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April 19, 2019

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Meghan Flynn, et al. v. Sunoco Pipeline L.P.
Docket Nos. C-2018-3006116 and P-2018-3006117

Dear Secretary Chiavetta:

Enclosed please find the Prehearing Conference Memorandum of Range Resources in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Sincerely,



Garrett P. Lent

GPL/kl
Enclosure

cc: Certificate of Service
Honorable Elizabeth Barnes

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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Date: April 19, 2019



Garrett P. Lent

**THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Meghan Flynn, et al.	:	Docket No. C-2018-3006116
v.	:	Docket No. P-2018-3006117
Sunoco Pipeline, L.P.,	:	
	:	
Melissa DiBernardino	:	Docket No. C-2018-3005025
v.	:	
Sunoco Pipeline, L.P.,	:	
	:	
Rebecca Britton	:	Docket No. C-2019-3006898
v.	:	
Sunoco Pipeline, L.P.,	:	
	:	
Laura Obenski	:	Docket No. C-2009-3006905
v.	:	
Sunoco Pipeline, L.P.	:	

**PREHEARING CONFERENCE MEMORANDUM OF
RANGE RESOURCES – APPALACHIA, LLC**

TO THE ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:

Pursuant to 52 Pa. Code § 5.224(c) and the March 20, 2019 Prehearing Conference Order, Range Resources – Appalachia, LLC (“Range”) hereby submits this Prehearing Conference Memorandum.

I. SERVICE OF DOCUMENTS

1. Range requests that all documents be served on:

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2. Range agrees to receive service of documents electronically in this proceeding. Further, to the extent that materials are available electronically, it is requested that copies be served upon Anthony D. Kanagy at akanagy@postschell.com and Erin McDowell at emcdowell@rangeresources.com.

II. PROCEDURAL HISTORY

3. On November 20, 2018, Meghan Flynn, Rosemary Fuller, Michael Walsh, Nancy Harkins, Gerald McMullen, Caroline Hughes, and Melissa Haines (“Flynn Complainants”) filed the above-captioned Complaint (“Flynn Complaint”) and a related Petition for Interim Emergency Relief (“Flynn Petition”).

4. Sunoco Pipeline, L.P. (“SPLP”) filed a Petition for Extension of Time to Answer the Petition on November 21, 2018.

5. Andover Homeowners’ Association, Inc., (“Andover”) filed a Petition to Intervene on November 26, 2018. SPLP filed an Answer to Andover’s Petition to Intervene on November 29, 2018.

6. Range filed its Petition to Intervene on November 27, 2018.

7. SPLP filed a Motion for Protective Order on November 27, 2018.

8. Two days of evidentiary hearings regarding the issues raised in the Flynn Petition were held on November 29 and 30, 2018. Range and Andover were granted intervenor status at the November 29, 2018 evidentiary hearing.

9. The Flynn Complainants, SPLP, Andover and Range submitted post-hearing briefs regarding the issues raised in the Petition on December 7, 2018.

10. The ALJ issued an Interim Emergency Order and Certification of Material Question on December 11, 2018 (“Interim Order”). The Interim Order denied the interim emergency relief requested by the Flynn Complainants and certified the denial of the relief requested to the commission as a material question requiring interlocutory review.

11. Additional briefs regarding the December 11, 2018 Order were submitted to the Commission on December 18, 2018.

12. The Commission issued an Order dated December 20, 2018, which waived the 30-day period for consideration set forth in 52 Pa. Code § 5.305(e), and set the Interim Order for consideration at the Commission’s January 17, 2019 public meeting.

13. On December 21, 2018, the Flynn Complainants filed an Amended Formal Complaint (“Amended Flynn Complaint”).

14. On January 7, 2019, SPLP filed an Answer and New Matter to the Amended Formal Complaint.

15. SPLP also filed Preliminary Objections to the Amended Formal Complaint on January 10, 2019.

16. On January 17, 2019, the Commission issued a Final Opinion and Order that affirmed the ALJ’s Interim Order, and denied the interim emergency relief requested in the Petition.

17. The Flynn Complainants filed an Answer to SPLP’s Preliminary Objections and a Reply to New Matter on January 18, 2019.

18. Petitions to Intervene have been filed by the following entities, in addition to Andover and Range: (1) Downingtown Area School District (“DASD”); (2) Rose Tree Media School District (“RTMSD”); (3) Twin Valley School District (“TVSD”); (4) East Goshen

Township (“EGT”); (5) West Whiteland Township (“WWT”); (6) Uwchlan Township (“Uwchlan”); (7) Middletown Township (“Middletown”); (8) County of Delaware (“Delaware”); (9) West Chester Area School District (“WCASD”); (10) Thornbury Township, Delaware County (“Thornbury”); (11) Edgmont Township (“Edgmont”); (12) the County of Chester (“Chester”); and (13) Pennsylvania State Senator Thomas Killion (“Sen. Killion”). SPLP has filed Answers to each of these Petitions to Intervene. Various of the petitioners have filed Responses or Replies to SPLP’s Answers.

