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March 11, 2020

***BY ELECTRONIC FILING***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Filing Room  
Harrisburg, PA 17120

Re: Wilmer Baker v. Sunoco Pipeline L.P.; Docket No. C-2018-3004294; **SUNOCO PIPELINE L.P.'S MOTION TO STRIKE PORTIONS OF COMPLAINANT'S REPLY EXCEPTIONS**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is Sunoco Pipeline L.P.'s (SPLP) Motion to Strike Portions of Complainant's Reply Exceptions in the above-captioned proceeding. Please note that Attachment A to SPLP's Motion to Strike is being filed under separate cover.

If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

Thomas J. Sniscak  
Whitney E. Snyder  
*Counsel for Sunoco Pipeline L.P.*

WES/das  
Enclosure

cc: Kathy Sophy, Director Office of Special Assistants (via email, [ksophy@pa.gov](mailto:ksophy@pa.gov))  
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Hon. Elizabeth H. Barnes, (via email [ebarnes@pa.gov](mailto:ebarnes@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WILMER BAKER

Complainant,

v.

SUNOCO PIPELINE L.P.

Respondent.

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Docket No. C-2018-3004294

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**NOTICE TO PLEAD**

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You are hereby advised that you may file a response within twenty (20) days of the attached Motion to Strike. Any response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Sunoco Pipeline, L.P., and where applicable, the Administrative Law Judge presiding over the issue.

File with:  
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Second Floor  
Harrisburg, PA 17120

Respectfully submitted,



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*Attorneys for Respondent Sunoco Pipeline L.P.*

Dated: March 11, 2020

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WILMER BAKER

Complainant,

v.

SUNOCO PIPELINE L.P.,

Respondent.

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Docket No. C-2018-3004294

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**SUNOCO PIPELINE L.P.’S MOTION TO STRIKE PORTIONS OF  
COMPLAINANT’S REPLY EXCEPTIONS**

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Pursuant to 52 Pa. Code §§ 5.103(d), 5.431(b), and 5.535, Sunoco Pipeline L.P. (“SPLP”) moves to strike portions of Complainant Wilmer Baker’s Reply Exceptions. While Mr. Baker is not a lawyer, that does not mean he can place extra-record evidence before the Commission in violation of the Public Utility Code, the Commission’s Regulations, and SPLP’s due process rights. As Administrative Law Judge (ALJ) Barnes held in her Initial Decision, Complainant cannot introduce new evidence after the close of the record with no good cause. *Wilmer Baker v. Sunoco Pipeline L.P.*, Docket No. C-2018-3004294, Initial Decision at 19-20 (Initial Decision entered Dec. 18, 2019) (striking extra-record materials attached to Complainant’s main brief and reply brief in violation of the Public Utility Code, the Commission’s Regulations, and SPLP’s due process rights). It is fundamental that new evidence cannot be introduced at the reply exceptions

stage.<sup>1</sup> This is particularly true here where Complainant has admitted he received a fair hearing.<sup>2</sup> Complainant made various factual statements in his Reply Exceptions that the record does not support and improperly attached extra-record materials. Further, Complainant's Reply Exceptions improperly raise arguments and issues not in response to SPLP's Exceptions<sup>3</sup> and attempt to take exception to the Initial Decision where Complainant failed to file exceptions and thus waived any such argument.<sup>4</sup>

As outlined and discussed below, these materials must be stricken.

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<sup>1</sup> *William Towne v. Great American Power, LLC*, Docket No. C-2012-2307991, Opinion and Order at 19 (Order entered October 17, 2013) (citing *Pa. PUC v. Philadelphia Gas and Water Company Water Division*, 1988 Pa. PUC LEXIS 511 (Pa. PUC 1988)); see also *Application of PPL Electric Utilities Corporation*, Docket No. A-2011-2267349 *et al.*, Final Opinion and Order at 21-26 (Order entered July 16, 2013) ("Application of PPL").

<sup>2</sup> Complainant's Reply Exceptions at page 1.

<sup>3</sup> 52 Pa. Code § 5.535.

