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November 10, 2014

Rosemary Chiavetta, Secretary  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg PA 17105-3265

Re: Petition of Sunoco Pipeline, LP, for a Finding That  
The Situation of Structures to Shelter Pump  
Stations and Valve Control Stations is Reasonably  
Necessary for the Convenience or Welfare of the  
Public in West Goshen Township, Chester County,  
Docket No. P-2014-2411966

Concerned Citizens of West Goshen Township v.  
Sunoco Pipeline, L.P.  
Docket No. C-2014-2451943

Dear Secretary Chiavetta:

Enclosed for filing please find the Motion to Consolidate filed on behalf of Concerned Citizens of West Goshen Township in the above-referenced proceedings. The document was served as required by 52 Pa. Code § 5.42(b), as shown on the attached Certificate of Service.

The document was filed electronically with the Commission on this date.

Sincerely,  


Enclosure

cc: per Certificate of Service  
Administrative Law Judge David Salapa  
Administrative Law Judge Elizabeth Barnes

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Concerned Citizens of West Goshen Township, Complainant	:	
	:	
	:	
v.	:	Docket No. C-2014-2451943
	:	
Sunoco Pipeline, L.P., Respondent	:	
	:	
Petition of Sunoco Pipeline, LP, for a Finding That The Situation of Structures to Shelter Pump Stations and Valve Control Stations is Reasonably Necessary for the Convenience or Welfare of the Public in West Goshen Township, Chester County	:	Docket No. P-2014-2411966
	:	
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NOTICE TO PLEAD

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To: Sunoco Pipeline, LP, through its attorneys:

Christopher A. Lewis, Esq.  
Michael L. Krancer, Esq.  
Frank L. Tamulonis, Esq.  
Blank Rome LLP  
One Logan Square  
130 North 18th Street  
Philadelphia, PA 19103

Pursuant to 52 Pa. Code § 5.103(b), you are hereby notified that a written response to the enclosed Motion to Consolidate is due within **twenty (20) days** from service of this Notice.

**File with:**  
Rosemary Chiavetta, Secretary  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**With a copy to:**  
Scott J. Rubin  
333 Oak Lane  
Bloomsburg, PA 17815-2036  
scott.j.rubin@gmail.com

Dated: November 10, 2014

  
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Scott J. Rubin, Esq.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Concerned Citizens of West Goshen Township, Complainant	:	
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	:	
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MOTION TO CONSOLIDATE

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Pursuant to 52 Pa. Code §§ 5.81 and 5.103, Concerned Citizens of West Goshen Township ("CCWGT") hereby moves to consolidate these proceedings for all purposes.

1. On May 8, 2014, Sunoco Pipeline, LP ("SPLP") filed an Amended Petition at Docket No. P-2014-2411966 seeking approval of the waiver of local zoning and land use requirements for the construction of a building to house a pump station and related equipment near Boot Road in West Goshen Township, Chester County, Pennsylvania.

2. CCWGT filed an Amended Protest and Further Preliminary Objections against the Amended Petition on June 9, 2014. CCWGT's Further Preliminary Objections included a request for a more specific pleading. Consequently, CCWGT did not file an Answer to the Petition at that time.

3. CCWGT's Preliminary Objections alleged, *inter alia*, that SPLP was not a public utility and that the Commission did not have jurisdiction over SPLP.

4. CCWGT's pleadings also included allegations that it was unsafe, unreasonable, unnecessary, and inconsistent with the public interest to construct a pumping station on the Boot Road site, which is zoned Residential and is immediately adjacent to a residential development.

5. After the issuance of an Initial Decision and various additional pleadings, the Commission issued an Opinion and Order on October 29, 2014, that denied CCWGT's Preliminary Objections and returned the case to the Office of Administrative Law Judge for discovery and hearings.

6. In addition to finding that SPLP's pleadings had created a rebuttable presumption that it is a public utility, the Commission's October 29, 2014, Order included the following ruling: "Accordingly, the inquiry on remand should not address whether it is appropriate to place the valve and pump stations in certain areas, but, rather, should address whether the buildings proposed to shelter those facilities are reasonably necessary for the convenience or welfare of the public." Order, p. 42.

7. On November 7, 2014, CCWGT filed an Answer to the Amended Petition.

8. On November 7, 2014, CCWGT also filed a Formal Complaint against SPLP at Docket No. C--2014-2451943, alleging that it would be unsafe and unreasonable to construct and operate a pump station on the Boot Road site. The Complaint asks the Commission to exercise its authority under Section 1505 of the Public Utility Code to order SPLP to relocate the planned Boot Road facilities in order to ensure the safety of the public.

9. These two cases are highly inter-related and involve common questions of law and/or fact. CCWGT's Complaint seeks a ruling from the Commission concerning the reasonableness and safety of the construction and operation of a pump station on the Boot Road site. SPLP's Petition seeks a ruling from the Commission that it is in the public interest to enclose some of those same facilities within a building.

10. These two proceedings involve the same facilities proposed to be located on the same property in West Goshen Township.

11. CCWGT respectfully submits that it would avoid unnecessary costs and delay to hear these two cases together. The Commission should not authorize the construction of a building to house facilities unless it is first determined that the facilities are safe and do not pose an unacceptable risk to the public. Indeed, if the Commission were to agree with CCWGT and order the relocation of those facilities to a non-residential location, then the Petition would become moot.

WHEREFORE, in the interests of administrative efficiency, CCWGT respectfully requests the Commission to consolidate these proceedings for all purposes.

Respectfully submitted,



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(Pa. Supreme Court ID: 34536)

Counsel for CCWGT

Dated: November 10, 2014

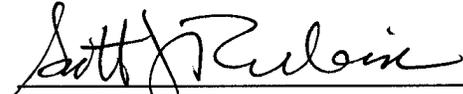
## CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served this day a true copy of the foregoing document upon the parties listed below by electronic mail (where an email address is shown) and U.S. mail, first-class, postage prepaid, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Christopher Lewis / Michael L Krancer Frank Tamulonis / Melanie Carter Blank Rome LLP One Logan Square Philadelphia, PA 19103 lewis@blankrome.com / mcarter@blankrome.com ftamulonis@blankrome.com	Margaret A Morris Reger Rizzo & Darnall 2929 Arch Street, 13th Floor Philadelphia, PA 19104 mmorris@regerlaw.com jmotz@regerlaw.com
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Dated: November 10, 2014

  
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Scott J. Rubin  
Counsel for CCWGT