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October 10, 2017

VIA ELECTRONIC FILING

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

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

Dear Secretary Chiavetta,

Enclosed please find Sunoco Pipeline L.P.'s ("SPLP's") Response to West Goshen Township's Motion to Dismiss SPLP's Objections to Interrogatories and Compel Responses in the above referenced case. Copies of the Response have been served on all parties of record in accordance with the Certificate of Service.

Thank you for your attention to this matter, and please do not hesitate to contact me with any questions or concerns.

Very truly yours,


Christopher A. Lewis

Enclosures

cc: As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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

Pursuant to 52 Pa. Code § 5.342(g), Respondent, Sunoco Pipeline L.P. (“SPLP”) hereby responds to West Goshen Township’s (the “Township’s”) Motion to Dismiss SPLP’s Objections to Interrogatories and Compel Responses (“Motion”).

I. BACKGROUND

1. On February 17, 2017, the Township filed a Complaint to Enforce Settlement Agreement with the Commission. The settlement agreement (the “Settlement Agreement”) at

issue was entered into by the Township, SPLP, and Concerned Citizens of West Goshen Township (“CCWGT”) and certified by the Commission on June 15, 2015. The certification is docketed at U-2015-2486071.

2. This case is a narrow contract dispute relating to the siting of a Valve on certain parcels of land within West Goshen Township located on opposite sides of Route 202, namely, the SPLP Use Area and the Janiec 2 tract. The Amended Complaint, filed on March 30, 2017 contains only a single count.

3. On September 12, 2017, the Township served Interrogatories with Requests for Documents directed to SPLP. *See Exhibit A*, attached hereto.

4. On September 21, 2017, SPLP objected to many of the Township’s requests on the grounds that they are unduly burdensome, overbroad, and/or not reasonably calculated to lead to admissible evidence because they do not pertain to either placement of the Valve or the underlying Settlement Agreement. *See Exhibit B*, attached hereto.

5. Additionally, many of the requests sought electronically stored information (“ESI”) including electronic mail, the review and production of which is time consuming and expensive.

6. Without waiver of the objections, SPLP nevertheless represented to the Township that it would provide a response to the vast majority of the Township’s Requests.

7. SPLP has, at its own expense, retained an outside consultant to assist with the identification and production of non-privileged, responsive ESI. SPLP has diligently worked to identify and review such information. To date, SPLP has identified potential custodians of responsive information and has retrieved data from those custodians for the relevant time frame. SPLP initially retrieved more than two million documents and emails. Using reasonable search

terms, SPLP has further refined its search and has identified tens of thousands of potentially responsive documents and emails. SPLP continues to review these documents for responsiveness, privilege, and confidentiality.

8. On October 2, SPLP served its responses to the Township's Requests ("October 2 Responses"). See **Exhibit C**, attached hereto. The Responses also included an initial document production of 3,907 documents. SPLP represented to the Township that it is continuing to review potentially responsive documents, and it will supplement its response in a timely manner if necessary.

9. That same day, the Township filed the instant Motion seeking to dismiss SPLP's objections to Interrogatories 1, 6, 10, 13, 14, 19, 20, 21, 22, and 23, and compel answers thereto.

10. Upon information and belief, the Township was not in possession of SPLP's Responses at the time it filed the instant Motion.

11. With the exception of Interrogatory 19, SPLP's October 2 Responses included full and complete answers to each of Interrogatories at issue here, subject to SPLP's ongoing search of ESI and right to supplement its Responses.

12. For these reasons, and as explained in more detail below, SPLP's objections should be sustained and/or the Township's Motion should be dismissed in light of SPLP's good faith effort to identify and supply the requested information.

II. ARGUMENT

13. 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.

14. SPLP's Objection to Interrogatory 1 must be sustained because:

a. The Township is requesting the identification of each and every SPLP employee or outside consultant who was involved with the design, configuration, and location of the Valve 344, or the location of all equipment that might impact the location of the Valve 344.

b. The design, configuration, and location of Valve 344 has required the input from numerous individuals including SPLP employees and outside consultants. Given the scope and breadth of this question, it is difficult and unduly burdensome to provide a complete roster of all such individuals associated with design, configuration, and location of Valve 344.

c. Without waiver of its objections, SPLP nevertheless made a good faith and reasonable effort to identify individuals having knowledge of the design, configuration, and location of Valve 344.

d. In its October 2 Response, SPLP identified 41 individuals having such knowledge, including employees from SPLP, TetraTech-Rooney, Trico Surveying and Mapping, Inc., LW Survey, Otis Eastern, Oz Directional Drilling, JAB Inspection Services, and Percheron. SPLP *See Exhibit C*, attached hereto. Thus, SPLP made a thoughtful, thorough, and complete response to this Interrogatory.

e. Accordingly, SPLP's objection to Interrogatory 1 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 1 in light of the SPLP's diligent and thorough response thereto.

15. 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.

