

March 22, 2018

Via Electronic Filing

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

**Re: Docket No. P-2018-3000281
PA PUC, Bureau of Investigation and Enforcement v. Sunoco Pipeline LP
a/k/a Energy Transfer Partners**

Dear Secretary Chiavetta:

Attached for filing are is the Petition to Intervene of East Goshen Township to be filed in the above referenced matter.

A copy of the Petition to Intervene has been forwarded in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/jmm
Attachment

cc: Louis F. Smith, East Goshen Township [w/enc.]
Kristin S. Camp, Esquire, Buckley Brion McGuire & Morris LLP [w/enc.]

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Sunoco Pipeline L.P. a/k/a
Energy Transfer Partners

Petition of the Bureau of Investigation : Docket No. P-2018-3000281
And Enforcement of the Pennsylvania :
Public Utility Commission For the :
Issuance of an Ex Parte Emergency :
Order :

PETITION TO INTERVENE OF EAST GOSHEN TOWNSHIP

East Goshen Township (East Goshen or Petitioner), by and through its attorneys,
Reger Rizzo & Darnall LLP, pursuant to 52 Pa. Code Section 5.71 *et seq.*, hereby Petitions to
Intervene in the above-captioned proceeding. In support of its intervention, East Goshen
represents as follows.

I. Introduction

1. Petitioner is East Goshen Township with its principal office located at 1580 Paoli
Pike, West Chester, PA 19380.

2. Petitioner is represented by the following attorney whose contact information is:

Margaret A. Morris, Esquire (authorized to receive service)
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (voice)
(215) 495-6600 (fax)
mmorris@regerlaw.com

Counsel for East Goshen is authorized to accept service on its behalf. East Goshen
requests that the Commission and all parties of record serve copies of all documents (including

but not limited to correspondence, discovery requests and answers, commission orders, pleadings and testimony) electronically on its counsel of record as well as by hard copy.

3. On or about March 7, 2018, the Bureau of Investigation and Enforcement (BIE) of the Pennsylvania Public Utility Commission (Commission) filed a Petition for the Issuance of the an Ex Parte Emergency Order requiring Sunoco Pipeline L.P., a/k/a Energy Transfers Partners (Sunoco) to suspend operation of its Mariner East 1 Pipeline (ME1) due to identified significant safety concerns (Petition).

4. By Emergency Order, entered March 7, 2018, Chairman Gladys M. Brown granted the Petition and directed specific relief (*Emergency Order*). Chairman Brown specifically found that:

“. . . permitting the continued flow of hazardous liquids through the ME1 pipeline without the proper steps to ensure the integrity of the pipeline could have catastrophic results impacting the public. To the extent that the relief required may be injurious to members of the public who are shippers on the Mariner East Pipeline, the risks to the general public outweigh the risks to the shippers.”

Emergency Order at 2.

5. On March 15, 2018, the ex parte *Emergency Order* was ratified by the full Commission as its official action pursuant to 52 Pa. Code § 3.3(c) (*Ratification Order*).

II. East Goshen's Interest in Proceedings

6. The Petitioner is a township in Chester County, Pennsylvania, of approximately 10 square miles, with an approximate population of 18,300.

7. ME1 crosses East Goshen Township.

8. East Goshen and its residents are directly affected by the *Ratification Order*.

III. Grounds for East Goshen's Intervention

9. The eligibility to intervene is governed by Section 5.72 of the Commission's regulations. 52 Pa. Code § 5.72.

10. The ME1 pipeline traverses East Goshen Township and is in close proximity to residential dwellings, and various public assembly areas, such as a school, a life care facility and retail shopping centers.

11. East Goshen will be irreparably harmed if Sunoco does not ensure the integrity of the entire ME1 line.

12. East Goshen has a direct and substantial interest in the instant proceeding which is not (and cannot) be adequately represented by any other party. Therefore, East Goshen satisfies the Commission's standards for intervention. 52 Pa. Code Section 5.72(a)(2).

IV. East Goshen's Position on Relief Granted in *Emergency Order*

13. East Goshen fully supports the Commission's directive in the *Emergency Order* to Sunoco, specifically that transportation service on ME1 cannot be reinstated until the repairs identified by BIE are completed to BIE's satisfaction at which time Sunoco may file a petition for reinstatement of service.

WHEREFORE, East Goshen Township, requests that Commission grants its Petition to Intervene and authorize its intervention and participation in this proceeding as a full and active party.

Respectfully submitted,



Dated: March 22, 2018

Margaret A. Morris, Esquire
Attorney I.D. # 75048
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (voice)
(215) 495-6600 (fax)
mmorris@regerlaw.com

Counsel for East Goshen Township

VERIFICATION

I, Louis F. Smith, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect East Goshen Township to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904.

Dated: 3-22-18



Louis F. Smith, Township Manager
East Goshen Township

**Re: Docket No. P-2018-3000281
PA PUC, Bureau of Investigation and Enforcement v. Sunoco Pipeline LP
a/k/a Energy Transfer Partners**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the person(s) listed below, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Michael L. Swindler
Deputy Chief Prosecutor
PA Public Utility Commission
Bureau of Enforcement & Investigation
P.O. Box 3265
Harrisburg, PA 17105

Thomas J. Sniscak
Kevin J. McKeon
Whitney E. Snyder
Hawke McKeon & Sniscak LLP
100 N. Tenth Street
Harrisburg, PA 17101

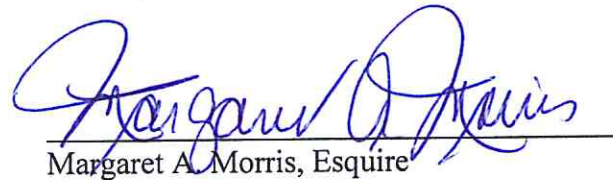
Nels J. Taber
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300 North Second Street
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Harrisburg, PA 17101

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101

Dated: March 22, 2018


Margaret A. Morris, Esquire