

January 22, 2019

Via Electronic Filing

Rosemary Chiavetta, Esquire
PA Public Utility Commission
Secretary
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2018-3006116; P-2018-3006117
Meghan Flynn et al v. Sunoco Pipeline L.P.
Petition to Intervene of East Goshen Township**

Dear Secretary Chiavetta:

Attached for filing is the Petition to Intervene of East Goshen Township to be filed in the above-consolidated proceedings.

A copy of the Petition to Intervene has been forwarded in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/lam
Attachment


cc: The Hon. Elizabeth Barnes, Pennsylvania Public Utility Commission [w/encl.]
Louis F. Smith, East Goshen Township [w/encl.]
Service List [w/encl.]

**Re: Docket No. C-2018-3006116
Meghan Flynn et. al v. Sunoco Pipeline LP
Petition to Intervene of East Goshen Township**

CERTIFICATE OF SERVICE

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

Dated: January 22, 2019


Margaret A. Morris, Esquire

Re: Docket No. C-2018-3006116
Meghan Flynn et. al v. Sunoco Pipeline LP
Petition to Intervene of East Goshen Township

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Meghan Flynn, Rosemary Fuller,	:	
Michael Walsh, Nancy Harkins,	:	
Gerald McMullen, Caroline Hughes,	:	
and Melissa Haines	:	
	:	Docket No. P-2018-3006117
v.	:	Docket No. C-2018-3006116
	:	
Sunoco Pipeline, L.P.	:	

PETITION TO INTERVENE OF EAST GOSHEN TOWNSHIP

East Goshen Township (East Goshen or Petitioner), by and through its attorneys, Reger Rizzo & Darnall LLP, pursuant to 52 Pa. Code Section 5.71 *et seq.*, hereby Petitions to Intervene in the above-captioned consolidated proceedings. In support of its intervention, East Goshen represents as follows.

I. Introduction

1. Petitioner is East Goshen Township with its principal office located at 1580 Paoli Pike, West Chester, PA 19380.

2. Petitioner is represented by the following attorney whose contact information is:

Margaret A. Morris, Esquire (authorized to receive service)
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (voice)
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Counsel for East Goshen is authorized to accept service on its behalf. East Goshen

requests that the Commission and all parties of record serve copies of all documents (including

but not limited to correspondence, discovery requests and answers, Commission orders, pleadings and testimony) electronically on its counsel of record as well as by hard copy.

3. On or about November 19, 2018, Meghan Flynn, Rosemary Fuller, Michael Walsh, Nancy Harkins, Gerald McMullen, Caroline Hughes and Melissa Haines, (collectively, “Complainants”) filed a Formal Complaint alleging, *inter alia*, Mariner East 1 (ME1), owned and operated by Sunoco Pipeline L.P., a/k/a Energy Transfers Partners (Sunoco), is being operated and the workaround pipeline is being operated without an adequate emergency notification system or legally adequate emergency management plan and that, as a result, the Complainants are at imminent risks of catastrophic and irreparable loss, including loss of life, serious injury to life and damage to their homes and property. The Complainants contend that Sunoco’s actions constitute unreasonable, unsafe, inadequate and insufficient service which violates Section 1501 of the Pennsylvania Public Utility Code (Code).¹

4. The Complainants filed an Amended Complaint on November 19, 2018, alleging, *inter alia*, the highly volatile liquids (HVL) pipeline mishaps that have occurred, together with data collected by the Commission’s Bureau of Investigation and Enforcement, strongly suggest that Sunoco’s integrity management program is not functioning in compliance with applicable law and that the valve sites for HVL pipelines are particularly high-risk areas.

5. On January 7, 2019, Sunoco filed its Answer to the Amended Complaint denying the material allegations.

6. On January 10, 2019, Sunoco filed its Preliminary Objection to the Amended Complaint.

7. The Honorable Elizabeth H. Barnes is presiding over the consolidated proceedings.

¹ 66 Pa.C.S. § 1501.

II. East Goshen's Interest in Proceedings

8. The Petitioner is a township in Chester County, Pennsylvania, of approximately 10 square miles, with an approximate population of 18,300.

9. ME1, ME2 and ME2X cross East Goshen Township.

10. East Goshen and its residents are directly affected by ME1, ME2 and ME2X pipelines, particularly as it relates to safety and public safety.

III. Grounds for East Goshen's Intervention

11. The eligibility to intervene is governed by Section 5.72 of the Commission's regulations. 52 Pa. Code § 5.72.

12. Sunoco is required under the Code to maintain safe and reasonable facilities. 66 Pa.C.S. § 1501.

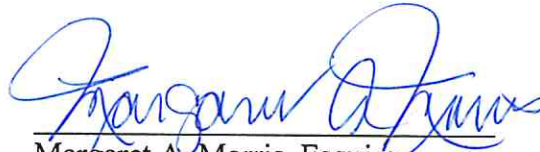
13. Sunoco's facilities traverse East Goshen Township and are in close proximity to residential dwellings, and various public assembly areas, such as a school, a life care facility and retail shopping centers. The allegation of lack of adequate emergency planning and public awareness directly affects the ability of East Goshen to monitor and implement an Emergency Evacuation Plan.

14. East Goshen will be irreparably harmed if Sunoco does not ensure the safety and reasonableness of its facilities located in East Goshen Township.

15. East Goshen has a direct and substantial interest in the instant proceeding which is not (and cannot) be adequately represented by any other party. Therefore, East Goshen satisfies the Commission's standards for intervention. 52 Pa. Code § 5.72(a)(2).

WHEREFORE, East Goshen Township requests that the Commission grant its Petition to Intervene and authorize its intervention and participation in the consolidated proceedings as a full and active party.

Respectfully submitted,



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Dated: January 22, 2019

Counsel for East Goshen Township