16. SPLP's Objection to Interrogatory 6 must be sustained because:
 - a. The Township is requesting that SPLP identify, summarize, and provide all communications related to the evaluation, selection, and design of Valve 344.
 - b. This request is objectionable insofar as it requests information and documents that do not pertain to the location of the Valve or the underlying Settlement Agreement. For example, the selection and design of the Valve were never at issue in this matter. Rather, this matter only implicates the location of the Valve. Identifying, reviewing, and producing documents unrelated to the location of the valve -- including documents related to the evaluation, selection, and design of the Valve -- is unreasonable and unduly burdensome. As such, SPLP properly objected to this request.
 - c. Furthermore, locating all documents responsive to this request requires a time consuming and costly search of ESI, including electronic email, which could potentially implicate tens of thousands of pages of documents.
 - d. Without waiving its objections, SPLP nevertheless stated it would respond to this Interrogatory.

e. In its October 2 Response, following a reasonable and good faith effort to respond to this interrogatory, SPLP provided the following response: "Throughout 2016 and 2017, SPLP's upper management held monthly meetings in which upper management insisted that the engineering group endeavor to construct Valve 344 at the SPLP Use Area because the SPLP Use Area was the preferred location." See **Exhibit C**.

f. To date, SPLP has diligently worked to identify potential custodians of documents and communications responsive to this Request. SPLP has retained, at its expense, an outside consultant to assist with this review and the review is ongoing.

g. SPLP continues to diligently review potentially responsive documents and will timely supplement its responses, if necessary, after it has completed its review.

h. Accordingly, SPLP's objection to Interrogatory 6 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 6 in light of SPLP's initial responses thereto and SPLP's ongoing diligent and good faith efforts to respond to this Interrogatory.

17. 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.

18. SPLP's Objection to Interrogatory 10 must be sustained because:

a. This interrogatory is requesting documents submitted to regulatory agencies for portions of the Mariner East Project in West Goshen Township.

b. This request is objectionable because it implicates other portions of the Mariner East project that are unrelated to the Valve or Settlement Agreement at issue here. The request pertains to the entire pipeline corridor in West Goshen Township, and is not limited to the areas relevant to this dispute, namely the SPLP Use Area and the Janiec 2 tract. Requesting documents related to the entire pipeline corridor in West Goshen Township amounts to a fishing expedition for information unrelated to the location of the Valve or the underlying Settlement Agreement. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.

c. Without waiving its objections, SPLP nevertheless stated it would respond to this Interrogatory with respect to the siting of Valve 344.

d. In its October 2 Response, following a good faith and reasonable effort to respond to this request, SPLP responded by referring the Township to SPLP's document production at SPLP000001-SPLP003907. SPLP also noted that documents responsive to this request are available on the Pennsylvania Department of Environmental Protection's ("DEP's") website at <http://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>. See **Exhibit C**. Thus, SPLP made a thoughtful, thorough, and complete response to this Interrogatory.

e. Accordingly, SPLP's objection to Interrogatory 10 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 10 in light of the SPLP's diligent and thorough response thereto.

19. 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.

20. SPLP's Objection to Interrogatory 13 must be sustained because:

a. This interrogatory requests all communications between SPLP and the Township regarding property acquisitions related to the Mariner East Project.

b. This request is objectionable because it implicates other portions of the Mariner East project that are unrelated to the Valve or Settlement Agreement at issue here. The request pertains to the entire pipeline corridor in West Goshen Township, and is not limited to the areas relevant to this dispute, namely the SPLP Use Area and the Janiec 2 tract. Requesting communications pertaining to easements and acquisitions and attempted acquisitions related to the entire pipeline corridor in West Goshen Township constitutes a fishing expedition into SPLP's other legal proceedings in the Township and is unrelated to the Settlement Agreement and Valve at issue here. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.

c. Without waiving its objections, SPLP nevertheless represented that it would respond to this Interrogatory with respect to the siting of Valve 344.

d. In its October 2 Response, following a good faith and reasonable effort to respond to this request, SPLP responded by referring the Township to SPLP's document production at SPLP000001-SPLP00409 which are documents pertaining to the real estate transactions concerning Valve 344. *See Exhibit C.*

e. Additionally, SPLP continues to diligently review potentially responsive documents. To date, SPLP has worked to identify potential custodians of documents and communications responsive to this Request. SPLP has retained, at its expense, an outside consultant to assist with this review and the review is ongoing. SPLP will timely supplement its responses, if necessary, after it has completed its review.

f. Accordingly, SPLP's objection to Interrogatory 13 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 13 in light of SPLP's initial responses thereto and SPLP's ongoing diligent and good faith efforts to respond to this Interrogatory.

21. 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.

