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June 8, 2018

VIA ELECTRONIC FILING

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

Re: Pennsylvania State Senator Andrew E. Dinniman v. Sunoco Pipeline L.P.; Docket Nos. C-2018-3001451; P-2018-3001453; **SUNOCO PIPELINE L.P.'S MOTION TO STRIKE PRELIMINARY OBJECTIONS AND REQUEST FOR EXPEDITED TREATMENT**

Dear Secretary Chiavetta:

Attached for electronic filing with the Commission is Sunoco Pipeline L.P.'s Motion to Strike Preliminary Objections and Request for Expedited Treatment in the above-referenced proceeding.

If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

Thomas J. Sniscak
Kevin J. McKeon
Whitney E. Snyder
Counsel for Sunoco Pipeline L.P.

WES/das
Enclosure
cc: Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA STATE SENATOR :
ANDREW E. DINNIMAN, :

Complainant, :

v. :

SUNOCO PIPELINE L.P., :

Respondent. :

Docket No. C-2018-3001451
P-2018-3001453

NOTICE TO PLEAD

You are hereby advised that, pursuant to 52 Pa. Code § 5.103, you may file a response within five (5) days of the attached Motion to Strike Preliminary Objections and Request for Expedited Treatment. Any response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Sunoco Pipeline L.P., and where applicable, the Administrative Law Judge presiding over the issue.

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

Respectfully submitted,

Thomas J. Sniscak

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Attorneys for Respondent Sunoco Pipeline L.P.

Dated: June 8, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA STATE SENATOR	:	
ANDREW E. DINNIMAN,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2018-3001451
	:	P-2018-3001453
SUNOCO PIPELINE L.P.,	:	
	:	
Respondent.	:	

**SUNOCO PIPELINE L.P.
MOTION TO STRIKE PRELIMINARY OBJECTIONS AND
REQUEST FOR EXPEDITED TREATMENT**

Pursuant to 52 Pa. Code § 5.103, Sunoco Pipeline L.P. (“SPLP”) moves to strike the May 31, 2018 Preliminary Objections of Senator Dinniman to SPLP’s May 21, 2018 Preliminary Objections. The Commission’s regulations expressly state that preliminary objections may not be filed in response to preliminary objections, 52 Pa. Code § 5.101(a), which is exactly what Senator Dinniman through counsel did. SPLP further requests a five-day expedited response time given that it is clear that SPLP should not have to answer Sen. Dinniman’s improperly-filed preliminary objections, to which an answer would otherwise be due on June 11, 2018. SPLP further requests that if this Motion to Strike is denied, it not be required to answer Senator Dinniman’s Preliminary Objections until ten days after Your Honor rules on this Motion.

1. On May 21, 2018, SPLP filed preliminary objections to Senator Dinniman’s Amended Complaint in this proceeding.

2. On May 31, 2018, Senator Dinniman filed preliminary objections to SPLP's Preliminary Objections.

3. 52 Pa. Code § 1.101(a) states: "**Preliminary objections** are available to parties and may be filed in response to a pleading except motions and prior preliminary objections." *Id.* (emphasis added).

4. Senator Dinniman's May 31, 2018 Preliminary Objections are clearly disallowed under the Commission's regulations and should be stricken. *Id.*

5. SPLP should not have to waste the time and expense of responding to Senator Dinniman's Preliminary Objections, which the Commission's Rules expressly forbid. Senator Dinniman's Preliminary Objections must be stricken.

6. Accordingly, SPLP requests an expedited response and ruling on this Motion. SPLP requests that Senator Dinniman be required to respond to this Motion within five days and that Your Honor rule as soon as possible thereafter.

7. In the alternative, if Your Honor does not strike Senator Dinniman's Preliminary Objections, SPLP requests that it not be required to respond to Senator Dinniman's Preliminary Objections until ten days after Your Honor's ruling.

WHEREFORE, SPLP respectfully requests Your Honor:

- a. Strike Senator Dinniman's May 31, 2018 Preliminary Objections;
- b. Require Senator Dinniman to respond to this Motion within five days;
- c. If Senator Dinniman's Preliminary Objections are not stricken, allow SPLP to file its answer to Senator Dinniman's Preliminary Objections ten days after Your Honor rules on this Motion.

Respectfully submitted,

Thomas J. Sniscak

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Attorneys for Respondent Sunoco Pipeline L.P.

Dated: June 8, 2018

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the forgoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party). This document has been filed electronically on the Commission's electronic filing system and served via overnight mail on the following:

VIA FIRST CLASS AND E-MAIL

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Dated: June 8, 2018