

March 23, 2020

**Via Electronic Mail**

The Hon. Elizabeth Barnes  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
[ebarnes@pa.gov](mailto:ebarnes@pa.gov)

**Re: Docket Nos. C-2018-3006116 et al  
Meghan Flynn et. al. v. Sunoco Pipeline, L.P.  
Response of Chester County to Sunoco Motion**


Dear Judge Barnes:

Attached please find the Response of the County of Chester to the Motion filed by Sunoco Pipeline, LP for a 60-day stay of the above-consolidated proceedings.

If there are any questions, please feel free to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co  
Enclosure

cc: Thomas L. Whiteman, Esquire, Chester County Solicitor's Office [w/encl.]  
Service List [w/enc.]

**Re: Docket No. C-2018-3006116**  
**Meghan Flynn et. al. v. Sunoco Pipeline, L.P.**  
**Response of Chester County to Sunoco Motion**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons on the attached service list *via Electronic mail*, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Dated: March 23, 2020

  
Margaret A. Morris, Esquire

**Re: Docket Nos. P-2018-3006117 and C-2018-3006116**  
**Megan Flynn et al. v. Sunoco Pipeline, L.P.**  
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**Megan Flynn et al. v. Sunoco Pipeline, L.P.**  
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Megan Flynn et al. v. Sunoco Pipeline, L.P.  
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Rosemary Fuller	:	P-2018-3006117
Michael Walsh	:	
Nancy Harkins	:	
Gerald McMullen	:	
Caroline Hughes and	:	
Melissa Haines	:	
	:	
Andover Homeowners Association	:	C-2018-3003605
	:	
Melissa DiBernardino	:	C-2018-3005025
	:	
Rebecca Britton	:	C-2019-3006898
	:	
Laura Obenski	:	C-2019-3006905
	:	
	:	
v.	:	
	:	
	:	
Sunoco Pipeline, L.P.	:	

**RESPONSE OF THE COUNTY OF CHESTER  
TO MOTION OF SUNOCO FOR STAY OF PROCEEDINGS**

The County of Chester (Chester County), consistent with the ruling of the Honorable Elizabeth H. Barnes (ALJ Barnes), files its response to the Motion filed by Sunoco Pipeline, LP (Sunoco) for a 60-day stay of the above referenced proceedings (Motion).

As an initial point of clarification, Chester County did orally agree to the Motion based on the representation that the Safety 7 Complainants<sup>1</sup> fully supported the Motion and specifically the 60-day stay. Consequently, Sunoco made such representation in its Motion.

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<sup>1</sup> Chester County was not appraised of the position of the three *pro se* complainants.



Based on the recitation of facts outlined in the Response filed by the Safety 7 Complainants, Chester County specifically withdraws its support for the Motion and requests Judge Barnes amend the Motion consistent with this Response.

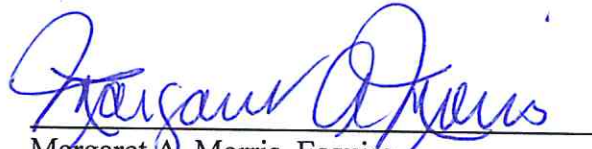
Chester County recognizes the significant impact that the COVID-19 pandemic has had on the Commonwealth and its citizens. Consistent with Governor Wolfe's Order closing all non-essential business, the Commission issued an *Emergency Order* regarding the process to be followed in pending matters before the Commission. In doing so, the Commission clearly sent the message that to the extent possible, it should be business as usual. Chester County contends that Sunoco's request for a 60-day stay is without merit and echoes the arguments raised by the Safety 7 Complainants. Regarding the deadline for its pre-filed testimony, Sunoco has not presented reasonable grounds why there should be 60-day stay as opposed to an extension, if needed, to file its direct testimony. Chester County supports the position of Flynn 7 Complainants that the proceeding not be immediately stayed, but rather the matter should be scheduled, as soon as practicable, for an off-the-record telephonic conference to address the litigation schedule in light of the pandemic.

Safety 7 Complainants, as well as the other complainants and intervenors, argue that any stay of the litigation schedule should be accompanied by a stay in all pipeline construction in Chester County. Chester County supports the positions/arguments of those parties.

Chester County is aware that this issue may be deemed moot given the most recent Order from Governor Wolfe which prohibits construction. Chester County respectfully requests, even if the Order prohibiting construction by Sunoco is lifted, that for the duration of the confinement for the residents of Chester County, Sunoco, as a sign of good faith, refrain from engaging in any construction along its pipeline in Chester County.

Respectfully submitted,

Dated: March 23, 2020



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