22. SPLP's Objection to Interrogatory 14 must be sustained because:

a. This interrogatory requests that SPLP identify all acquisitions and attempted acquisitions in the Township in the past five years related to the Mariner East project.

b. This request is objectionable because it implicates other portions of the Mariner East Pipeline that are unrelated to the Valve or Settlement Agreement at issue here. The request pertains to the entire pipeline corridor in West Goshen Township, and is not limited to the areas relevant to this dispute, namely the SPLP Use Area and the Janiec 2 tract. Requesting information and documents pertaining to easements and acquisitions and attempted acquisitions related to the entire pipeline corridor in West Goshen Township constitutes a fishing expedition into SPLP's other legal proceedings in the Township and is unrelated to the Settlement Agreement and Valve at issue here. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.

c. Without waiving its objections, SPLP nevertheless stated it would respond to this Interrogatory with respect to the siting of Valve 344.

d. In its October 2 Response, following a good faith and reasonable effort to respond to this request, SPLP responded as follows: "The only tract that SPLP considered for purchase regarding the siting of the Valve is the Janiec 2 Tract." See **Exhibit C**.

e. Additionally, SPLP referred the Township to SPLP's document production at SPLP000001-SPLP00727 which are documents pertaining to the real estate transactions concerning Valve 344. See **Exhibit C**. Thus, SPLP made a thoughtful, thorough, and complete response to this Interrogatory.

f. Accordingly, SPLP's objection to Interrogatory 14 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 14 in light of the SPLP's diligent and thorough response thereto.

23. 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).

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

a. This interrogatory requests SPLP's emergency response plan for the Mariner East Project in West Goshen Township.

b. This request is objectionable because it implicates other portions of the Mariner East project that are not unrelated to the Valve or Settlement Agreement at issue here. The request pertains to the entire pipeline corridor in West Goshen Township, and is not limited to the areas relevant to this dispute, namely the SPLP Use Area and the Janiec 2 tract. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.

c. Additionally, SPLP's emergency response plans contain sensitive and confidential security information. Safeguarding detailed emergency response information is critically important to protecting against security breaches that could threaten the Mariner East Pipeline and the health and safety of the community.

d. Accordingly, SPLP's objection to Interrogatory 19 should be sustained.

25. 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.

26. SPLP's Objection to Interrogatory 20 must be sustained because:

- a. This interrogatory requests traffic studies conducted by SPLP not only in West Goshen Township, but in surrounding townships as well.
- b. SPLP objected to this interrogatory insofar as traffic studies in other township have no bearing on the narrow issues before the Commission in this proceeding. Any such studies are not relevant to the placement of the Valve at the SPLP Use Area or the Janiec 2 Tract, or the underlying Settlement Agreement. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.
- c. The Township contends that traffic studies in adjacent townships are relevant because they may have impacted SPLP's decision regarding the location of the Valve.
- d. It is unconceivable how any traffic study in any township other than West Goshen Township is relevant to the underlying issue here, *i.e.* whether the placement of the Valve on the Janiec 2 tract is permissible under the terms of the Settlement Agreement.
- e. Without waiving its objections, SPLP nevertheless stated it would respond to this Interrogatory with respect to the siting of Valve 344.

f. In its October 2 Response, following a good faith and reasonable effort to respond to this request, SPLP responded that it has not undertaken any traffic studies in West Goshen Township. *See Exhibit C.* Thus, SPLP made a thoughtful, thorough, and complete response to this Interrogatory.

g. Accordingly, SPLP's objection to Interrogatory 20 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 20 in light of the SPLP's diligent and thorough response thereto.

27. 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.

28. SPLP's Objection to Interrogatory 21 must be sustained because:

a. This interrogatory requests the results of all soil borings and other geological tests performed for the portions of the Mariner East project in Delaware and Chester Counties.

b. SPLP objected to this interrogatory insofar as soil borings and geological testing in areas outside West Goshen Township have no bearing on the narrow issues before the Commission in this proceeding. Any such results are not relevant to the placement of the Valve

at the SPLP Use Area or the Janiec 2 Tract, or the underlying Settlement Agreement. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.

c. The Township contends that this information is relevant in light of Matthew Gordon's testimony at the July 18, 2017 hearing regarding the presence of fractured rock under Route 202 in the area between the SPLP Use Area and the Janiec 2 tract.

d. Here again, it is unconceivable how geological data in areas other than the SPLP Use Area and the Janiec 2 tract is relevant to the underlying issue here, *i.e.* whether the placement of the Valve on the Janiec 2 tract is permissible under the terms of the Settlement Agreement

e. Without waiving its objections, SPLP nevertheless stated it would respond to this Interrogatory with respect to the siting of Valve 344.

f. In its October 2 Response, following a good faith and reasonable effort to respond to this request, SPLP responded by referring the Township to SPLP's document production at SPLP003470-SPLP003791 and SPLP003893-SPLP003903. *See Exhibit C.* These documents contain information related to geotechnical boring locations, HDD profiles with geotechnical information, test boring logs, geotechnical laboratory testing results, and field description and logging systems for soil exploration in Chester and Delaware Counties. Thus, SPLP made a thoughtful, thorough, and complete response to this Interrogatory.

g. Accordingly, SPLP's objection to Interrogatory 21 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 21 in light of the SPLP's diligent and thorough response thereto.

