regarding the location of Valve 344, including in Your response the names of the individuals involved, the date of the communication, and the substance of the communication. Please attach copies of any documents, including but not limited to emails, relating to Your response.

SPLP Objection 16: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 17. Identify all communications between SPLP or any of its representatives and Richard Kuprewicz regarding the location of Valve 344, including in Your response the names of the individuals involved, the date of the communication, and the substance of the communication. Please attach copies of any documents, including but not limited to emails, relating to Your response.

SPLP Objection 17: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 18. Identify the "inadvertent return plan" for the portion of the Mariner East Project running through the Township and provide a copy of any documents relating to Your response.

SPLP Objection 18: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 19. Identify SPLP's emergency response plan regarding the portion of the Mariner East Project running through the Township and produce a copy of any documents relating thereto.

SPLP Objection 19: SPLP objects to WGT 19 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information unrelated to the siting of Valve 344 or the meaning of Settlement Agreement. 52 Pa. Code § 5.321(c).

WGT 20. Identify all traffic studies performed by or on behalf of SPLP regarding the portion of the Mariner East Project within the Township or within townships adjacent to the Township, and produce a copy of any reports and other documents relating to said studies.

SPLP Objection 20: SPLP objects to WGT 20 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information regarding traffic studies in adjacent townships, which is unrelated to the siting of the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321(c). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory in relation to Valve 344.

WGT 21. Identify the results of all soil borings and other geological testing performed by or on behalf of SPLP for the portion of the Mariner East Project within Chester County, Pennsylvania and Delaware County, Pennsylvania, and produce a copy of any results, logs, reports and other documents relating to said borings and testing.

SPLP Objection 21: SPLP objects to WGT 21 on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks information unrelated to the siting of Valve 344 or the meaning of the Settlement Agreement. 52 Pa. Code § 5.321(c). SPLP further objects to WGT 21 on the grounds that identifying “all” soil boring and geological testing in Chester and Delaware Counties, and “all” related documents is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361(a)(4). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory in relation to Valve 344.

WGT 22. Identify all locations along the Mariner East Project in the last three years at which SPLP performed HDD through rock identified as "SM" (described by Matthew Gordon at pp. 192-193 of the Hearing Transcript as a type of unconsolidated sandstone), and produce all documents related to the decision to directionally drill through the identified locations rather than drill through another location or open cut.

SPLP Objection 22: SPLP objects to WGT 22 on the grounds that identifying "all" locations along the Mariner East Project in the last three years where HDD through SM was performed, and producing "all" related documents is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361(a)(4). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 23. Identify all locations along the Mariner East Project in the last three years at which SPLP dug a "shored excavation vertical shaft" (described by Matthew Gordon at p. 193 of the Hearing Transcript, to perform HDD), and produce all documents relating to SPLP's decision to dig such a shaft rather than drill through another location or open cut.

SPLP Objection 23: SPLP objects to WGT 23 on the grounds that identifying "all" locations in the past three years where SPLP dug a "shored excavation vertical shaft", and producing "all" related documents is unreasonable, oppressive, burdensome, and expensive, 52 Pa. Code § 5.361(a), and would require SPLP to make an unreasonable investigation, 52 Pa. Code § 5.361(a)(4). Without waiver of these objections and the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 24. Identify all locations along the Mariner East Project in the last three years at which drilling mud spilled onto a roadway while SPLP was performing HDD (discussed by Matthew Gordon at p. 193 of the Hearing Transcript), and produce all documents relating to said occurrences.

SPLP Objection 24: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 25. Identify all plans, reports, studies and investigatory information obtained by or on behalf of SPLP prior to the Settlement Agreement regarding drilling under Route 202 in the Township for the Mariner East Project. Please produce copies of any plans, designs, reports, test results, and other documents relating to Your response.

SPLP Objection 25: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory in relation to Valve 344.

