

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Answer to Sunoco Pipeline, L.P.'s Amended Petitions (Docket Nos. P-2014-2411941 et seq.)**

Dear Secretary Chiavetta,

Enclosed please find for filing pursuant to 52 Pa. Code § 5.61 the Clean Air Council's Answer to Sunoco Pipeline L.P.'s Amended Petitions for a Finding That the Situation of Structures to Shelter Pump Station and Valve Control Stations is Reasonably Necessary for the Convenience and Welfare of the Public.

Dated December 2, 2014

*/s/ Augusta Wilson*

Augusta Wilson, Esq.  
PA Attorney No. 316969  
Clean Air Council  
135 S. 19<sup>th</sup> St., Ste. 300  
Philadelphia, Pennsylvania 19103  
Tel: 215-567-4004 x106  
Fax: 215-567-5791  
awilson@cleanair.org

**BEFORE THE  
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Amended Petitions of Sunoco Pipeline L.P. for a	:	Docket Nos. P-20142411941,
Finding That the Situation of Structures to	:	2411942, 2411943, 2411944,
Shelter Pump Stations and Valve Control	:	2411945, 2411946, 2411948,
Stations is Reasonably Necessary for the	:	2411950, 2411951, 2411952,
Convenience and Welfare of the Public	:	2411953, 2411954, 2411956,
		2411957, 2411958, 2411960,
		2411961, 2411963, 2411964,
		2411965, 2411966, 2411967,
		2411968, 2411971, 2411972,
		2411974, 2411975, 2411976,
		2411977, 2411979, 2411980.

---

**ANSWER OF THE CLEAN AIR COUNCIL TO SUNOCO PIPELINE L.P.’S AMENDED  
PETITIONS PURSUANT TO 53 P.S. § 10619**

---

Pursuant to 52 Pa. Code §§ 5.61 and 5.101, the Clean Air Council (“Council” or “CAC”) files this Answer to the Amended Petitions of Sunoco Pipeline, L.P. (“SPLP”) for a Finding That The Situation of Structures Necessary to Shelter Pump Stations and Valve Control Stations Is Reasonably Necessary for the Convenience or Welfare of the Public, filed on May 8, 2014.

1. Denied. It is denied that SPLP is a public utility corporation regulated by the Pennsylvania Public Utility Commission (“Commission”) and strict proof thereof is demanded. The remainder of the paragraph contains legal conclusions, no answer is required.
2. Denied. It is denied that the Amended Petitions relate only to the portion of SPLP’s Mariner East pipeline that lies west of Mechanicsburg in Allegheny Township, Blair County Pennsylvania and strict proof thereof is demanded. It is denied that the Mariner East project will be used to transport energy resources to SPLP’s Twin Oaks facility, and

strict proof thereof is demanded. The Council lacks sufficient information as to SPLP's planned use of existing pipeline infrastructure and/or planned extension of facilities relating to the Mariner East project.

3. Denied. It is denied that SPLP will transport propane to its Twin Oaks facility. It is also denied that such propane will be distributed to third party storage facilities or distribution terminals located in Pennsylvania and strict proof thereof is demanded.
4. Denied. The Council lacks sufficient knowledge or information regarding any plans on the part of SPLP to install new pumps and valve stations. The remainder of the paragraph contains legal conclusions to which no answer is required.
5. Denied. The Council lacks sufficient knowledge or information regarding SPLP's plans to house equipment. The Council also lacks sufficient knowledge or information regarding SPLP's reasons for filing the instant petitions. The remainder of the paragraph contains legal conclusions to which no answer is required.
6. Admitted.
7. Admitted.
8. Denied. It is denied that SPLP is a "public utility" as defined in Section 102 of the Pennsylvania Public Utility Code. It is denied that SPLP is a "public utility corporation" as the term is used in the Municipal Planning Code. It is denied that the Certificates of Public Convenience to which Paragraph 8 of SPLP's Amended Petitions refer make it a public utility or a public utility corporation with respect to the service it proposes to provide with its proposed Mariner East project. The paragraph also contains legal conclusions to which no answer is required.
9. Admitted.

