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File #: 173537

September 5, 2018

***VIA ELECTRONIC FILING***

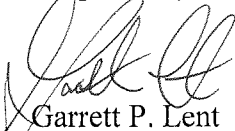
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Andover Homeowner's Association, Inc. v. Sunoco Pipeline, L.P.**  
**Docket No. C-2018-3003605**

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene of Range Resources – Appalachia LLC in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Garrett P. Lent

GPL/skr  
Enclosure

cc: Certificate of Service  
Honorable Elizabeth Barnes

## CERTIFICATE OF SERVICE

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

### VIA E-MAIL AND FIRST CLASS MAIL

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*Counsel for Uwchlan Township*

Date: September 5, 2018

  
\_\_\_\_\_  
Garrett P. Lent

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Andover Homeowners' Association, Inc.,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2018-3003605
	:	
Sunoco Pipeline L.P.,	:	
	:	
Respondent	:	
	:	

**PETITION TO INTERVENE OF RANGE RESOURCES-APPALACHIA, LLC  
TO THE HONORABLE ADMINISTRATIVE LAW JUDGE ELIZABETH J. BARNES:**

Pursuant to Sections 5.71-5.76 of the Commission's regulations, 52 Pa. Code §§ 5.71-5.76, Range Resources-Appalachia, LLC ("Range") hereby files this Petition to Intervene in the above-captioned proceedings pending before the Pennsylvania Public Utility Commission ("PUC" or the "Commission"), which were brought by Andover Homeowners' Association, Inc. ("Complainant").<sup>1</sup>

**I. INTRODUCTION**

On July 24, 2018, Complainant filed the above-captioned Formal Complaint with the Commission. Among other relief, Complainant requests that the Commission restrict and/or enjoin service over Sunoco Pipeline, L.P.'s ("Sunoco") Mariner East 1 ("ME1") pipeline, unless Sunoco provides a comprehensive risk assessment and a notification and evacuation plan. For

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<sup>1</sup> On July 24, 2018, Complainant filed a Motion to Consolidate its Complaint with the complaint of Pennsylvania State Senator Andrew E. Dinniman, pending at Docket No. C-2018-3001451. Sunoco filed an Answer Opposing the Motion to Consolidate, and at the August 28, 2018 Prehearing Conference scheduled for these two complaints, Range joined Sunoco in opposing consolidation. In opposing consolidation, Range noted that consolidation would result in procedural uncertainty for the proceedings, in the event that Sunoco's pending appeal before the Commonwealth Court was granted and Sen. Dinniman's complaint was dismissed for lack of standing. The ALJ granted Andover's Motion to Consolidate. Out of an abundance of caution, and in order to preserve its intervenor status in the Andover Complaint proceeding in the event Sen. Dinniman's Complaint is dismissed, Range files this Petition to Intervene.

the reasons explained below, the relief sought by Complainant directly, immediately and substantially affects Range's interest in the continued and safe operation of ME1. Therefore, Range respectfully requests that the Administrative Law Judge Elizabeth J. Barnes (the "ALJ") grant Range intervenor status in this proceeding and deny the relief requested in the Complaint.

In support of this petition, Range states the following:

## **II. RANGE IN PENNSYLVANIA**

1. Range is a Delaware Limited Liability Company and is registered to do business in Pennsylvania, where it focuses on the exploration and production of natural gas and natural gas liquids from the Marcellus shale formation.

2. Range directly employs more than 500 people in multiple offices across the Commonwealth, and indirectly supports thousands more family-sustaining Pennsylvania jobs through local contractors and service companies.

3. As of December 31, 2017, Range has invested approximately \$7 billion in its Pennsylvania natural gas exploration and production operations and is producing approximately 2 billion cubic feet equivalent of natural gas per day. Range operates more than 1,000 unconventional natural gas wells and has a leasehold position of approximately 875,000 net acres across Pennsylvania. In 2018, Range will be directing approximately 85% of its total capital budget towards Marcellus shale exploration and production activities in Pennsylvania.

4. Since 2006, Range has paid more than \$2 billion in leasing and royalty payments across Pennsylvania, and has paid nearly \$150 million in impact fees since 2011 when the fee was enacted.

## **III. RANGE'S INTEREST IN THIS PROCEEDING**

5. Range produces natural gas liquids, such as ethane, propane and butane, from certain portions its Pennsylvania acreage.

6. ME1 is a key downstream pipeline transporting a significant portion of the natural gas liquids produced by Range. Range has committed to transport 40,000 barrels per day of natural gas liquids on ME1.