<sup>4</sup> *James Maguire et al. v. Pennsylvania Electric Company*, Docket No. F-2015-2504132 *et al.*, Final Opinion and Order at 23 (Order entered May 4, 2017) (holding the Commission cannot consider contentions in reply exceptions which should have been raised as exceptions to an initial decision); *Springfield Twp. v. Pennsylvania Pub. Util. Comm'n*, 676 A.2d 304, 309 (Pa. Cmwlth. 1996) (holding that when a party fails to file exceptions on issues with an initial decision, those issues are waived and may not be considered on appeal); *Capital City Cab Serv. v. Pa. Pub. Util. Comm'n*, 138 A.3d 119, 132 (Pa. Cmwlth. 2016) (*en banc*) (holding that where an issue is not raised by exception filed with Commission, "it is not preserved for our review.")

SPLP moves to strike portions of Complainant’s Reply Exceptions listed below and as indicated in Attachment A with red strike-through:

<p><b>Extra-Record Statements and Materials – Attachment A Portions of Pages 1, 2, 3, 5, 6, and 7, and entirety of Pages 23-29</b></p>	<p>These materials improperly introduce new evidence after the close of the record in violation of 52 Pa. Code § 5.431(b) and SPLP’s due process rights. <i>Id.</i> (“After the record is closed, additional matter may not be relied upon or accepted into the record unless allowed for good cause shown by the presiding officer or the Commission upon motion.”); <i>James Maguire et al. v. Pennsylvania Electric Company</i>, Docket No. F-2015-2504132 <i>et al.</i>, Final Opinion and Order at 23 (Order entered May 4, 2017) (granting Respondent’s Motion to Strike in-part pro se complainant’s reply exceptions that raised issues beyond the scope of respondent’s exceptions and included extra-record documents); 66 Pa. C.S. § 332; <i>Hess v. Pa. Pub. Util. Comm’n</i>, 107 A.3d 246, 266 (Pa. Cmwlth. 2014); <i>Davidson v. Unemployment Compensation Bd. of Review</i>, 151 A.2d 870 (Pa. Super. 1959); <i>In re Shenandoah Suburban Bus Lines, Inc.</i>, 46 A.2d 26 (Pa. Super. 1946); <i>Pa. Pub. Util. Comm’n v. Nat’l Fuel Gas Dystric. Corp.</i>, 1993 Pa. PUC LEXIS 95, at *7-10 (Order entered July 30, 1993).</p>
<p><b>Issue Waived and Improperly Raised in Reply Exceptions – Attachment A Page 5</b></p>	<p>Complainant did not file exceptions to the Initial Decision. In his Reply Exceptions, Complainant disputes the Initial Decision’s finding that the violation the Initial Decision found was not an administrative error and disputes a lack of finding of fact. By not filing exceptions, Complainant has waived these issues and cannot raise them in his Reply Exceptions, particularly because they are not responsive to an argument SPLP made in Exceptions. 52 Pa. Code § 5.535(a) (reply exceptions cannot raise new issues and are limited to responding to arguments or issues in the exceptions). <i>James Maguire et al. v. Pennsylvania Electric Company</i>, Docket No. F-2015-2504132 <i>et al.</i>, Final Opinion and Order at 23 (Order entered May 4, 2017) (holding the Commission cannot consider contentions in reply exceptions which should have been raised as exceptions to an initial decision); <i>Springfield Twp. v. Pennsylvania Pub. Util. Comm’n</i>, 676 A.2d 304, 309 (Pa. Cmwlth. 1996) (holding that when a party fails to file exceptions on issues to an initial decision, those issues are waived and may not be considered on appeal); <i>Capital City Cab Serv. v. Pa. Pub. Util. Comm’n</i>, 138 A.3d 119, 132 (Pa. Cmwlth. 2016) (<i>en banc</i>) (holding that where an issue is not raised by exception filed with the Commission, “it is not preserved for our review.”).</p>

## I. ARGUMENT

### A. Extra-Record Statements and Materials

Complainant cannot now, after the record has closed and the ALJ has issued her Initial Decision, introduce new evidence. The Public Utility Code,<sup>5</sup> Commission regulations,<sup>6</sup> and fundamental due process<sup>7</sup> prohibit introduction of evidence after the record has closed. That Complainant is *pro se* is no excuse,<sup>8</sup> particularly where his actions violate SPLP's substantive rights and he admits he had a full and fair opportunity to be heard. Complainant's Reply Exceptions at page 1.

The Commission can only rely upon record evidence in adjudicating a Complaint. *James Maguire et al. v. Pennsylvania Electric Company*, Docket No. F-2015-2504132 *et al.*, Final Opinion and Order at 23 (Order entered May 4, 2017) (Granting Respondent's Motion to Strike

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<sup>5</sup> 66 Pa. C.S. § 332.