29. 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.

30. SPLP's Objection to Interrogatory 22 must be sustained because:

a. This interrogatory seeks information and documents related to all HDD's performed through unconsolidated sandstone ("SM") rock along the entire Mariner East pipeline corridor, which spans approximately 350 miles.

b. SPLP objected to this interrogatory because it requires SPLP to conduct a time consuming and expensive search of all areas along the entire Mariner East Project corridor where SPLP may have drilled through unconsolidated sandstone. Such information is not relevant to the placement of the Valve at the SPLP Use Area or the Janiec 2 Tract, or the underlying Settlement Agreement. Insofar as the request seeks information not pertinent to this matter, the request is overly broad and unduly burdensome. As such, SPLP properly objected to this request.

c. The Township contends that such information is relevant to corroborate Matthew Gordon's testimony at the July 18, 2017 hearing that drilling through unconsolidated sandstone at shallow depths is imprudent.

d. Without waiving its objections, SPLP nevertheless stated it would respond to this Interrogatory.

e. In its October 2 Response, following a good faith and reasonable effort to respond to this request, SPLP responded by explaining as follows:

SPLP has performed HDD through SM material along the Mariner East Project when conditions permit. For example, SPLP003904 depicts an HDD through SM material from station 0+00 to approximately 10+00. Here, however, SPLP and its consultants concluded that, based on surface and subsurface conditions, an HDD entering at the SPLP Use Area, then proceeding underneath Route 202, and exiting on the Janiec 2 Tract, would have been imprudent and unsafe. Specifically, such an HDD profile would require a minimum drill depth of approximately 20-25 feet. Additionally, the soils under and near Route 202 in that area, in addition to containing unconsolidated sandstone, or SM, consist of highly fractured fill material, likely from the construction of Route 202. The combination of a shallow drilling depth and highly fractured and unconsolidated fill material and sandstone increases the risk of an inadvertent return in that area. Route 202 is a busy highway that serves approximately 70,000 cars each day. The subsurface and surface conditions factored into SPLP's conclusion that an HDD from the SPLP Use Area to the Janiec 2 site would not be prudent. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

See Exhibit C.

f. SPLP made a thoughtful and thorough response to this Interrogatory.

SPLP continues to review documents potentially responsive to this request, and will supplement its document production if necessary.

g. Accordingly, SPLP's objection to Interrogatory 22 should be sustained. In the alternative, the Township's Motion should be denied as to Interrogatory 22 in light of SPLP's initial responses thereto and SPLP's ongoing diligent and good faith efforts to respond to this Interrogatory.

31. 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.

32. SPLP's Objection to Interrogatory 23 must be sustained because:

a. This interrogatory seeks information and documents related SPLP's use of a "shorted excavation vertical shaft" along the entire Mariner East pipeline corridor, which spans approximately 350 miles.

b. SPLP initially objected to this interrogatory as unreasonable and unduly burdensome because it requires SPLP to conduct a time consuming and expensive search of all areas along the entire Mariner East Project corridor where SPLP may have utilized a "shorted excavation vertical shaft" which are not related to the location of the Valve or the underlying Settlement Agreement.

c. However, following a diligent and reasonable investigation to supply information responsive to this request, SPLP stated in its October 2 Response that there are no such locations or documents responsive to this request. *See Exhibit C.*

d. Accordingly, the Township's Motion should be denied as to Interrogatory 23 in light of the SPLP's diligent and complete response thereto.

WHEREFORE, SPLP respectfully requests that Your Honor overrule the Township's request to dismiss SPLP's objections to Interrogatories 1, 6, 10, 13, 14, 19, 20, 21, 22, and 23 and/or dismiss the Township's motion in light SPLP's October 2 Responses to the Township's requests. SPLP will continue to make a good faith effort to review ESI and will make a reasonable effort to supply any responsive, non-privileged information in a timely manner.

Respectfully submitted,

BLANK,ROME LLP

A handwritten signature in black ink, appearing to read "Frank L. Tamulonis", written over a horizontal line.

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Counsel for Sunoco Pipeline L.P.


Dated: October 10, 2017

CERTIFICATE OF SERVICE

I, Frank L. Tamulonis, certify that on October 10, 2017, pursuant to 52 Pa. Code § 1.54 (relating to service by a party), I caused a true and correct copy of the foregoing SPLP Response to West Goshen Township's Motion to Dismiss SPLP's Objections to Interrogatories and Compel Responses to be served upon the party listed below by electronic mail and U.S. Mail, first-class, postage prepaid, and by filing it electronically with the Commission:

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

David Brooman, Esq.
Richard C. Sokorai, Esq.
Mark R. Fischer, Jr., Esq.
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dwayne@highswartz.com



Frank L. Tamulonis
Attorney for Sunoco Pipeline L.P.

