

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Amended Petitions of Sunoco Pipeline L.P. for a :
Finding That the Situation of Structures to : Docket Nos. P-2014-2411941,
Shelter Pump Stations and Valve Control : 2411942, 2411943, 2411944,
Stations is Reasonably Necessary for the : 2411945, 2411946, 2411948,
Convenience and Welfare of the Public : 2411950, 2411951, 2411952,
2411953, 2411954, 2411956,
2411957, 2411958, 2411960,
2411961, 2411963, 2411964,
2411965, 2411966, 2411967,
2411968, 2411971, 2411972,
2411974, 2411975, 2411976,
2411977, 2411979, 2411980.

Petition to Intervene of the Environmental Integrity Project

Through counsel, the Environmental Integrity Project (“EIP” or “Petitioner”), hereby Petitions to Intervene in Response to Sunoco Pipeline L.P.’s (“Sunoco”) Amended Petitions filed by Sunoco Pipeline, LP (“SPLP”) on May 8, 2014 (“Amended Petitions”). EIP requests that the Pennsylvania Public Utilities Commission (“Commission”) grant EIP status as an Intervenor pursuant to 52 Pa. Code §§5.73-75. EIP provides the following in support of its Petition to Intervene:

1. The Environmental Integrity Project is a non-partisan, nonprofit organization established in 2002 to promote stronger enforcement of the nation’s anti-pollution laws. From the beginning, EIP has targeted pollution from the energy industry in Pennsylvania and nationwide, including coal plants, refineries, and oil and gas development. Our goal is to protect the environment and reduce pollution by improving compliance with major federal environmental laws.

2. The name and address of counsel for Petitioner is:

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3. SPLP has proposed a pipeline project referred to as the Mariner East Pipeline (“Project”). If constructed, the Project would transport natural gas liquids – propane and ethane – from Houston, Pennsylvania to Sunoco’s Marcus Hook Industrial Complex (“MHIC”), located on the Delaware River, from which facility they could be shipped to foreign markets.
4. In order to transport these liquids from Marcellus Shale region, SPLP seeks, among other things, to reconfigure an existing pipeline so that it can transport propane and ethane from West to East. To accomplish this, SPLP seeks to build 18 pump stations and 17 valve control stations, as well as structures to shelter them.
5. In order to complete the proposed construction, SPLP is seeking a finding from the Commission pursuant to Section 619 of the Municipalities Planning Code exempting SPLP from local zoning ordinances in 31 municipalities across Pennsylvania. SPLP filed an initial petition with the Commission on March 21, 2014 (“Original Petition”). On May 8, 2014, after obtaining new legal representation, SPLP filed its Amended Petitions with the Commission requesting this exemption.

6. The Amended Petitions contained a new proposal to deliver propane not only to Marcus Hook, but also to deliver some propane intrastate, to SPLP's Twin Oaks facilities in Aston, Pennsylvania.
7. Intervention in Commission proceedings is permitted where a person has an interest in the matter "which may be directly affected and which is not adequately represented by the participants, and as to which the petitioner may be bound by the action or proceeding," or "another interest of such nature that participation of the petitioner may be in the public interest." 52 Pa. Code § 5.72(a)(2), (3).
8. EIP has a direct interest in the outcome of Sunoco's Petition. A substantial amount of the associated construction and operational impacts resulting from the pump stations and valve control stations Sunoco seeks exemptions for would be located in areas where EIP directly works on behalf of itself, as well as local residents and partner organizations.
9. EIP is concerned that if these facilities are exempted from local zoning ordinances, the construction and operation of these facilities will result in significant negative impacts on air quality, water quality, and human health in the areas where the facilities are located.
10. Sunoco does not meet the definition of a public utility corporation and therefore does not qualify for exemption under § 619 of the Pennsylvania Municipal Planning Code (53 P.S. § 10619). Further, even if Sunoco does qualify as a public utility corporation, the Project's proposed situation of structures is not reasonably necessary for the convenience or welfare of the public.
11. Finally, Article I, § 27 of the Pennsylvania Constitution prohibits the granting of Sunoco's Petition. A grant of exemptions from local zoning ordinances for the construction of these facilities would likely contradict the recent holding of the Supreme

Court of Pennsylvania in *Robinson Township v. Commonwealth*, 83 A.3d 901, 949-50
(Pa. Dec. 19, 2013).

12. EIP's interests cannot be adequately represented by any other party to this proceeding.
13. Wherefore, EIP respectfully requests that the Pennsylvania Public Utility Commission:
 - a. Grant this Petition to Intervene, and
 - b. Make any other such orders as are just and appropriate.

Respectfully submitted,

/s/ Adam Kron
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VERIFICATION

I, Adam Kron, hereby state that the facts set forth above in the Petition to Intervene 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 subject to the penalties of 18 Pa. C.S. § 4909 (relating to unsworn falsification to authorities).

Dated June 9, 2014

/s/ Adam Kron

Adam Kron

Attorney

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CERTIFICATE OF SERVICE

I, Adam Kron, do hereby certify that a true and accurate copy of the foregoing PETITION TO INTERVENE was served upon the following on June 9, 2014, pursuant to the requirements of 52 Pa. Code § 1.54(b)(3) (relating to service by a participant).

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