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November 27, 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: Meghan Flynn, et al. v. Sunoco Pipeline L.P.
Docket Nos. C-2018-3006116 and P-2018-3006117**

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,

Anthony D. Kanagy

ADK/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

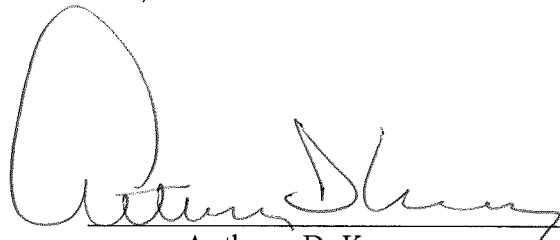
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Association, Inc.*

Date: November 27, 2018



Anthony D. Kanagy

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Meghan Flynn	:	
Rosemary Fuller	:	
Michael Walsh	:	
Nancy Harkins	:	
Gerald McMullen	:	Docket No. C-2018-3006116
Caroline Hughes	:	Docket No. P-2018-3006117
Melizza Haines	:	
	:	
Complainants,	:	
	:	
v.	:	
	:	
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 Meghan Flynn, Rosemary Fuller, Michael Walsh, Nancy Harkins, Gerald McMullen, Caroline Hughes, and Melizza (collectively the “Complainants”).¹

I. INTRODUCTION

On November 20, 2018, Complainants filed the above-captioned Formal Complaint and related Petition for Interim Emergency Relief (“Petition”) with the Commission, which seek to re-litigate issues related to the safety and integrity of Sunoco Pipeline, L.P.’s (“Sunoco”) Mariner

¹ The Complainants are the same individuals that filed the related Petition for Interim Emergency Relief at Docket No. P-2018-3006117. As such, Range collectively refers to these individuals as either the Complainants or the Petitioners.

East 1 (“ME1”) pipeline and, once again, restrict and/or enjoin service over ME1. Importantly, the Commission previously conducted a thorough, comprehensive investigation and examination of ME1, which included a third-party report based upon on-site meetings and a review of Sunoco’s programs, techniques, and geophysical test results, and confirmed the integrity and safety of continued ME1 operations. *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). Moreover, based on this comprehensive investigation, Commission rejected a similar petition for interim emergency relief that sought to enjoin ME1 operations based upon claims similar to those raised by the Complainants in this proceeding. *See 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). Range was granted intervenor-party status in that prior matter.

For the reasons explained below, the relief sought by Complainant directly, immediately and substantially affects Range’s interest, as it did in the prior petition, 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 the above-captioned proceedings, permit Range to participate in the evidentiary hearings scheduled for November 29-30, 2018, and deny the relief requested in the Complaint and the Petition.

In support of this petition to intervene, 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 directed 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 its liquids rich 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, and despite the recent, prior ruling by the Commission approving the safe operation of ME1, the Complainants request that ME1 operations be restricted and/or enjoined unless Sunoco creates and maintains a legally compliant public awareness program. If the requested relief is granted, and service on ME1 is once again 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 very limited and only short-term,

interim solutions. Moreover, the financial impact of halting flow on ME1 is significant to Range, its employees and royalty owners and its downstream purchasers of the natural gas liquids.

8. The ME1 pipeline is of critical importance to Range and the continued operation of its wells.

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 the above-captioned Complaint and Petition proceedings, and requests that it be placed on the Commission's official Service List for each of the associated dockets.

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

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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). Range is also an intervenor in the pending appeal before the Commonwealth Court at No. 1169 C.D. 2018, which is related to the proceedings at Docket Nos. C-2018-3001451 and P-2018-3001453.

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 intends to participate in the evidentiary hearings regarding the above captioned Petition scheduled for November 29-30, 2018. Specifically, if Range's petition to intervene is granted, Range intends to call Mr. Alan C. Engberg, Director of Liquids Marketing, to testify regarding the interests of Range and its royalty owners in the continued safe operation of ME1. If Range's petition to intervene is not granted, Sunoco intends to call Mr. Engberg to testify with respect to the same subject matter. Mr. Engberg would be available to testify either telephonically or in-person at the Friday, November 30, 2018 hearing date.

18. Range has consulted with counsel for Sunoco, and represents that Sunoco does not object to Range's petition to intervene and/or Range's participation in the scheduled evidentiary hearing. Range further represents that respective counsel has agreed to coordinate and share the presently allotted time to present Mr. Engberg's testimony.

19. 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.

20. 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).

21. 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).

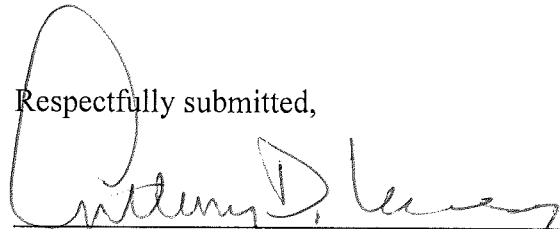
22. Despite these prior findings and conclusions, the Complainants once again seek to restrict and/or enjoin ME1 operations.

23. Range respectfully requests that the PUC immediately deny the relief requested in the Complaint and Petition for Interim Emergency Relief.

V. CONCLUSION

WHEREFORE, Range Resources – Appalachia LLC respectfully requests that the Pennsylvania Public Utility Commission grant Range status as a party in the above-captioned Formal Complaint and Petition for Interim Emergency Relief proceedings, allow Range to participate in the evidentiary hearings scheduled for November 29-30, 2018 in coordination with the Respondent, Sunoco Pipeline L.P., and deny the relief requested by the Complainants.

Respectfully submitted,



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Date: November 27, 2018

*Counsel for Range Resources - Appalachia,
LLC*