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July 25, 2018

Rosemary Chiavetta, Esquire  
Secretary  
PA Public Utility Commission  
400 North Street, Filing Room  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania State Senator Andrew E. Dinniman v. Sunoco Pipeline, L.P.  
Docket Nos. C-2018-3001451 and P-2018-3001453  
**STATE SENATOR ANDREW E. DINNIMAN RESPONSE TO SUNOCO  
PIPELINE, L.P.'S JULY 18, 2018 LETTER AND AFFIDAVIT**

Dear Secretary Chiavetta:

This firm represents Senator Andrew E. Dinniman in the above-referenced matters. We are in receipt of Sunoco Pipeline, L.P.'s July 18, 2018 letter to the Commission attempting to "clarify and supplement the submission made on July 3, 2018."


In its Opinion and Order issued on June 15, 2018, the Commission required that, prior to commencing construction of Mariner East 2 and 2X in West Whiteland Township, "Sunoco Pipeline L.P. shall file a verification or affidavit that the Department of Environmental Protection has issued the appropriate permission for continued construction of Mariner East 2 and Mariner East 2X in West Whiteland Township when it is granted." June 15, 2018 Order, ¶ 7. Despite this clear instruction, Sunoco now asks the Commission to allow construction in West Whiteland Township despite the fact that *none* of the Department of Environmental Protection ("DEP") approvals contemplated by the Commission's Order have been issued. The circumstances in West Whiteland Township have changed significantly since DEP initially issued authorization for the project in February of 2017. DEP must be given the time to fully evaluate the present conditions in West Whiteland Township. Furthermore, Sunoco has not obtained required approvals from the Delaware River Basin Commission, which has required that "[a]ny proposed change from an HDD to an alternative crossing method requires the written approval of the Executive Director prior to initiating construction of the alternative." DRBC Docket No. D-2015-018-1 Decision, ¶f.

*Rosemary Chiavetta, Esquire*  
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In addition, as more fully discussed in Senator Dinniman's July 2, 2018 letter to the Commission, Sunoco has failed to submit the necessary protocols, plans and training curriculum required by Paragraph 6 of the Order that "establish[] adequate evidence of practices for public safety protection in order for the Commission to determine whether construction can safely restart on the ME2 and ME2X pipelines in West Whiteland Township." July 15, 2018 Opinion at 48.

Accordingly, Sunoco's request to commence construction of Mariner East 2 and Mariner East 2X in West Whiteland Township must be denied.

Very truly yours,



Mark L. Freed  
For CURTIN & HEEFNER LLP

Enclosure

cc: Honorable Elizabeth Barnes (via email at ebarnes@pa.gov)  
Bert Marinko, Office of Special Assistants (via email at rmarinko@pa.gov)  
Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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PENNSYLVANIA STATE SENATOR ANDREW E. DINNIMAN,	:	
	:	
Complainant,	:	Docket No.: C-2018-3001451
	:	Docket No.: P-2018-3001453
v.	:	
	:	
SUNOCO PIPELINE, L.P.,	:	
	:	
Respondent.	:	

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**CERTIFICATE OF SERVICE**

I hereby certify that I have, on this date, served a true and correct copy of the foregoing on the following:

*Via electronic service*

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By:



Date: July 25, 2018

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