<sup>6</sup> 52 Pa. Code § 5.431(b) ("After the record is closed, additional matter may not be relied upon or accepted into the record unless allowed for good cause shown by the presiding officer or the Commission upon motion.").

<sup>7</sup> "The Commission, as an administrative body, is bound by the due process provisions of constitutional law and by the principles of common fairness." *Hess v. Pa. Pub. Util. Comm'n*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014); *Bridgewater Borough v. Pa. Pub. Util. Comm'n*, 124 A.2d 165 (Pa. Super. 1956); *McCormick v. Pa. Pub. Util. Comm'n*, 30 A.2d 327 (Pa. Super. 1943). "Among the requirements of due process are notice and an opportunity to be heard on the issues, to be apprised of the evidence submitted, to cross-examine witnesses, to inspect documents, and to offer evidence in explanation or rebuttal." *Hess v. Pa. Pub. Util. Comm'n*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014); *Davidson v. Unemployment Compensation Bd. of Review*, 151 A.2d 870 (Pa. Super. 1959); *In re Shenandoah Suburban Bus Lines, Inc.*, 46 A.2d 26 (Pa. Super. 1946).

<sup>8</sup> As the Pennsylvania Supreme Court has held, "[i]t is, we believe, preferable to simply recognize, as the Commonwealth Court has previously done, that 'any layperson choosing to represent himself in a legal proceeding must, to some reasonable extent, assume the risk that his lack of expertise and legal training will prove his undoing.'" *Vann v. Com., Unemployment Comp. Bd. of Review*, 508 Pa. 139, 148 (1985) (emphasis added) (quoting *Groch v. Unemployment Compensation Board of Review*, 81 Pa. Cmwlth. 26, 30, 472 A.2d 286, 288 (1984)). See also *Dolores Herring v. Metropolitan Edison Company*, No. F-2016-2540875, 2017 WL 3872590, at \*3 (Order entered August 31, 2017) (The Commission, citing *Vann* and *Groch*, adopted the ALJ's initial decision, noting "the Complainant in this case proceeded *pro se* by choice and bore the risk of doing so.").

in-part *pro se* Complainant's reply exceptions that raised issues beyond the scope of Respondent's exceptions and included extra-record documents); *See also Application of PPL* at 25-26. (holding that parties cannot introduce factual material for the first time in reply exceptions). When a party fails to raise issues in exceptions to an ALJ's initial decision, those issues are waived and may not be considered. *Springfield Twp. v. Pennsylvania Pub. Util. Comm'n*, 676 A.2d 304, 309 (Pa. Cmwlth. 1996) (holding that when a party fails to file exceptions on issues they had with an initial decision, those issues are waived and may not be considered on appeal). Factual materials and exhibits introduced for the first time in reply exceptions violate due process and cannot be relied upon. *Enron Capital & Trade Resources Corporation v. The Peoples Natural Gas Company, et al.*, Docket No. R-00973928C0001, Final Opinion and Order at 26 (Order entered August 24, 1998) (holding that the use of post-hearing documents to present new evidence in a contested proceeding violates due process as it does not afford the opposing party an opportunity to respond). Each portion of the Reply Exceptions discussed below do not appear in the record nor are they supported by the record. Instead, each is an attempt to introduce new evidence and must be stricken.

**1. Extra-Record Statements Regarding Distance of Complainant's Property from Mariner East Pipelines Must Be Stricken**

In Exception 1, SPLP argued that the Initial Decision erred in finding that Complainant resides within 1,000 feet of the Mariner East pipelines because the record does not support this finding. *See* SPLP Exceptions at 5-7. In his Reply Exceptions, Complainant now tries to supplement the record with statements that do not appear in the record. As explained *supra* Section I.A., Complainant cannot now add new evidence to the record. Specifically, in his Reply Exceptions, Complainant for the first-time states: "My home is 1,030 feet away," Reply Exceptions at page 1; "I'm 1,030 feet is my home [sic]," *id.* at page 2; and "Home 1,030 feet, land



