



**HIGH SWARTZ**  
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January 18, 2019

**VIA: Electronic Filing**

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

**Re: Pennsylvania Public Utility Commission, et al. v. Sunoco Pipeline, L.P. et al.  
Docket No. C-2018-3006534**

Dear Secretary Chiavetta:

This office represents West Goshen Township. Enclosed for filing is West Goshen Township's Petition to Intervene in the above referenced matter, copies of which were served upon the individuals listed below and in the enclosed Certificate of Service in accordance with 52 Pa. Code § 1.54.

If you have any questions or concerns, please feel free to contact me.

Respectfully,



David J. Brooman

DJB:jmg  
Enclosure

cc: Stephanie M. Wimer, Senior Prosecutor (via email & U.S. Mail)  
Michael L. Swindler, Deputy Chief Prosecutor (via email & U.S. Mail)  
Thomas J. Sniscak, Esquire (via email & U.S. Mail)  
Kevin McKeon, Esquire (via email & U.S. Mail)  
Whitney E. Snyder, Esquire (via email & U.S. Mail)  
Thomas Casey (via email & U.S. Mail)  
Mark R. Fischer, Jr., Esquire (via email)  
Richard C. Sokorai, Esquire (via email)

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HIGH SWARTZ LLP  
 David J. Brooman, Esquire (I.D. No. 36571)  
 Richard C. Sokorai, Esquire (I.D. No. 80708)  
 Mark R. Fischer, Jr., Esquire (I.D. No. 94043)  
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 rsokorai@highswartz.com  
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*Attorneys for Petitioner  
 West Goshen Township*

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement, Complainant	:	
	:	
	:	Docket No. C-2018-3006534
	:	
v.	:	
	:	
Sunoco Pipeline, L.P., a/k/a Energy Transfer Partners, Respondent	:	
	:	

**WEST GOSHEN TOWNSHIP’S PETITION TO INTERVENE**

West Goshen Township, through its Board of Supervisors and by its attorneys, High Swartz LLP, respectfully submits the following Petition to Intervene in the above captioned proceedings pursuant to 52 Pa. Code § 5.72, and in support thereof avers as follows:

1. West Goshen Township (“WGT”) is a Township of the Second Class, organized and existing under the laws of the Commonwealth of Pennsylvania, with a principal place of business located at 1025 Paoli Pike, West Chester, Pennsylvania 19380.

2. WGT is represented in this action by David J. Brooman, Richard Sokorai, and Mark R. Fischer, Jr., High Swartz, LLP, 40 East Airy Street, Norristown, Pennsylvania 19404 ((610) 275-0700) (dbrooman@highswartz.com, rsokorai@highswartz.com and mfischer@highswartz.com), and all documents should be served upon said counsel. Counsel for

WGT consents to the service of documents by electronic mail at the addresses listed in this paragraph, as provided in 52 Pa. Code § 1.54(b)(3).

3. 52 Pa. Code § 5.72 provides:

A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

(1) A right conferred by statute of the United States or of the Commonwealth.

(2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.

(3) Another interest of such nature that participation of the petitioner may be in the public interest.

4. “Decisions regarding which parties may intervene in a proceeding are within the discretion of the Commission.” *Pa.P.U.C. v. West Penn Power Company*, 2013 WL 4761265, \*6 (Pa.P.U.C. Aug. 29, 2013).

5. Respondent Sunoco Pipeline, L.P.’s (“SPLP”) Mariner East 1 pipeline, which is the subject of the above-captioned action, passes through West Goshen Township.

6. WGT was previously involved in proceedings before the Commission involving SPLP’s Mariner East pipeline project, specifically the proceeding docketed at P-2014-2411966 which resulted in a Settlement Agreement certified by the Commission on June 15, 2015 (“Settlement Agreement”), and the proceeding docketed at C-2017-2589346 involving WGT’s Formal Complaint to enforce the Settlement Agreement (the “Prior PUC Proceedings”).

7. In conjunction with the Prior PUC Proceedings, WGT hired a pipeline safety consultant, Richard Kuprewicz of Accufacts, Inc., to review SPLP's plans and safety protocols for the Mariner East pipelines and provide WGT with reports on the apparent safety of the pipelines running through the Township.

