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June 28, 2019

VIA ELECTRONIC FILING

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement
v. Sunoco Pipeline L.P. Docket Number C-2018-3006534; **ADDENDUM TO
APRIL 3, 2019 JOINT PETITION FOR APPROVAL OF SETTLEMENT**

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Sunoco Pipeline L.P. and the Bureau of Investigation and Enforcement is an Addendum to the April 3, 2019 Joint Petition for Approval of Settlement.

If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

Thomas J. Sniscak
Kevin J. McKeon
Whitney E. Snyder
Counsel for Sunoco Pipeline L.P.

WES/das
Enclosure

cc: Honorable Elizabeth H. Barnes
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**ADDENDUM TO APRIL 3, 2019
JOINT PETITION FOR APPROVAL OF SETTLEMENT**

Pursuant to 52 Pa. Code § 5.232, the Pennsylvania Public Utility Commission’s (“Commission” or “PUC”) Bureau of Investigation and Enforcement (“I&E” or “Complainant”) and Sunoco Pipeline L.P. (“SPLP” or “Respondent”) (I&E and SPLP are collectively referenced as the “Joint Petitioners”) hereby submit this Addendum to the Joint Petition for Approval of Settlement that Joint Petitioners filed with the Commission on April 3, 2019 (“Settlement Agreement” or “Settlement”).

SPLP and I&E have agreed to modify Paragraph 21 of the Settlement Agreement regarding a party’s right to withdraw from the Settlement, due to the Commission’s referral of this matter to OALJ. As a result of this Addendum, SPLP agrees not to withdraw from the Settlement at this time.

Paragraph 21 of the Settlement shall now read as follows:

21. The Settlement is conditioned upon the Commission’s approval of the terms and conditions contained in this Joint Petition for Approval of Settlement without modification. If the assigned Administrative Law Judge or Commission modifies this Settlement Agreement in any way, including, but not limited to, ordering any additional

process¹ in this settlement matter other than the notice and Comment and Reply Comment process specified in Paragraph 26, any party may elect to withdraw from the Settlement and may proceed with litigation and, in such event, this Settlement Agreement shall be void and of no effect. Such election to withdraw must be made in writing, filed with the Secretary of the Commission and served upon the other party within twenty (20) days after the latter of² entry of any Administrative Law Judge or Commission Order or Ruling modifying the Settlement in any way, including, but not limited to, the modifying procedures, events or actions described above and in footnote 1 below. A decision not to elect to withdraw from this Settlement Agreement for any modification shall not constitute a waiver of election and right to withdraw for any other or future modification. The Joint Petitioners agree that the benefits of the Settlement, which contain certain public safety features which are “above and beyond” current regulatory requirements,³ are in the public interest and should neither be delayed nor discouraged by any further litigation-like process that works at cross-purposes with encouraging, accomplishing and promptly allowing for implementation of this Settlement.

The Joint Petitioners believe that the process for consideration as presently modified by the Commission will add a minimum of 4-12 months before these public safety features of the Settlement can commence and that notice, Comments and Reply comments are the best balancing of providing input and effectuating the Settlement. Additionally, if the Settlement were to fall through, litigation will likely take a year or more given the scope of I&E’s complaint and SPLP’s answer and new matter.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 28th day of June 2019.

¹ “Additional Process” as used herein shall mean a procedural process in excess of notice and Comment and Reply Comment including, but not limited to, granting interventions, discovery, hearings, briefing or other process.

² For instance, if the ALJ made a ruling that modified the Settlement, the parties may elect to withdraw then or elect to withdraw within 20 days of the Commission’s final ruling upon review of the ALJ’s proposed modification.

³ These include undertaking on an expedited basis a Remaining Life Study for ME, which was suggested by Governor Wolf in a statement he released on February 8, 2019. The Study will assess the longevity of ME1, including risks to the pipeline and SPLP procedures. This Study will be conducted by an independent expert and submitted to BIE with ongoing annual summary reports. The Settlement also provides for ILI inspection tool runs at intervals that are accelerated and other testing and reporting that are above and beyond what existing state and federal regulations or law require. Finally, the Settlement includes Close Interval Surveys of ME1 pipeline at accelerated intervals above and beyond any federal or state regulation or law. All of these features of the Settlement will be significantly delayed if any procedure other than notice, Comments and Reply Comments occurs.

Respectfully signed and filed by:



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Dated: June 28, 2019

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the forgoing document upon the persons, listed below, in accordance with the requirements of § 1.54 (relating to service by a party). This document has been filed electronically on the Commission's electronic filing system.

VIA ELECTRONIC AND FIRST CLASS

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Dated: June 28, 2019

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