10. The paragraph contains legal conclusions to which no answer is required. Otherwise denied.
11. Denied. The Council lacks sufficient knowledge or information with respect to the operation of SPLP's pipeline system and strict proof thereof is demanded.
12. Denied. The Council lacks sufficient knowledge or information regarding SPLP's reasons for developing the proposed Mariner East project or its plans for future use of its infrastructure, and strict proof thereof is demanded.
13. Denied. The Council lacks sufficient knowledge or information regarding transportation services currently provided by SPLP and strict proof thereof is demanded.
14. Admitted only that the referenced application was filed. The rest of the paragraph contains legal conclusions that do not require an answer. Otherwise denied.
15. Admitted only that the referenced petition was filed. The rest of the paragraph contains legal conclusions that do not require an answer. Otherwise denied.
16. Admitted only that the referenced order and clarification were issued by the Commission. The rest of the paragraph contains legal conclusions that do not require a response. Otherwise denied.
17. Denied. The Council lacks sufficient knowledge or information regarding the current state of service on SPLP's pipelines in various locations. The remainder of the paragraph contains legal conclusions to which no answer is required. Otherwise denied.
18. Admitted only that the Commission issued the referenced order and that it contains the referenced quotation. The rest of the paragraph contains legal conclusions that do not require an answer. Otherwise denied.

19. Denied. The Council lacks sufficient knowledge or information about the status of SPLP's proposed Mariner East project. The Council also lacks sufficient information or knowledge about SPLP's reasons or motivations for developing the proposed project and strict proof thereof is demanded. It is denied that SPLP began developing the proposed Mariner East project because of shipper demand and/or the public interest in Pennsylvania. It is also denied that operation of the Mariner East project would affect the availability of propane in retail markets in Pennsylvania and strict proof thereof is demanded.
20. Admitted in part and denied in part. It is admitted that SPLP had initially planned for the Mariner East pipeline system to provide only interstate transportation of propane and ethane. It is denied that SPLP has changed this plan. It is further denied that any change to SPLP's plan was in response to increased interest from shippers and/or the public interest.
21. Denied. The Council lacks sufficient knowledge or information regarding SPLP's intentions with respect to filing of tariff supplements and strict proof thereof is demanded. It is denied that SPLP will begin transporting propane by pipeline from Mechanicsburg during the 2014-2015 winter season. It is denied that any change in SPLP's proposed plan is or was as a result of demand for propane in Pennsylvania. Denied that this propane will be delivered to SPLP's Twin Oaks facility. The Council lacks sufficient knowledge or information regarding the quantity of propane SPLP will allegedly deliver or the alleged benefits of transporting propane by pipeline rather than by truck and strict proof thereof is demanded.

22. Denied. The Council lacks sufficient knowledge or information with respect to SPLP's intention to file any applications for amendment of any of its Certificates of Public Convenience. It is denied that SPLP plans to offer intrastate delivery of propane in Pennsylvania through the proposed Mariner East pipeline, and strict proof thereof is demanded.
23. Denied. It is denied that the proposed Mariner East project would transport ethane, propane, or other petroleum products to markets in Pennsylvania. The Council lacks sufficient knowledge or information regarding the alleged benefits of the proposed project and strict proof thereof is demanded.
24. Admitted that this paragraph contains an accurate quotation of language from 53 P.S. § 10619. The paragraph contains legal conclusions to which no answer is required. Otherwise denied.
25. This paragraph contains legal conclusions to which no answer is required.
26. This paragraph contains legal conclusions to which no answer is required.
27. This paragraph contains legal conclusions to which no answer is required.
28. Denied. The Council lacks sufficient knowledge or information regarding SPLP's reasons for including or not including copies of local ordinances with the instant Amended Petitions.
29. Denied. The Council lacks sufficient knowledge or information with respect to SPLP's plans to work with any given local municipality or SPLP's reasons for filing the instant Amended Petitions.

30. Denied. The Council lacks sufficient knowledge or information regarding SPLP's plans for building pump stations and valve control stations or the relationship between those stations and the overall proposed Mariner East project.
31. Denied. The Council lacks sufficient knowledge or information regarding the use or necessity of the proposed pump stations relating to the Mariner East project, or the necessity or benefits of siting a pump station in any given location, and strict proof thereof is demanded.
32. Denied. The Council lacks sufficient knowledge or information regarding the use or necessity of the proposed valve control stations relating to the Mariner East project, or the necessity or benefits of a valve control station in any given location, and strict proof thereof is demanded.
33. Denied. The Council lacks sufficient knowledge or information regarding the structures SPLP proposes to build around its proposed pumping stations relating to the Mariner East project. To the extent the paragraph contains a legal conclusion, no answer is required.
34. Denied. The Council lacks sufficient knowledge or information regarding the structures SPLP proposes to build around its proposed valve control stations relating to the Mariner East project.
35. This paragraph contains a legal conclusion to which no answer is required.
36. Denied. The Council lacks sufficient knowledge or information regarding the integral nature or necessity of the pump and valve control stations to SPLP's proposed Mariner East project. It is denied that the stations or the project itself will provide benefits to the public.