within blast zone,” *id.* at page 3. Despite SPLP’s Answer and New Matter and Mr. Perez’s testimony to the contrary,<sup>9</sup> at no point before the close of the record did Complainant submit evidence into the record regarding the distance between his property and the Mariner East pipelines. *See* SPLP Exceptions at 5-7. The only testimony from Complainant’s witness was Complainant’s son responding to a question from the ALJ, testifying that “I would say less than a thousand feet, ma’am.” N.T. 130. Notably, Complainant’s new allegations (alleging a distance of 1,030 feet) are inconsistent with his own witness’s testimony (guessing a distance of less than 1,000 feet). New evidence cannot be introduced at the exceptions stage. *William Towne v. Great American Power, LLC*, Docket No. C-2012-2307991, Opinion and Order at 19 (Order entered October 17, 2013); *see also Application of PPL*. This would violate SPLP’s due process rights. *See Enron Capital & Trade Resources Corporation v. The Peoples Natural Gas Company, et al.*, Docket No. R-00973928C0001, Final Opinion and Order at 26 (Order entered August 24, 1998). Moreover, there is no good cause to allow this information to be submitted into the record, particularly given Complainant admitted he received a full and fair hearing. Complainant’s Reply Exceptions at page 1. These statements must be stricken.

**2. Extra-Record Statements Regarding Complainant’s Receipt of Public Awareness Mailers Must Be Stricken**

In Exception 3, SPLP argued that the Initial Decision erred when it found that Complainant only received SPLP’s Public Awareness Brochure five years ago. *See* SPLP Exceptions at 13. Complainant’s only testimony on this issue stated: “I received a manual which was five years down the road from the time I should have been receiving it. I should receive it every two months – or two years.” N.T. 42. SPLP argued in Exceptions that the Initial Decision was wrong and ignored

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<sup>9</sup> N.T. 372.

the credible evidence directly contrary to Mr. Baker's statements, citing portions of the record which clearly explained that SPLP's public awareness program includes the mailing public awareness brochures every two-years, and those brochures were mailed in 2014 and 2016 pursuant to SPLP's public awareness program N.T. 356-357. In his Reply Exceptions, Mr. Baker attempts to add extra-record testimony that he did not receive a mailer in 2016. Complainant states: "I never received any mailing in 2016" Reply Exceptions at page 2, "Never received (2016)," *id.* at page 3, and "I didn't get mailing 2016," *id.* at page 6. This is not testimony of record. In fact, these statements are directly contradicted by SPLP's testimony in this proceeding. *See* SPLP Exception 3 (explaining public awareness mailers sent in 2014, 2016) (citing N.T. 356-357). At no point before the close of the record did Complainant offer these specific allegations about when he did or did not receive SPLP's public awareness brochures. Mr. Baker cannot supplement the record through reply exceptions. *Supra* Section I.A. There is no good cause to allow this information to be submitted into the record, particularly given Complainant admitted he received a full and fair hearing. Complainant's Reply Exceptions at page 1. These statements must be stricken.

### **3. Extra-Record Statements Regarding Standing**

In SPLP Exception 9, SPLP explained that Mr. Baker lacks standing to pursue this matter. He did not offer evidence of the direct, substantial, and immediate interest required for standing. *Id.* at pages 35-36. Complainant did not meet his burden to show that he was "negatively impacted in some real and direct fashion."<sup>10</sup> In his Reply Exceptions, Mr. Baker now tries to assert new facts to show he has standing, stating: "my mental state, living in blast zone, and the pollution of my property (negatively[sic] impact)." Reply Exceptions at 6. There is no record evidence to

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<sup>10</sup> SPLP Exceptions at page 35 (quoting *Sunoco Pipeline L.P. v. Dinniman*, 217 A.3d 1283, 1288 (Pa. Cmwlth. 2019)).

support these statements.<sup>11</sup> Complainant cannot supplement the record at the exceptions stage. This violates the law, regulations, and SPLP's due process rights. *Supra* Section I.A. There is no good cause to allow this information to be submitted into the record, particularly given Complainant admitted he received a full and fair hearing. Complainant's Reply Exceptions at page 1. These statements must be stricken.

#### 4. Documents not in the Record must be Stricken

SPLP moves to strike portions of page 7 and the entirety of pages 23-29 because they contain materials Complainant either (1) admits are not part of the record and are not part of the record, or (2) are in-fact not part of the record. Complainant's Reply Exceptions at page 7 ("Not in record"). Complainant improperly attached these materials to attempt to notice facts, misunderstanding SPLP's Exceptions and the law. In SPLP Exception 2, SPLP explained that the Initial Decision *sua sponte* raised, misinterpreted, and relied on *extra-record evidence* from a previous proceeding regarding the mailing buffer SPLP has used over time. *Id.* at pages 7-13. SPLP explained that the Initial Decision essentially took official notice of these materials in violation of 66 Pa. C.S. § 332(e), which requires notice to parties if official notice is to be taken and an opportunity to "show that the facts are not properly noticed or that alternative facts should be noticed." *Id.* This violated SPLP's due process rights.<sup>12</sup> Since SPLP did not receive the required notice or opportunity, it explained to the Commission why the facts were improperly noticed and

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<sup>11</sup> Moreover, the ALJ sustained SPLP's objection to Mr. Baker's attempt to testify to a "blast zone." N.T. 100.

