

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

In re: Sunoco Pipeline L.P. a/k/a
Energy Transfer Partners

Petition of the Bureau of Investigation : Docket No. P-2018-3000281
And Enforcement of the Pennsylvania :
Public Utility Commission For the :
Issuance of an Ex Parte Emergency :
Order :

EMERGENCY ORDER

On March 7, 2018 the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission (BIE) filed the above captioned Petition for Issuance of an Ex Parte Emergency Order (*BIE Petition*) with the Pennsylvania Public Utility Commission (Commission or PUC). BIE requests the Commission issue an emergency order against Sunoco Pipeline L.P. (Sunoco) pursuant to the Commission's regulations at 52 Pa.Code §§3.1-3.4.

Pursuant to the Commission's regulations governing emergency relief, an *ex parte* Emergency Order will be issued only when there exists a clear and present danger to life or property or when the relief requested is uncontested and action is required prior to the next scheduled public meeting. 52 Pa. Code §3.1. Additionally, Commission regulations at 52 Pa. Code §3.2 provide that in addition to the existence of an emergency, a petitioner must establish the following:

- (1) The petitioner's right to relief is clear.
- (2) The need for relief is immediate.
- (3) The injury would be irreparable if relief is not granted.

(4) The relief requested is not injurious to the public interest.

Upon review of the *BIE Petition*, I find that it meets these standards. In particular I agree with BIE that permitting the continued flow of hazardous liquids through the ME1 pipeline without the proper steps to ensure the integrity of the pipeline could have catastrophic results impacting the public. To the extent that the relief requested may be injurious to members of the public who are shippers on the Mariner East 1 Pipeline, the risks to the general public outweigh the risks to the shippers.

The Law Bureau conducted two conference calls with counsel for BIE and counsel for Sunoco on March 8, 2018. The calls provided valuable technical information to the Commission to assist it in crafting the emergency relief being provided through this Emergency Order. The Commission appreciates the cooperation and professionalism of the parties.

THEREFORE, IT IS ORDERED:

1. The *BIE Petition* is granted as set forth in this Emergency Order with the following relief:
 - a. Within 24 hours of the entry of this Order Sunoco shall run at least one in line inspection tool through the Mariner East 1 Pipeline, inspecting the pipeline from a point at least 1 mile upstream from the Lisa Drive location to a point at least 1 mile downstream from Lisa Drive.¹
 - b. Within 12 hours of completing the inspection tool run Sunoco will suspend hazardous liquids transportation service on its

¹ Sunoco maintains, and BIE concurs, that a pipeline must be pressurized in order to run an in line inspection tool.


Mariner East 1 pipeline for a period of time, presently estimated by BIE and Sunoco to be of 10-14 days duration (the “Study Period”), in order for Sunoco to perform the following:

- i. Conduct geophysical testing and analyses (including at least the following: resistivity², seismic and gravity) in the HDD area described in the BIE Petition; and
 - ii. Share all findings of the inspection tool run and geophysical testing with BIE/Pipeline Safety staff; and
 - iii. Meet and discuss the findings with BIE/Pipeline Safety staff, such discussions shall include, but not be limited to Sunoco’s addition of strain gauges to Mariner East 1 in the study area.
 - iv. During the Study Period, Sunoco shall maintain sufficient minimum pressure in Mariner East 1 to avoid gasification of NGLs. Such pressures are estimated to be in the range between 475 and 650 psig, however, the NGLs shall not be flowing during such period .
- c. Sunoco will not reinstate hazardous liquids transportation service on Mariner East 1 until the earlier of the following:
- i. Completion of (a) and (b)(i)-(iv), with any corrective actions taken, or planned to be taken, to the satisfaction of BIE/Pipeline Safety coupled with BIE/Pipeline Safety’s concurrence with reinstatement of transportation service on Mariner East 1, subject to Commission review and approval.
 - ii. If BIE/Pipeline Safety does not concur with Sunoco’s request to resume service on ME1, Sunoco may file an

Answer to the BIE Petition within 3 business days following notice of BIE's nonconcurrency.

1. The Petition and Answer will be assigned for expedited hearing(s) before the Office of Administrative Law Judge;
2. Sunoco may not resume hazardous liquids transportation service on Mariner East 1 without prior Commission approval.
2. As the party against whom an emergency order has been entered, Sunoco may petition for an expedited hearing pursuant to 52 Pa.Code §3.4.
3. That this Emergency Order shall be placed on the Agenda of the March 15, 2018 Public Meeting.
4. That the Secretary shall serve a copy of this Emergency Order on BIE, Sunoco and the other persons and entities listed of the Certificate of Service attached to the *BIE Petition*.

Dated: March 7, 2018
Entered: March 7, 2018



Gladys M. Brown, Chair

² BIE and Sunoco shall meet and discuss whether resistivity testing is appropriate at the bore site. Following such discussions BIE, at its discretion, may waive this Order's requirement for resistivity testing. If so, BIE shall provide written notice of the waiver to Sunoco and file same at this docket.