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
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

**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 p. 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

Christopher A. Lewis

Christopher A. Lewis (I.D. No. 29375)

Frank L. Tamulonis (I.D. No. 208001)

Michael Montalbano (I.D. No. 320943)

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MMontalbano@BlankRome.com

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):

David Brooman, Esquire
Douglas Wayne, Esquire
High Swartz, LLP
40 East Airy Street
Norristown, PA 19404
dbrooman@highswartz.com
dwayne@highswartz.com

Michael J. Montalbano

Michael J. Montalbano
Attorney for Sunoco Pipeline L.P.

EXHIBIT C

Phone: (215) 569-5725
Fax: (215) 832-5725
Email: FTamulonis@BlankRome.com

October 2, 2017

BY FEDERAL EXPRESS AND EMAIL

David Brooman, Esquire
High Swartz, LLP
40 East Airy Street
Norristown, PA 19404

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

Dear Mr. Brooman:

Enclosed please find SPLP's responses to West Goshen Township's Discovery Requests and 2 thumb drives (original and copy) containing SPLP's initial document production (SPLP000001-SPLP003907). I will send you the passwords to access the thumb drives in a separate email.

Please do not hesitate to contact me with any questions or concerns.

Very truly yours,



Frank L. Tamulonis III

FLT:mh
Enclosures
cc: Certificate of Service (via email)

WEST GOSHEN TOWNSHIP
Complainant,
v.
SUNOCO PIPELINE L.P.,
Respondent.

Docket No. C-2017-2589346

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

Pursuant to 66 Pa. C.S.A. § 33 and 52 Pa. Code § 5.342, and 5.349, Sunoco Pipeline L.P. ("SPLP"), by its undersigned attorneys, hereby responds to the Interrogatories with Requests for Documents of West Goshen Township to SPLP propounded by electronic and regular mail on September 12, 2017. SPLP expressly reserves the right to supplement, modify, or correct its responses and objections prior to a hearing in this matter.

SPLP'S ANSWERS

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 Answer 1: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP answers as follows:

Matthew Gordon (SPLP)
Harry (Hank) Alexander (SPLP)
Mike Slough (SPLP)
Bart Mitchell (SPLP)
Michael Hennigan (SPLP)
Joe McGinn (SPLP)
Karen McMillin (SPLP)
Donald (Donnie) Zolaciewicz (SPLP)
Monica Styles (SPLP)
Richard Billman (SPLP)
Carl (Gus) Borkland (SPLP)
David Chalson (SPLP)
Kathleen Shea Bally, Esq. (SPLP)
Curtis Stambaugh, Esq. (SPLP)
Dan Molinsky (Tetra Tech-Rooney)
Mike Mathwig (Tetra Tech-Rooney)
Aaron Coady (Tetra Tech-Rooney)
Jeff Lowy (Tetra Tech-Rooney)
Roxanne Burrige (Tetra Tech-Rooney)
Zachary Bauer (Tetra Tech-Rooney)
Curtis McMichael (Tetra Tech-Rooney)
Heather Gciger (Tetra Tech-Rooney)
Faith Kay (Tetra Tech-Rooney)
Steven Ricci (Tetra Tech-Rooney)
Tyler Work (Tetra Tech-Rooney)
Uriah Sowell (Tetra Tech-Rooney)
Steven Houser (Tetra Tech-Rooney)
Leroy Humke (Tetra Tech-Rooney)
Robert Simcik (Tetra Tech-Rooney)
Bill Smith (Tetra Tech-Rooney)

Megan Carson (Tetra Tech-Rooney)
Jacquie Brody (Tetra Tech-Rooney)
EJ Regula (Tetra Tech-Rooney)
John Slone (Trico Surveying & Mapping, Inc.)
Doug Lenda (LW Survey)
Jimmy Joyce (Otis Eastern)
Scott Newcomer (Otis Eastern)
Brent Johnson (Oz Directional Drilling)
Ryan Littlefield (Oz Directional Drilling)
Ray Banach (JAB Inspection Services)
Shannon Gwin, Project Manager (Percheron)

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 Response 2: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows:

Matthew Gordon
Mike Slough
Kathleen Shea Ballay, Esq.
Michael Hennigan
Joe McGinn
Donald (Donnie) Zolaciewicz
Christopher Lewis, Esq.
Michael Krancer, Esq.

