

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Sunoco Pipeline, L.P. :
for a finding that a building to shelter the :
Walnut Bank valve control station :
in Wallace Township, Chester County, : P-2014-2411941
Pennsylvania is reasonably necessary for the :
convenience or welfare of the public :

Petition of Sunoco Pipeline, L.P. :
for a finding that a building to shelter the :
Blairsville pump station :
in Burrell Township, Indiana County, : P-2014-2411942
Pennsylvania is reasonably necessary for the :
convenience or welfare of the public :

Petition of Sunoco Pipeline, L.P. :
for a finding that a building to shelter the :
Middletown Junction valve control station :
in Lower Swatara Township, Dauphin County, : P-2014-2411943
Pennsylvania is reasonably necessary for the :
convenience or welfare of the public :

Petition of Sunoco Pipeline, L.P. :
for a finding that a building to shelter the :
Cramer pump station :
in East Wheatfield Township, Indiana County, : P-2014-2411944
Pennsylvania is reasonably necessary for the :
convenience or welfare of the public :

Petition of Sunoco Pipeline, L.P. :
for a finding that a building to shelter the :
Old York Road valve control station :
in Fairview Township, York County, : P-2014-2411945
Pennsylvania is reasonably necessary for the :
convenience or welfare of the public :

Petition of Sunoco Pipeline, L.P. :
for a finding that a building to shelter the :
Conodoquist River West valve control station :
in North Middleton Township, Cumberland : P-2014-2411946
County, Pennsylvania is reasonably necessary :
for the convenience or welfare of the public :

Petition of Sunoco Pipeline, L.P. :

for a finding that a building to shelter the Juniata River West valve control station in Frankston Township, Blair County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
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	:	P-2014-2411948
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	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Ebensburg pump station in Cambria Township, Cambria County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
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	:	P-2014-2411950
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the West Conemaugh River valve control station in Derry Township, Westmoreland County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
	:	
	:	P-2014-2411951
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the West Loyalhanna Dam valve control station in Loyalhanna Township, Westmoreland County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
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	:	P-2014-2411952
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Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Old Chestnut Lane valve control station in Penn Township, Westmoreland County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
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	:	P-2014-2411953
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Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Old Harmony Road valve control station in Hempfield Township, Westmoreland County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
	:	
	:	P-2014-2411954
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Youghioghney River South valve control station in Rostraver Township, Westmoreland County, Pennsylvania is reasonably necessary	:	
	:	
	:	P-2014-2411956

for the convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Hollidaysburg pump station	:	
in Allegheny Township, Blair County,	:	P-2014-2411957
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Monongahela River West valve control station	:	
in Union Township, Washington	:	P-2014-2411958
County, Pennsylvania is reasonably necessary	:	
for the convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Ross Road valve control station	:	
in North Strabane Township, Washington	:	P-2014-2411960
County, Pennsylvania is reasonably necessary	:	
for the convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Marklesburg pump station and	:	
Raystown Lake West valve control station	:	P-2014-2411961
in Penn Township, Huntingdon County,	:	
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Houston-Mark West, Houston-Williams	:	
and West Pike Street valve control stations	:	
in Chartiers Township, Washington	:	P-2014-2411963
County, Pennsylvania is reasonably necessary	:	
for the convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Mount Union pump station	:	
in Shirley Township, Huntingdon County,	:	P-2014-2411964
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	

Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Twin Oaks pump station	:	
in Upper Chichester Township, Delaware County,	:	P-2014-2411965
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Boot pump station	:	
in West Goshen Township, Chester County,	:	P-2014-2411966
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Doylesburg pump station	:	
in Toboyne Township, Perry County,	:	P-2014-2411967
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Eagle pump station	:	
in Upper Uwchlan Township, Chester County,	:	P-2014-2411968
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Beckersville pump station	:	
in Brecknock Township, Berks County,	:	P-2014-2411971
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Montello pump station and valve control station	:	
in Spring Township, Berks County,	:	P-2014-2411972
Pennsylvania is reasonably necessary for the	:	
convenience or welfare of the public	:	
	:	
Petition of Sunoco Pipeline, L.P.	:	
for a finding that a building to shelter the	:	
Mechanicsburg pump station	:	
in Hampden Township, Cumberland County,	:	P-2014-2411974

Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Blainsport pump station in West Cocalico Township, Lancaster County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	P-2014-2411975
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Middletown pump station in Londonderry Township, Dauphin Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	P-2014-2411976
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Cornwall pump station in West Cornwall Township, Lebanon County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	P-2014-2411977
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Plainfield pump station in Lower Frankford Township, Cumberland County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	P-2014-2411979
	:	
	:	
Petition of Sunoco Pipeline, L.P. for a finding that a building to shelter the Delmont pump station in Salem Township, Westmoreland County, Pennsylvania is reasonably necessary for the convenience or welfare of the public	:	P-2014-2411980
	:	

Delaware Riverkeeper Network’s Prehearing Conference Memorandum

The Delaware Riverkeeper Network (“DRN”) submits this Prehearing Conference Memorandum in accordance with the Prehearing Order of Administrative Law Judge Salapa and Administrative Law Judge Barnes, dated December 1, 2015, and in connection with the

Prehearing Conference scheduled to be held in the above-captioned matter on February 10, 2015.

The lettered responses below correspond with the December 1, 2015 Prehearing Order:

a.) The information described in Paragraph 3, above.