19. On February 28, 2019, the Flynn Complainants issued their first set of interrogatories and requests for production of documents. In addition, the Flynn Complainants filed an Application for Issuance of a Subpoena.

20. The Commission’s Bureau of Investigation and Enforcement (“I&E”) issued a Notice of Appearance on March 11, 2019.

21. Also on March 11, 2019, SPLP filed an Objection to the Application for Issuance of a Subpoena.

22. On March 12, 2019, the ALJ issued the Second Interim Order. Therein, the ALJ granted in part and denied in part SPLP’s Preliminary Objections to the Amended Formal Complaint. In addition, the Second Interim Order granted Intervenor status to: (1) DASD; (2) RTMSD; (3) TVSD; (4) EGT; (5) WWT; (6) Uwchlan; (7) Middletown; and (8) Delaware. Furthermore, the ALJ denied the Flynn Complainants’ Application for Issuance of a Subpoena.

23. On March 18, 2019, SPLP filed a Motion to Consolidate the Amended Flynn Complaint with the Complaints of Melissa DiBernardino (Docket No. C-2018-3005025), Rebecca Britton (Docket No. C-2019-3006898) and Laura Obenski (Docket No. C-2019-

3006905). Answers to the Motion to Consolidate were filed by the Flynn Complainants, Ms. DiBernardino, Ms. Britton and Ms. Obenski.

24. On March 20, 2019, the ALJ issued a Prehearing Conference Order, which scheduled a telephonic Prehearing Conference for April 24, 2019 at 10:00 a.m.

25. On March 22, 2019, the Flynn Complainants filed a Motion for Reconsideration of the Second Interim Order. SPLP filed an Answer to the Motion for Reconsideration on April 15, 2019.

26. On April 15, 2019, Edgmont filed its Prehearing Memorandum.

27. On April 18, 2019, Chester, Middletown, RTMSD, DASD, Sen. Killion, and WCASD filed their respective Prehearing Memoranda.

28. Pursuant to 52 Pa. Code § 5.224(c) and the March 20, 2019 Prehearing Conference Order, Range hereby submits this Prehearing Conference Memorandum.

III. ISSUES

29. Range produces natural gas liquids, such as ethane, propane and butane, from certain portions of its Pennsylvania acreage. Mariner East 1 ("ME1") is a key downstream pipeline transporting a significant portion of the natural gas liquids produced by Range. Range has committed to transport 40,000 barrels per day of natural gas liquids on ME1.

30. Range supports the safe operation of ME1.

31. Range intends to demonstrate that the Amended Complaint fails to consider the considerable economic harm that will result to shippers and Range if the requested relief is granted.

32. The aforementioned items represent Range's preliminary determination of the potential issues in this proceeding. Range reserves the right to address other issues, as it deems appropriate, if any such relevant issues arise.

33. Range does not object to the Motion to Consolidate filed by SPLP.

34. Range takes no position on the pending petitions to intervene filed by: (1) WCASD; (2) Thornbury; (3) Edgmont; (4) Chester; and (5) Sen. Killion. However, Range reserves the right to object to and move to strike issues raised by any of the intervenors that are irrelevant to the subject matter of this proceeding.

35. Range does not object to the Motion for Amended Protective Order filed by SPLP on April 17, 2019.

IV. WITNESSES

36. At this time, Range is still evaluating whether or not to present testimony in this matter. Range reserves the right to call witnesses, as necessary to address issues that may arise during the course of this proceeding and will provide the ALJ as well as the other parties in this matter reasonable notice if necessary. Range also reserves its right to add additional witnesses or change the identity of its witnesses at any time upon appropriate notice to the ALJ and the parties.

V. DISCOVERY

37. To date, no party has served discovery requests upon Range, and Range has not served any discovery requests on any other party. At this time, Range does not believe that any modifications to the Commission regulations applicable to discovery, 52 Pa. Code §§ 5.321 et seq., are necessary.

38. In addition, Range does not believe that an in-person site view is necessary in this matter.

VI. LITIGATION SCHEDULE

39. Range will work with the parties to develop a mutually agreeable schedule.

VII. SETTLEMENT

40. As of this time, no settlement discussions have been held. Range remains open and available for settlement discussions with the other parties and would support initiatives to begin settlement discussions at the earliest possible date.

Respectfully submitted,

Erin McDowell (PA ID # 93684)
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Date: April 19, 2019

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