

Rebecca Britton
211 Andover Dr.
Exton PA 19341

August 16, 2020

VIA ELECTRONIC FILING

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

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

Meghan Flynn. et al. v. Sunoco Pipeline L.P.; Docket Nos. C-2018-3006116 and
P-2018-3006117;

**Rebecca Britton's Reply to SPLP Motion for Partial Summary Judgement
IMP, Corrosion Control and Cathodic Protection**

Dear Secretary Chiavetta:

Attached for electronic filing with the Commission is Rebecca Britton's reply to Sunoco Pipeline L.P.'s Motion for Partial Summary Judgment Regarding Integrity Management, Corrosion Control and Cathodic Protection.

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

Very Truly Yours,



Rebecca Britton

Pro se

August 16, 2020

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Rosemary Chiavetta, Secretary
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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rebecca Britton :
211 Andover Dr. :
Exton, PA 19341 : Docket No. C-2019-3006898
Complainant :
v. :
SUNOCO PIPELINE L.P., :
Respondent. :

Rebecca Britton’s reply to Sunoco Pipeline L.P.’s Motion for Partial Summary Judgment Integrity Management.

SPLP has filed a Motion for Partial Summary Judgment. They claim that; pursuant to 52 Pa. Code § 5.102, Sunoco Pipeline L.P. (“SPLP”) has moved for partial summary judgment of the above-captioned matter related to corrosion control, integrity management and cathodic protection. They fail to meet their burden of proof.

Consolidated :
MEGAN FLYNN et al **Docket Nos.C-2018-3006116**

Your Honor, must make a decision that is free from doubt; accordingly, Pursuant to 52 Pa Code 5.102 (d) *Decisions on motions.* (1) *Standard for grant or denial on all counts.* The presiding officer will grant or deny a motion for judgment on the pleadings or a motion for summary judgment, as appropriate. The judgment sought will be rendered if the applicable pleadings, depositions, answers to interrogatories and admissions, together with affidavits, if any, show that

there is no genuine issue as to a material fact and that the moving party is entitled to a judgment as a matter of law.

(2) *Standard for grant or denial in part.* The presiding officer may grant a partial summary judgment if the pleadings, depositions, answers to interrogatories and admissions, together with affidavits, if any, show that there is no genuine issue as to a material fact and that the moving party is entitled to a judgment as a matter of law on one or more but not all outstanding issues.

However, there is a genuine issue in this matter.

1. According to” § 5.243. Presentation by parties. (a) A party, has the right of presentation of evidence, cross-examination, objection, motion and argument subject to the limitations in § § 5.75 and 5.76 (relating to notice, service and action on petitions to intervene; and limitation of participation in hearings). The taking of evidence and subsequent proceedings shall proceed with reasonable diligence and with the least practicable delay.” I have not had my right fulfilled to perform cross-examination, Sunoco has not provided me with any opportunity to take evidence during oral examination and this must be done with reasonable diligence.
2. According to § 5.365. Orders to limit availability of proprietary information I have been barred from seeing documents that would have allowed me the opportunity to bring on an expert and have them examine it. As a pro se litigant it would have made no sense to pay for an expert if I cannot review documents and craft questions for deposition purposes considering I cannot review confidential security information or be in court room for this part of the testimony.
3. According to § 5.401. Admissibility of evidence. (a) Relevant and material evidence is admissible subject to objections on other grounds. I have put substantial evidence on the record through my testimony and through other lay testimony. I have a right to cross examine Sunoco’s experts during portions of the hearing that is open to the public. The record is not closed
4. According to § 5.406. Public documents. (a) A report, decision, opinion or other document or part thereof, need not be produced or marked for identification, but may be offered in evidence as a public document by specifying the document or part thereof and where it may be found, if the document is one of the following: (1) A report or other document on file with the Commission. (2) An official report, decision, opinion, published scientific or economic statistical data or similar public document which is issued by a governmental department, agency, committee, commission or similar entity which is shown by the offeror to be reasonably available to the public. There is

significant documentation on the record that is pertinent to this matter that still can be reviewed during oral testimony. I would like an opportunity to do so during cross.

Conclusion:

I ask that Your Honor deny the motion for partial summary judgement. Counsel cannot know what will happen during the other phase of testimony. They are the reason why I was unable to produce expert testimony and are trying to have their cake now and eat it too. They are overreaching, being insincere, wasting courts time, being repetitive, and misapplying previous rulings.

Very Truly Yours,



CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 1.54 (relating to service by a party).

This document has been filed via electronic filing:

VIA ELECTRONIC FILING

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Rebecca Britton
Pro se
August 16, 2020

VERIFICATION

I, Rebecca Britton, hereby state that the facts above set forth are true and correct (or 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 herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Rebecca Britton
Pro se
August 16, 2020