WGT 26. Identify all cost comparisons performed by or on behalf of SPLP regarding the siting of Valve 344 on the SPLP Use Area versus the Janiec 2 Tract, and produce any reports, spreadsheets, memoranda and other documents relating to Your response.

SPLP Objection 26: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 27. Identify and provide copies of any documents relating to the following:

- a. All drawings and computer models reflecting the "parallel paths" run by SPLP to determine how to best install Valve 344, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;
- b. All "utility locate data" relating to the location of Valve 344 received by SPLP in the fall/winter of 2015, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;
- c. All geotechnical data relating to the location of Valve 344 received by SPLP after the Settlement Agreement, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;
- d. All instructions from Sunoco upper management received by Gordon in 2016 and 2017 regarding the siting of Valve 344, as referenced by Matthew Gordon on p. 205 of the Hearing Transcript;
- e. All "KMZs" reviewed by SPLP in relation to Valve 344, as referenced by Matthew Gordon on pp. 226 and 231 of the Hearing Transcript;
- f. All emails confirming SPLP's attempts to locate Valve 344 on the SPLP Use Area, as referenced by Matthew Gordon on p. 231 of the Hearing Transcript;
- g. All correspondence between Matthew Gordon and the consultant referenced by Matthew Gordon on p. 232 of the Hearing Transcript;
- h. All emails from any consultant to Matthew Gordon stating that Valve 344 could not be safely located on the SPLP Use Area, as referenced by Matthew Gordon on p. 245 of the Hearing Transcript; and
- i. All communications between SPLP or any of its representatives and the homeowner on the corner of Mary Jane Lane and Boot Road, as referenced by Matthew Gordon on p. 251 of the Hearing Transcript.

SPLP Objection 27: Without waiver of the General Objections enumerated above, SPLP will provide a response to WGT 27.

WGT 28. Identify and produce copies of all notes taken by any SPLP representative at the January 2016 meeting with the Township.

SPLP Objection 28: SPLP objects to WGT 28 to the extent it seeks information or documents that are protected by attorney/client privilege, the work product privilege, and/or any other privilege. 52 Pa. Code § 5.361(a)(3). Without waiver of this objection or the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 29. Identify any statements, as described in 52 Pa. Code § 5.323(b), provided to You by any party or witness in regard to the matters alleged in the Complaint, including the name of the speaker, the date of the statement, and the substance of the statement. Please attach a copy of any documents relating to Your response.

SPLP Objection 29: SPLP further objects to WGT 29 to the extent it seeks information or documents that are protected by attorney/client privilege, the work product privilege, and/or any other privilege. 52 Pa. Code § 5.361(a)(3). Without waiver of this objection or the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 30. Identify the name, address and title (if applicable) of all fact witnesses that will testify on Your behalf at the trial in this Litigation and summarize the substance of what each will testify.

SPLP Objection 30: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 31. Identify the name and address of all expert witnesses that will testify on Your behalf at the trial in this Litigation, the subject matter on which each expert witness will testify, the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion. Please attach a copy of any report(s) prepared by said expert witness(es) and his or her curriculum vitae.

SPLP Objection 31: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 32. Identify all documents that You intend to introduce as evidence at the trial in this Litigation and attach a copy of each to Your response.

SPLP Objection 32: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

WGT 33. Identify the name and address of all individuals that contributed to the preparation of the answers to these interrogatories.

SPLP Objection 33: Without waiver of the General Objections enumerated above, SPLP will provide a response to this interrogatory.

Respectfully submitted,

BLANK ROME LLP

Dated: September 21, 2017

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CERTIFICATE OF SERVICE

I, Michael J. Montalbano, certify that on September 21, 2017, I caused a true and correct copy of the foregoing Sunoco Pipeline L.P.'s Objections to West Goshen Township's Interrogatories with Requests for Documents to be served upon the party listed below by electronic mail and U.S. Mail, first-class, postage prepaid, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party):

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