

January 20, 2018

Via Electronic Filing
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Rebecca Britton v Sunoco Pipeline L/P
Docket No. C-2019-3006898

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission please find a Petition to Intervene for Josh Maxwell, *pro se*, in the above-captioned proceeding. Please direct all responses and any documents via electronic format to jmaxwell@downingtown.org.

If your office has any questions, please do not hesitate to contact me.

Respectfully,



Josh Maxwell
Mayor of Downingtown
4 W. Lancaster Avenue
Downingtown, PA
19335
jmaxwell@downingtown.org

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION**

Rebecca Britton,	:	
Complainant	:	
v.	:	
	:	Docket No. C-2019-3006898
Sunoco Pipeline, L.P. a/k/a	:	
Energy Transfer Partners,	:	
Respondent	:	
	:	
	:	

Josh Maxwell PETITION TO INTERVENE

The Intervener, Josh Maxwell, pursuant to 52 Pa. Code § 5.21 requiring Pa Public Utility Commission to evaluate Sunoco Pipeline L.P., to evaluate, if, all pipelines in the Mariner East Pipeline System are safe, adequate and reasonable to the public. In support of this, the following is presented:

1. Josh Maxwell (“INTERVENER”) is a Chester County resident that resides at 219 William Street, Downingtown PA 19335. The INTERVENER will be on a *pro se* basis.
2. INTERVENER requests to receive all documents electronically to the above listed email address as allowed by 52 Pa. Code § 1.54(b)(3).
3. INTERVENER meets the standards for intervention set forth in 52 Pa. Code § 5.72(a)(1-3).
 - a. The Commission’s regulations allow intervention where a person has an interest in the proceeding which may be directly affected, and which is not adequately represented by existing parties, and, as to which the person may be bound by the action of the Commission in the proceeding. Intervention is also permitted where participation of the

person may be in the public interest.

4. As Mayor of Downingtown, I represent thousands of families, businesses, and emergency responders negatively affected by the construction and the risks involved in the operation of the Sunoco Pipeline. This Respondent's pipeline is within close proximity to the Downingtown Water Supply, threatening our community's access to clean water and near a dam that if fractured would put thousands of individuals in immediate risk of harm. Our community is duty-bound to provide emergency services through mutual aid agreements in the event of an emergency, however, without an emergency plan in place in collaboration with Sunoco, our crews will not be prepared to the degree they should to aid in an emergency.

5. Due to the early stage of this proceeding, INTERVENER reserves the right to raise and address issues identified through his continued review and analysis of other cases before the Commission which may present more information with regards to INTERVENER's concerns regarding the Mariner East project. Particularly, INTERVENER has an interest in a recent case filed under Docket No. C-2019-3006898, filed on or about December 27, 2018.

6. INTERVENER has grave concerns regarding the allegations filed by the Pa PUC Bureau of Investigations & Enforcement for the region of his ROW¹ that alleges, among other things,

a. records for close interval potential surveys ("CIPS") of ME1 which demonstrated that only "on" potentials were measured that did not contain accurate and reliable data.

b. violations that (40)(c) SPLP did not perform ILI testing on an annual basis when SPLP relied on ILI for its cathodic protection program, (40)(e) SPLP did not document its analysis for determining that it achieved adequate cathodic protection, and (44) SPLP failed to maintain a record of each analysis, check, demonstration, etc. for a period of at

¹ Page 5 of the Pa PUC Bureau's complaint, item 18, states the line segment as Twin Oaks to Montello (no. 11190) which was identified as the target of the investigation for this complaint. INTERVENER's property is also included in this same segment.

least five (5) years to demonstrate the adequacy of corrosion control measures.

c. both the 8” and 12” pipelines are collocated within the same ROW feet from each other, ***“Thus, any testing related to the adequacy of cathodic protection must consider the 8” and 12” pipelines because they are located in the same ROW.”*** (emphasis added)

d. the allegation that SPLP failed to demonstrate proper cathodic protection and that it operates ME1 at a level of safety required by federal regulations.

e. and (39) While the data reviewed was largely specific to the site of the leak, SPLP's procedures and overall application of corrosion control and cathodic protection practices are relevant to all of ME 1 and, thus, I&E alleges that ***there is a statewide concern with SPLP's corrosion control program*** and the soundness of SPLP's engineering practices with respect to cathodic protection. (emphasis added)

THEREFORE, INTERVENER respectfully requests that the Commission grant this Petition to Intervene and authorize his intervention and participation in the proceedings as a full and active *pro se* party.

Sincerely,



Josh Maxwell

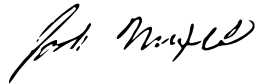
Dated: January 20, 2018

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VERIFICATION

I, Josh Maxwell, hereby verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and understanding. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Maxwell". The signature is written in a cursive style with a large initial "J" and "M".

Josh Maxwell

Dated: January 20, 2019

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a copy of [your name]'s Petition for Intervention upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a party).

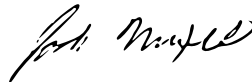
[you need to know who you are serving (attorneys) for the other side before you file. Electronic filing works best, but you still need to email the people involved at the PUC, original filer, and Sunoco attorney]

VIA ELECTRONIC SERVICE

Stephanie M. Wimer, Senior Prosecutor
Michael L. Swindler, Deputy Chief Prosecutor
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Bureau of Investigation and Enforcement
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Sincerely,



Josh Maxwell

Dated: January 20, 2019