7. Among other relief, Complainant requests that ME1 operations be restricted and/or enjoined unless Sunoco provides a comprehensive risk assessment and a notification and evacuation plan. If the requested relief is granted, and service on ME1 is brought to a halt, Range will be forced to utilize alternative methods to transport its natural gas liquids that are otherwise transported on ME1. However, those alternatives are limited and only interim solutions. Moreover, the financial impact of halting flow on ME1 is significant to Range, its royalty owners and its downstream purchasers of the natural gas liquids.

8. The ME1 pipeline is of critical importance to Range.

#### **IV. REQUEST FOR RELIEF**

9. Given Range's significant interest in the continued safe operation of ME1, Range seeks to intervene and to participate as a full party in this proceeding, and requests that it be placed on the Commission's official Service List for this docket.

10. All pleadings, correspondence and other documents in this proceeding should be directed to Range's attorneys in this matter:

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Garrett P. Lent, Esquire (PA ID #321566)  
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11. Eligibility to intervene in Commission proceedings is governed by the Commission's regulations found at 52 Pa. Code § 5.72. The Commission's regulations provide that in order to have the ability to intervene, a party must have a "right or interest" sufficient to warrant intervention, which includes an interest that may be "directly affected" by the proceeding and "which is not being adequately represented by existing participants, and as to which the petitioner may be bound by the actions of the Commission in the proceeding" or where the right or interest is otherwise in the public interest. *Id.*

12. The ALJ previously granted Range's request for intervenor status in similar proceedings at Docket Nos. C-2018-3001451 and P-2018-3001453. *See Pennsylvania State Senator Andrew E. Dinniman v. Sunoco Pipeline, L.P.*, Docket Nos. C-2018-3001451 and P-2018-3001453, pp. 5, 8 (Prehearing Conference Order Granting Intervenor Status dated July 20, 2018) (finding and granting Range intervenor status in a formal complaint proceeding involving, among other issues, the continued operation of ME1).

13. Range also has a direct and substantial interest in the outcome of this proceeding. Range holds more than 50% of the firm capacity on the ME1 pipeline for the transportation of natural gas liquids produced from Range's operations in Pennsylvania.

14. Range's interest in this proceeding is substantial. The Commission's determinations in this proceeding will significantly impact the ability of Range to continue active operations in Pennsylvania.

15. Range's rights and obligations are not adequately represented by other parties in this proceeding.

16. Range intends to participate in any formal or informal proceedings which may result in this proceeding.

17. Range recognizes that pipeline safety and the health and safety of the public are of paramount concern and Range does not seek to diminish those priorities through its participation in this proceeding.

18. However, the Commission has already completed a comprehensive investigation of its safety concerns surround ME1 operations and determined that, subject to certain conditions, its concerns were addressed. *Petition of the Bureau of Investigation and Enforcement of the Pa. Pub. Util. Comm'n for the Issuance of an Ex Parte Emergency Order*, Docket No. P-2018-3000281 (Order entered May 3, 2018) (the "*Commission's Unanimous Order Reinstating ME1*").

19. In addition, the Commission recently denied a request for interim emergency relief that sought to suspend ME1 operations after the Commission deemed ME1 safe to operate. *Pennsylvania State Senator Andrew E. Dinniman v. Sunoco Pipeline, L.P.*, Docket Nos. C-2018-

3001451 and P-2018-3001453 (Order entered June 15, 2018) (“*Order On Interim Emergency Relief*”).

20. Despite these prior findings and conclusions, the Complainant once again seeks to restrict and/or enjoin ME1 operations.

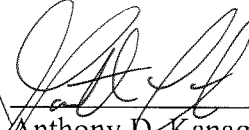
21. Range respectfully requests that the PUC immediately deny the relief requested in the Complaint.



V. CONCLUSION

WHEREFORE, Range Resources – Appalachia LLC respectfully requests that the Pennsylvania Public Utility Commission grant Range status as a party in this proceeding and deny the relief requested in the above-captioned Complaint.

Respectfully submitted,



Erin W. McDowell (PA ID # 93684)  
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Date: September 5, 2018

*Counsel for Range Resources - Appalachia,  
LLC*

### VERIFICATION

I, Erin W. McDowell, being Division Counsel for Range Resources – Appalachia LLC, hereby state that the information set forth in the foregoing Petition to Intervene is true and correct to the best of my knowledge, information and belief. While I have knowledge of the subject matter set forth in this document, the information is not entirely within my personal knowledge and the facts stated herein have been collected by consulting with various individuals and counsel.

I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9-5-18

Erin McDowell, cmo  
Erin W. McDowell  
Division Counsel – Appalachia  
Range Resources – Appalachia LLC