8. In conjunction with the Prior PUC Proceedings, SPLP provided Mr. Kuprewicz documents and information for purposes of his safety review of the Mariner East pipeline project, including but not limited to the Mariner East 1 pipeline at issue in this proceeding.

9. This action by the Bureau of Investigation & Enforcement now alleges that SPLP's inspection and leak detection data for the Mariner East 1 pipeline was flawed in various respects and seeks, *inter alia*, an Order requiring SPLP to revise its protocols and perform additional testing.

10. WGT has an interest which is directly affected by the action of the Commission in this proceeding, in that the Mariner East 1 pipeline runs through WGT and any revisions to SPLP's protocols and/or additional testing data ordered by the Commission directly impact the findings of the prior safety review of WGT's consultant.

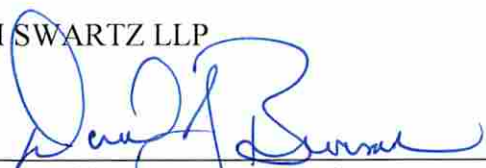
11. WGT's interest is not adequately represented by the existing participants because, without WGT's participation, the Commission's Order in this proceeding will not require SPLP to provide supplemental information and data to WGT for WGT's expert to review in connection with his prior safety review of SPLP's Mariner East 1 pipeline.

12. WGT's participation in this proceedings would also be in the public interest, because of the intimate knowledge of the Mariner East pipeline project obtained by WGT and its pipeline safety expert during the course of the Prior PUC Proceedings, and the safety of the public in WGT is directly at issue.

13. With respect to WGT's position regarding the issues in this proceeding, WGT is interested in its safety expert reviewing accurate information and data regarding the Mariner East 1 pipeline so that WGT can properly assess the safety of the pipeline for its residents; to that end, WGT intends to support any enforcement Order requiring the production of additional information and/or the correction of any inaccuracies in the previously provided data for Mariner East 1 and the production of said data to its safety expert for further review.

WHEREFORE, Petitioner, West Goshen Township, respectfully requests that the Commission grant its Petition to Intervene in this proceeding and provide it with full party status in the proceedings.

HIGH SWARTZ LLP

By: 

David J. Brooman, Esquire  
Richard C. Sokorai, Esquire  
Mark R. Fischer, Jr., Esquire  
Attorneys for Complainant  
West Goshen Township

Date: 1/18/2019

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

HIGH SWARTZ LLP

David J. Brooman, Esquire (I.D. No. 36571)  
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*Attorneys for Petitioner  
West Goshen Township*

Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement,  
Complainant

Docket No. C-2018-3006534

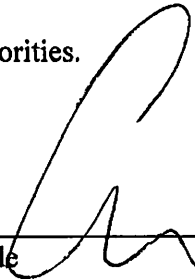
v.

Sunoco Pipeline, L.P., a/k/a  
Energy Transfer Partners,

Respondent

**VERIFICATION**

I, Casey Lalonde, Township Manager of West Goshen Township, hereby state that the facts set forth in the attached Petition to Intervene are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements made herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Casey Lalonde  
Township Manager  
West Goshen Township

Date: 11/18/19

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 West Goshen Township*

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	Docket No. C-2018-3006534
	:	
v.	:	
	:	
Sunoco Pipeline, L.P., a/k/a	:	
Energy Transfer Partners,	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

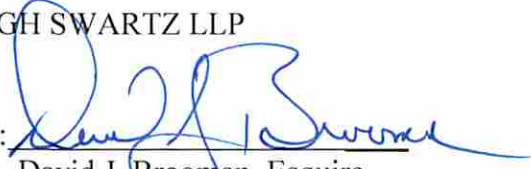
I, David J. Brooman, Esquire, hereby certify that on January 18, 2019, I served a true and correct copy of West Goshen Township’s Petition to Intervene upon the individuals listed below by email and U.S. Mail, first-class, postage prepaid, in accordance with the requirements of 52 Pa. Code § 5.75(a) and 52 Pa. Code §1.54 (relating to service by a party).

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 Michael L. Swindler, Deputy Chief Prosecutor  
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*Pro Se*

HIGH SWARTZ LLP

By:   
David J. Brooman, Esquire  
Richard C. Sokorai, Esquire  
Mark R. Fischer, Jr., Esquire  
Attorneys for West Goshen Township

Date: 1/18/2019