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 Response 3: Without waiver of SPLP's objections, SPLP provides as follows:

Michael Hennigan (SPLP)
Kathleen Shea Ballay, Esq. (SPLP)
Mike Slough (SPLP)
Matthew Gordon (SPLP)
David Chalson (SPLP)
Harry (Hank) Alexander (SPLP)
Curtis Stambaugh, Esq. (SPLP)
Karen McMillin (SPLP)
Richard Billman (SPLP)
Carl (Gus) Borkland (SPLP)
Monica Styles (SPLP)
Dan Molinsky (Tetra Tech-Rooney)
Mike Mathwig (Tetra Tech-Rooney)
Aaron Coady (Tetra Tech-Rooney)
Jeff Lowy (Tetra Tech-Rooney)
Roxanne Burr ridge (Tetra Tech-Rooney)
Zachary Bauer (Tetra Tech-Rooney)
Curtis McMichael (Tetra Tech-Rooney)
Heather Geiger (Tetra Tech-Rooney)
Faith Kay (Tetra Tech-Rooney)
Steven Ricci (Tetra Tech-Rooney)
Tyler Work (Tetra Tech-Rooney)
Uriah Sowell (Tetra Tech-Rooney)
Steven Houser (Tetra Tech-Rooney)
Leroy Humke (Tetra Tech-Rooney)

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 Response 4: Without waiver of SPLP's objections, SPLP provides as follows:

Prior to the execution of the Settlement Agreement, SPLP's engineers began evaluating possible areas where SPLP could stage the installation of the Mariner East Pipeline and construct Valve 344. SPLP's engineers and consultants analyzed different options simultaneously, including the Janiec 2 Tract and the SPLP Use Area. Following execution of the Settlement Agreement, SPLP engineers and consultants reviewed utility location data and geotechnical analysis to determine whether the installation of the Pipeline could be staged and Valve 344 constructed at the SPLP Use Area. SPLP's engineers and consultants concurred that it was imprudent and unsafe to stage the installation of the Pipeline, or construct Valve 344, on the SPLP Use Area. By way of further response, see, *inter alia*, SPLP003653 - SPLP003656. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 5: Without waiver of SPLP's objections, SPLP provides as follows:

SPLP concluded it could not install the Mariner East Pipeline via HDD in the area from Ship Road to the SPLP Use Area for several reasons, including:

(1) SPLP could not maintain a safe radius of curvature on the SPLP Use Area. Attempting to install the pipe via HDD on the SPLP Use Area would have threatened the integrity of the pipe, or would have required SPLP to tear down one or more residential buildings on Mary Jane Lane.

(2) Tanks and a pump station from the adjacent Aqua PA American facility would prevent SPLP from lining up the pipe with the drill rig and would block the area where the pipe would need to be strung out during the pull back process.

Because HDD was infeasible, SPLP decided the only method for installing the Pipeline from Ship Road would be to open cut Boot Road. But this presents both safety and traffic concerns, including:

(1) The ground underneath Boot Road is congested with existing utility lines, which would require SPLP to install the pipe in the center of the road, causing closure of both lanes.

(2) PennDOT was unlikely to issue a permit to open cut Boot Road because of the tremendous impact and inconvenience to the community.

(3) The closure of Boot Road would cause severe traffic disruptions and would adversely affect response times of emergency services to local residences.

(4) Boot Road is the most direct route for the fire department that is located east of Route 202 to the homes near the SPLP Use Area. Closing the road entirely would have negatively affected emergency access.

Even if the HDD could have been staged for the west side of the pump station, SPLP still would have encountered problems in installing the pipeline on the east side of the pump station (from the SPLP Use Area across 202). These included:

(1) If the valve were located in the SPLP Use Area, the company would have to use a shored excavation deep vertical shaft that posed safety risks for welders;

(2) The drill profile for the HDD under Route 202 would have a maximum depth of approximately 20 feet, passing through highly fractured, unconsolidated sandstone, and posing a risk of inadvertent returns of drilling mud, creating hazardous driving conditions for the nearly 70,000 cars driving on Route 202 each day.

Notwithstanding these engineering constraints, SPLP's management continued to insist that the engineering group endeavor to construct Valve 344 on the SPLP Use Area. The SPLP Use Area was the preferred area to construct the Valve because, (i) SPLP already owned the SPLP Use Area; (ii) SPLP could keep its equipment on a single site; (iii) SPLP believed that the Township and its residents would be more supportive of SPLP staging the HDD on the SPLP Use Area; (iv) staging the HDD and constructing

Valve 344 on the SPLP Use Area would be less expensive than rerouting the pipeline through an alternative area; and (v) the SPLP Use Area would have allowed SPLP to install the Pipeline at a faster rate than on the Janiec 2 Tract.

Ultimately, SPLP determined that it was imprudent and unsafe to stage the installation of the Pipeline or Construct Valve 344 on the SPLP Use Area based on these engineering constraints. By way of further response, see, *inter alia*, SPLP003653-SPLP003656. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 6: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, SPLP provides as follows: Throughout 2016 and 2017, SPLP's upper management held monthly meetings in which the upper management insisted that the engineering group endeavor to construct Valve 344 at the SPLP Use Area because the SPLP Use Area was the preferred location. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 7: Without waiver of SPLP's objections, see SPLP Answer to WGT 5.

