

P-2014-2411966

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SECRETARY'S BUREAU

Robert F. Powelson, Chairman  
John F. Coleman, Jr., Vice Chairman  
Gladys M. Brown, Commissioner  
Pamela A. Witmer, Commissioner  
James H. Cawley, Commissioner

In re: Docket No. P-2014-2411966. ~~et al~~

Dear Chairman, Vice Chairman and Commissioners:

We are writing to urge you to deny the petition of Sunoco Pipeline L.P. for a "Finding That the Situation of Structures to Shelter Pump Stations and Valve Control Stations Is Reasonably Necessary for the Convenience of Welfare of the Public." The Petition seeks an exemption from section 619 of the Municipalities Planning Code (53 § 10619) "to allow for the construction of pump and valve control stations along a new pipeline that will transport liquid ethane and propane."

Contrary to the allegations in the Petition, it is because your decision will impact many diverse and uniquely situated communities in ways that can best be vetted and understood at the local level through long-established and accepted zoning processes, that you should deny the Petition. While Sunoco Pipeline, L.P. prefers to circumvent the local zoning process through a section 619 exemption, because that zoning process might take too long for its liking, we urge the Commission to deny the Petition to allow our voices to be heard at the local level as they deserve to be.

In the case of the proposed West Goshen Pumping Station, the Commission should be aware that Sunoco Logistics, L.P. has filed a zoning application in which it has requested use by special exception for a "public facility use" on the proposed site. That zoning process is underway and the parties involved, including individual homeowners and West Goshen Township, have and are in the process of hiring engineers and other expert witnesses to vet the issues at the local level. We urge the Commission to deny the Petition so as not to allow Sunoco Pipeline L.P. to circumvent this local zoning process.

The Commission should also be aware of some of the local concerns with the proposed West Goshen Pumping Station site, none of which are even mentioned in passing in the Petition. For example, the proposed site is in a heavily populated R3 residential area. Immediately next to the proposed site is U.S. 202, which serves as the main travel corridor for thousands commuting to work every day, including those commuting to local business parks. Immediately across U.S. 202 and adjacent to the proposed West Goshen Pumping Station is a planned 115 unit senior assisted living facility. Also, on the same parcel of property as the proposed pumping station are two water towers that maintain the water pressure for thousands of individual households. The location of the proposed West Goshen pumping station drains into the Ridley Creek watershed

too. We urge the Commission to Deny the Petition so as not to allow Sunoco Pipeline, L.P. to negate these important local concerns which deserve local vetting through the zoning process.

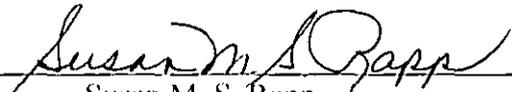
Also, Sunoco Pipeline L.P. is a for profit company, and it does not appear that any of the materials to be transported as part of the Mariner East project are for local consumption, but rather for overseas markets. According to Sunoco's own website, they are planning to ship 90% of the product, while only leaving 10% for local use. Sunoco Pipeline L.P. continues to claim that it is a public utility, the Commission should be aware that the Pennsylvania Court of Common Pleas in York County ruled otherwise in Sunoco Pipeline, L.P. v. Lopar (March 25, 2014). While the Lopar case involved eminent domain, it is still instructive on whether Sunoco Pipeline L.P. is a public utility corporation for any purpose.

There is also the consideration of the home values that will be greatly impacted by the facility. According to FHA guidelines 4150.2 (2-1) sec. E-Land use restrictions, paragraph 3, an appraiser can reject a property if the marketability and hazards represent a serious detriment to either the health and safety of the occupants or to the economic security of the property. Some homes along the current pipeline route have already been sued by Sunoco for survey rights outside of their original easement under the guise of public utility status. Surveying by a utility company for the greater good may be alright by commission standards, but to give a for-profit corporation the ability to have a negative impact on any community under the pretense of being a public utility should never be allowed by the Commonwealth of Pennsylvania.

Finally, we urge the Commission to adhere to the December 2013 Pennsylvania Supreme Court ruling striking down Act 13's language that would impose one uniform ordinance for all Pennsylvania, and deny the Petition of Sunoco Pipeline L.P. for that reason too.

Respectfully,

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Date: 17 April 2014

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