

OFFICIAL PROTEST

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

PETITION FOR INTERVENTION PURSUANT TO 52 Pa. CODE CHAPTER 5A

AND NOW, this 23rd day of September, 2018, comes Rosemary Fuller, residing at 226 Valley Road, Media, PA 19063 in Middletown Township, Delaware County, seeking to intervene as a party in the above-captioned matter and, in support thereof, avers as follows:

- (1) The factual circumstances that underlie Andover's safety complaint also apply throughout the 9th Senatorial District of Pennsylvania.
- (2) The factors surrounding the operation of hazardous, highly volatile liquids pipelines present a clear, present, significant, imminent danger to the affected property owners including Petitioner herein.
- (3) The hazardous, highly volatile liquid NGLs being transported by the current and proposed Mariner East pipelines, if released to the atmosphere for any reason, change phase to odorless, colorless, heavier-than-air gas which is extremely flammable, potentially explosive, and asphyxiating. These materials therefore present a clear, imminent and existential hazard to persons that reside, work, or travel in proximity to Mariner East, including Petitioner herein.
- (4) Petitioner is eligible to intervene in this matter pursuant to 52 Pa. Code 5.72 because, *inter alia*:

- (a) Petitioner is asserting rights guaranteed by the United States and Commonwealth of Pennsylvania Constitutions including without limitation the rights to due process before the deprivation of life, liberty, or property protected by the Takings Clause of the Fifth Amendment applicable to the states by force of the Fourteenth Amendment of the United States Constitution; the right to enjoy and defend life, liberty, and property protected by Article I, Section 1 of the Constitution of the Commonwealth of Pennsylvania, and the right of the people under the Environmental Rights Amendment of Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania;
- (b) Petitioner is asserting interests which may be directly affected by this matter but which are not adequately presented by existing participants; and
- (c) It is in the interest of the public that Petitioner participates by intervention in this matter to ensure that the parties do not, by agreement or otherwise, limit or fail to undertake action necessary to protect the public, including Petitioner herein, or to fail to address by adequate means the concerns described by reference in the preceding subsection (b) of this paragraph.

(5) In the event that the Commission grants the instant Petition to Intervene, Petitioner intends to support the actions of the Andover Homeowners' Association, Inc., and other similarly situated constituents of his District.

NOW, THEREFORE, on the basis of the averments set forth above the Petitioner respectfully requests the Commission enter an Order granting the instant Petition for Intervention pursuant to 52 Pa. Code 5.75; order the production of a credible and publicly available plan for the notification and self-evacuation of the public as described in the letter from Thornbury Township, Delaware County to Sunoco dated August 29, 2016 (*see* Exhibit A) and Thornbury Township Proclamation of Concern dated September 21, 2016 (*see* Exhibit B); and any other related relief the Commission deems appropriate.

Respectfully submitted,



VERIFICATION

I, ROSEMARY FULLER, Petitioner herein, hereby state that the facts averred in this Petition for Intervention are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

9/23/2018
Date

R Fuller