By way of further response, see documents provided at SPLP000001 – SPLP003907.

SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 8: Without waiver of SPLP's objections, see documents provided at SPLP000001 – SPLP003907. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 9: Without waiver of SPLP's objections, see, *inter alia*, documents provided at SPLP000728 – SPLP 001955 which relate to SPLP's Erosion and Sedimentation Plan for the Pennsylvania Pipeline Project—Southeast Region: Spread 6. An initial draft of these documents was submitted to the Township in late 2016, and the final Plan was submitted to the Township on January 11, 2017. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 10: SPLP has objected to this interrogatory. See SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: see documents provided SPLP000001-SPLP003907. Additionally, documents responsive to this request are also available at: <http://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 11: SPLP has objected to this interrogatory. Without waiver of SPLP's objections, SPLP provides as follows: SPLP first informed the Township of its decision to construct Valve 344 on the Janiec 2 property in a January 2016 meeting between Township representatives and SPLP. At that meeting, Matthew Gordon discussed, among other things, the location of the Valve at the Janiec 2 Tract, the drill entry and exit locations, the work space requirement to perform the drills, and the importance of having the valve sites close to Boot Road so as to not impede development of the Janiec 2 Tract. In 2016 and early 2017, the Township was once again notified when SPLP, pursuant to Act 167, submitted draft and final documents showing the location of Valve 344 on the Janiec 2 tract. *See* SPLP000728 – SPLP001955. The Township was notified again in a March 2017 meeting between Township representatives including Township Manager Casey LaLonde and Township Solicitor Kristin Camp. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 12: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, see SPLP Answer to WGT 11. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 13: SPLP has objected to this interrogatory to the extent that it concerns any property other than the Janiec 2 Tract. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, *see* SPLP000001-SPLP000409. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 14: SPLP has objected to this interrogatory to the extent that it concerns any property other than the Janiec 2 Tract. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: The only tract that SPLP considered for purchase regarding the siting of the Valve is the Janiec 2 Tract. By way of further response, *see* SPLP000001 – SPLP00727. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 15: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, SPLP provides as follows: SPLP also considered the existing Pump Station site on Boot Road. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 16: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, see SPLP Answer to WGT 11. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 17: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 18: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: see documents provided at SPLP003470-SPLP003829. Additionally, documents responsive to this request are also available at: <http://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>.

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 Response 19: SPLP has objected 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 Response 20: SPLP has objected to this interrogatory. See SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows:

None in West Goshen Township.

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 Response 21: SPLP has objected to this interrogatory to the extent that it concerns any property other than the Janiec 2 Tract. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, see geotechnical data at SPLP003470 - SPLP003791 and SPLP003893 – SPLP003903.

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 Response 22: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: SPLP has performed HDD through SM material along the Mariner East Project when conditions permit. For example, SPLP003904 depicts an HDD through SM material from station 0+00 to approximately 10+00. Here, however, SPLP and its consultants concluded that, based on surface and subsurface conditions, an HDD entering at the SPLP Use Area, then proceeding underneath Route 202, and exiting on the Janiec 2 Tract, would have been imprudent and unsafe. Specifically, such an HDD profile would require a minimum drill depth of approximately 20-25 feet. Additionally, the soils under and near Route 202 in that area, in addition to containing unconsolidated sandstone, or SM, consist of highly fractured fill material, likely from the construction of Route 202. The combination of a shallow drilling depth and highly fractured and unconsolidated fill material and sandstone increases the risk of an inadvertent return in that area. Route 202 is a busy highway that serves approximately 70,000 cars each day. The subsurface and surface conditions factored into SPLP's conclusion that an HDD from the SPLP Use Area to the Janiec 2 site would not be prudent. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 23: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: none.

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 Response 24: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: On June 27, 2017, approximately 150 to 200 gallons of municipal water and bentonite was released onto Highway 15 in Upper Allen Township, Cumberland County. *See* SPLP003884 – SPLP003889. Additionally, on September 5, 2017, approximately 20 to 30 gallons of bentonite and water surfaced at the edge of Reservoir Road, Blair County. *See* SPLP003890 – SPLP003892.

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 Response 25: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: *see* SPLP003653 – SPLP003656. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 26: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: SPLP did not perform any written cost comparisons regarding the siting of the Valve on the SPLP Use Area versus the Janiec 2 Tract.

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 Response 27: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. By way of further response, and without waiver of SPLP's objections, SPLP provides as follows: see documents provided SPLP000001-SPLP003907. Additionally, documents responsive to this request are also available at: <http://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>. SPLP continues to review documents including

electronic mail potentially responsive to this request. SPLP will supplement this response in a timely manner with non-privileged, responsive documents.

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

SPLP Response 28: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. SPLP continues to review documents potentially responsive to this request. SPLP will supplement this response if necessary in a timely manner after it has completed its review.