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b.) A statement regarding possible settlement of the case, subject to approval of the Pennsylvania Public Utility Commission.

While DRN does not believe that there is a likelihood of a possible settlement with regard to this matter, DRN will actively participate in settle discussions as they may occur.

c.) A proposed plan and schedule of discovery.

DRN agrees to cooperate with Judge Salapa and Judge Barnes and all other parties at the Initial Prehearing Conference to develop a proposed plan and schedule of discovery, as well as any reasonable and appropriate modifications to the Commission's Rules of Practice and Procedure for the conduct of discovery as are necessary.

On November 12, 2014, DRN served Sunoco Pipeline L.P. (“Sunoco”) with its first set of interrogatories and received an initial response from Sunoco on December 10, 2014. DRN is currently conferring with Sunoco regarding the language of a proposed Confidentiality Agreement between the parties. As such, written discovery requests are ongoing.

DRN proposes fact depositions to commence on or after April 10, 2015. DRN will work cooperatively to set mutually-convenient dates for depositions. DRN proposes May 10, 2015 as the last day for the parties to serve written discovery, and the date by which expert reports are

submitted. Expert depositions may occur after the exchange of reports. Discovery ends on June 10, 2015.

d.) Other proposed orders with respect to discovery.

If the parties are unable to agree upon a Confidentiality Agreement by February 28, 2015, DRN proposes the Commission issue a Protective Order regarding regulating the exchange of documents.

e.) The need for public input hearings.

DRN contends that there is a need for public input hearings, which is demonstrated by the fact that a central issue in this matter is whether the public's interest is shown to prevail over Sunoco's private interest. Furthermore, the number of interested parties that have submitted comments on the record also demonstrates that there is significant public concern regarding the proposed Amended Petitions and the potential cascading impacts resulting therefrom.

f.) A proposed schedule for the submission of written testimony, conducting an in-person hearing, and submission of briefs.

DRN agrees to cooperate with Judge Salapa and Judge Barnes and all other parties at the Initial Prehearing Conference to develop a proposed plan for the schedule of written testimony, conducting an in-person hearing, and submission of briefs.

DRN proposes that all dispositive motions shall be filed by August 10, 2015, unless extended for good cause upon written motion. After all dispositive motions have been resolved by the Commission, the Commission can establish a hearing date. DRN tentatively proposes a hearing date the week of September 14, 2015.

g.) Names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness' testimony.

DRN will notify Judge Salapa and Judge Barnes and the parties should DRN elect to call any witnesses and submit testimony in this proceeding and will comply with all deadlines established for the service of testimony.

h.) A list of the issues and sub-issues of this proceeding which the party intends to address and a statement of the party's position on each of the issues and sub-issues listed.

DRN reserves the right to present its position and address any appropriate issues in accordance with the litigation schedule established at the Initial Prehearing Conference. Below is a non-exhaustive list of issues DRN expects to address in this proceeding:

- 1) Whether or not Sunoco's Mariner East Project meets the standard to be classified as a "Public Utility Corporation." DRN contends that Sunoco does not meet the standard.
- 2) Whether Sunoco's proposed situation of structures are reasonably necessary for the convenience or welfare of the public. 53 P.S. § 10619. DRN contends that the situation of structures is not reasonably necessary for the convenience or welfare of the public.
- 3) Whether Article 1 Section 27 of the Pennsylvania Constitution prohibits a grant of Sunoco's Amended Petitions. DRN contends that a grant of Sunoco's Amended Petitions is prohibited by Article 1 Section 27 of the Pennsylvania Constitution.

i.) A statement describing the evidence the party proposes to present at hearing, relating the evidence to each of the issues and sub-issues the party intends to address.

DRN expects to present evidence at the hearing including, but not limited to, deposition testimony derived from interviews with Sunoco employees, deposition testimony derived from any experts Sunoco offers, evidence gathered through discovery (i.e. Sunoco contracts, Commission Certificates, facility maps, technical specifications of facilities, etc.), and evidence derived from

DRN expert witnesses.

Dated: 2-4-15

Respectfully Submitted by:

/s/ Aaron Stemplewicz

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*Counsel for Delaware Riverkeeper Network,
and the Delaware Riverkeeper*

CERTIFICATE OF SERVICE

I, Aaron Stemplewicz, do hereby certify that a true and accurate copy of the foregoing PREHEARING CONFERENCE MEMORANDUM was served upon the following on February 4, 2015, pursuant to the requirements of 52 Pa. Code § 1.54(b)(3) (relating to service by a participant):

Honorable David A. Salapa
Honorable Elizabeth H. Barnes
Administrative Law Judges
P.O. Box 3265
Harrisburg, PA 17105-3265

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Harrisburg, PA 17101-1921

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

Robert Zundell, Chairman

Salem Township Board of Supervisors
244 Congruity Rd.
Greensburg, PA 15601

Honorable Elizabeth H. Barnes
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Harrisburg, PA 17105-3265

David Hoover, Supervisor
Cambria Township Board of
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Ebensburg, PA 15931

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50 Lower Buck Ridge Rd.
Blain, PA 17006

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Tri-County Regional Planning
Commission
Dauphin County Veterans Memorial
Building

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Harrisburg, PA 17101

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Dated: 2-4-15

Respectfully Submitted by:

/s/ Aaron Stemplewicz

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