37. Denied. This paragraph contains a legal conclusion to which no answer is required. To the extent the paragraph does require a response, it is denied that the Commission's approval of the cited abandonment application contains any findings or statements of policy relevant to the current Amended Petitions relating to a proposed project and service that was not before the Commission in that proceeding.

38. Denied.

39. Denied.

**Wherefore**, the Clean Air Council respectfully requests that the Pennsylvania Public Utility Commission deny SPLP's Amended Petitions. The Council also respectfully requests that the Commission refer this matter to an Administrative Law Judge for discovery, the receipt of testimony, cross-examination of witnesses, and such other process as is required.

Dated: December 2, 2014

Respectfully submitted,

Joseph O. Minott, Esq.  
Executive Director and Chief Counsel

Augusta C. Wilson, Esq.  
Staff Attorney

Clean Air Council  
135 S. 19<sup>th</sup> St., Suite 300  
Philadelphia, PA 19103  
Phone: 215-567-4004 x106  
Email: [awilson@cleanair.org](mailto:awilson@cleanair.org)

**VERIFICATION**

I, Joseph Otis Minott, hereby state that the facts above set forth in the Answer 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 made herein are made subject to the penalties of 18 Pa.C.S. 4904 (relating to unsworn falsification to authorities).

Dated: December 2, 2014

*/s/ Joseph Otis Minott*

Joseph Otis Minott, Esq.  
Executive Director and Chief Counsel  
Clean Air Council  
135 S. 19<sup>th</sup> St., Ste. 300  
Philadelphia, Pennsylvania 19103  
Tel: 215-567-4004 x116  
Fax: 215-567-5791

## CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served this day via first class mail a true copy of the foregoing document upon the parties listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by participant).

Tanya McCloskey, Esquire  
Aron J. Beatty, Esquire  
Office of Consumer Advocate  
55 5 Walnut Street  
Forum Place- 5th Floor  
Harrisburg, PA 17101

Johnnie Simms, Esquire  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
Harrisburg, PA 17120

Aaron Stemplewicz, Esquire,  
Delaware Riverkeeper Network  
925 Canal Street, Suite 3701  
Bristol, PA 19007

John R. Evans, Esquire  
Steven Gray, Esquire  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

Margaret A. Morris, Esquire  
Reger Rizzo & Darnall  
2929 Arch Street  
13th Floor  
Philadelphia, PA 19104

Kenneth R. Myers, Esquire  
David J. Brooman, Esquire  
Sireen I. Tucker, Esquire  
High Swartz LLP  
40 East Airy Street  
Norristown, PA 19401

Christopher A. Lewis, Esquire  
Michael Krancer, Esquire  
Frank Tamulonis, Esquire  
Melanie Carter, Esquire  
Blank Rome LLP  
One Logan Square  
Philadelphia, PA 19103

Nick Kennedy, Esquire  
Mountain Watershed Association  
1414-B Indian Creek Valley Road  
PO Box 408  
Melcroft, PA 15462

Francis J. Catania, Esquire  
J. Michael Sheridan, Esquire  
Upper Chichester Township  
230 N. Monroe Street  
Media, PA 19063

Adam Kron, Esquire  
Environmental Integrity Project  
1000 Vermont Ave. NW  
Suite 1100  
Washington DC, 20005

Scott J. Rubin, Esquire  
Concerned Citizens of West Goshen Township  
333 Oak Lane  
Bloomsburg, PA 17815

Thomas Whiteman, Esquire  
Solicitor, Chester County  
313 W. Market Street, Ste. 6702  
P.O. Box 2748  
West Chester, PA 19380

/s/ Augusta Wilson  
Augusta Wilson, Esq.  
Counsel to Clean Air Council

Dated: December 2, 2014