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 Response 29: SPLP has objected to this interrogatory. *See* SPLP's Objections, dated September 21, 2017. Without waiver of SPLP's objections, SPLP provides as follows:

None.

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 Response 30: SPLP has not made any final decisions regarding who it will call as a fact witness to testify before the Commission on behalf of SPLP. As of the time of the filing of these answers, it is contemplated that the following individuals may testify, and their testimony may include the following subjects:

1. Harry (Hank) J. Alexander, Vice President of Business Development
Sunoco Pipeline L.P.
Information regarding SPLP personnel can be obtained through SPLP's counsel.

Mr. Alexander will describe SPLP's integrated pipeline system, communications with West Goshen Township representatives, and will provide an overview of the development of the Mariner East project.

2. Matthew L. Gordon, Project Manager
Sunoco Pipeline L.P.
Information regarding SPLP personnel can be obtained through SPLP's counsel.

Mr. Gordon will describe Valve 344, the engineering constraints SPLP encountered while trying to site the valve on the SPLP Use Area, why installing Valve 344 on the Janiec Tract is necessary, and communications with West Goshen Township representatives.

3. Donald Zolaciewicz

In addition, SPLP may present testimony from Donald Zolaciewicz, formerly the Community Liaison of SPLP. Mr. Gordon and Mr. Zolaciewicz will also testify concerning their communications with the Township regarding the relocation of the valve.

SPLP reserves the right to identify other witnesses to respond to testimony proffered by the Township. SPLP further reserves the right to supplement this response throughout discovery and prior to the hearing in a timely manner.

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 Response 31: SPLP has not made any final determination about whom SPLP intends to call as an expert witness at any hearing in this matter. SPLP reserves the right to identify other witnesses to respond to testimony proffered by the Township. SPLP further reserves the right to supplement this response throughout discovery and prior to the hearing in a timely manner.

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 Response 32: SPLP has not made any final determination about which exhibits it will introduce at any hearing in this matter. By way of further response, *see* SPLP00001 – SPLP003907. SPLP reserves the right to identify other exhibits and to supplement this response throughout discovery and prior to the hearing in a timely manner.

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

SPLP Response 33:

Matthew L. Gordon
Project Manager
Information regarding SPLP personnel can be obtained through SPLP's counsel.

Hank Alexander
Senior Vice President- Business Development
Information regarding SPLP personnel can be obtained through SPLP's counsel.

Curtis N. Stambaugh, Esq.
Assistant General Counsel
Information regarding SPLP personnel can be obtained through SPLP's counsel.

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Tetra Tech Rooney - President
115 Inverness Drive East, Suite 300
Englewood, CO 80112

Roger Trettel
Tetra Tech -Vice President, Buffalo Operations Manager
301 Ellicott Street
Buffalo, NY 14203

Mike Mathwig
Rooney Engineering – Project Manager-Pipeline
1979 Cunningham Ave.
Grand Junction, CO 81507

Megan Carson
Tetra Tech Inc.
Chemist III/Permit Specialist
661 Andersen Drive
Pittsburgh, PA 15220

Sandra Lare
Tetra Tech Inc., Project Manager
301 Ellicott Street
Buffalo, NY 14203

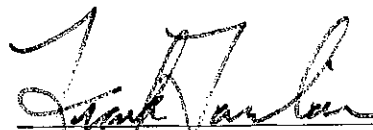
Eric Larnerd
Percheron – Office Manager-Field Services

1862 Charter Lane, Suite 101
Lancaster, PA 17601

Respectfully submitted,

BLANK ROME LLP

Dated: October 2, 2017



Christopher A. Lewis (I.D. No. 29375)

Frank L. Tamulonis (I.D. No. 208001)

Michael Montalbano (I.D. No. 320943)

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MMontalbano@BlankRome.com

VERIFICATION

Matthew Gordon deposes and says he is employed by Sunoco Pipeline L.P. ("SPLP") as the Project Director for the Mariner East 2 pipeline project; that he is duly authorized to and does make this Verification on behalf of SPLP; that the facts set forth in the foregoing Responses of SPLP to West Goshen Township's Interrogatories with Requests for Production of Documents are true and correct to the best of his knowledge information and belief; and that this verification is made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



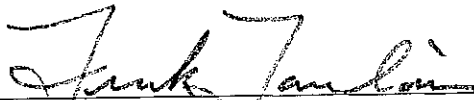
MATTHEW GORDON

DATED: October 2nd, 2017

CERTIFICATE OF SERVICE

I, Frank L. Tamulonis, certify that on October 2, 2017, I caused a true and correct copy of the foregoing Sunoco Pipeline L.P.'s Responses to West Goshen Township's Interrogatories with Requests for Documents to be served upon the party listed below by electronic mail and Federal Express overnight mail, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party):

David Brooman, Esq.
Richard C. Sokorai, Esq.
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Frank L. Tamulonis
Attorney for Sunoco Pipeline L.P.