<sup>12</sup> "Due process in matters before the Commission requires that a party be afforded reasonable notice of the nature of the allegations against it so that the party can prepare a suitable defense. Although the Commission may take notice of results it reached in other cases, **the record must reflect that the parties had notice that the Commission would consider such evidence.**" *Pocono Water Co. v. Pa. Pub. Util. Comm'n*, 630 A.2d 971, 973 (Pa. Cmwlth. 1993) (emphasis added) (additional citations omitted).

the facts it would have presented to correct the ALJ noticing and rendering a wrong conclusion based upon outdated information incorrectly applied to this proceeding, had SPLP received the required notice and opportunity to do so. SPLP Exceptions at pages 9-13.

In contrast, Mr. Baker now attempts to offer extra-record materials totally unrelated to the issue on which official notice was taken. This is not allowed. Complainant did not file exceptions and thus waived any argument to dispute the Initial Decision's improper notice of facts or obtain relief for that improper notice. Moreover, Complainant cannot present new evidence at the exceptions stage. *Supra* Section I.A. Mr. Baker admits none of the materials at pages 23-26 and 29 of Attachment A were admitted into the record. Reply Exceptions at 7 ("Not in record"). Mr. Baker also includes two documents from the Cumberland County Board of Assessment Appeals without explanation at pages 27-28 of Attachment A, which were not admitted into the record. None of these materials relate to SPLP's mailing buffer, the issue on which the Initial Decision improperly took official notice of non-record testimony. So too regarding the following statements on page 7 of the Reply Exceptions that refer to the improperly included documents:

- "3. Not in record DEP Paper showing spill in my creek p6, no show, Zack Hoopes"
- "4. Not in record, Letter from township about alarm at pump house!"
- "5. Not in record, my civil rights complaint (waiting to see if I become handicap accessible [sic] with alarm to notify me when I'm going to die!"
- "6. Not In Record (Mrs Blume) Handicap Paper!"

There is no good cause to allow this cryptic exclamation information to be submitted into the record, particularly given Complainant admitted he received a full and fair hearing. Reply Exceptions at page 1. These materials must be stricken.

**B. Issues Waived and Improperly Raised in Reply Exceptions**

Complainant did not file exceptions and thus has waived any argument that the Initial Decision was wrong regarding the many arguments or claims he made.<sup>13</sup> *James Maguire et al. v. Pennsylvania Electric Company*, Docket No. F-2015-2504132 *et al.*, Final Opinion and Order at 23 (Order entered May 4, 2017) (holding Commission cannot consider contentions in reply exceptions which should have been raised as exceptions); *Springfield Twp. v. Pennsylvania Pub. Util. Comm'n*, 676 A.2d 304, 309 (Pa. Cmwlth. 1996) (holding that when a party fails to file exceptions on issues from an initial decision, those issues are waived and may not be considered on appeal); *Capital City Cab Serv. v. Pa. Pub. Util. Comm'n*, 138 A.3d 119, 132 (Pa. Cmwlth. 2016) (*en banc*) (holding that where issue is not raised by exception filed with Commission, “it is not preserved for our review.”). Likewise, Complainant cannot raise issues or arguments in his Reply Exceptions that are not responsive to SPLP’s Exceptions. 52 Pa. Code § 5.535(a). Complainant does just that when he states: “This was not an administrative error, but neglect of your duties to the public.” Complainant’s Reply Exceptions at page 5. Complainant is referring to the Initial Decision’s finding that the violation the Initial Decision was an administrative error. Initial Decision at 53. In its Exceptions, SPLP used this finding to argue that the penalty imposed was not narrowly tailored to the violation found. SPLP Exception 8. That does not mean Mr.

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<sup>13</sup> Many of Complainant’s contentions in the Complaint and at hearing, such as Complainant’s claims that the ME1 pipeline was made of iron, that a portion of ME2 was held together by a sleeve, or that there was insufficient coating were picked up as a public narrative when at hearing it was proven his claims—which he never retracted even when he knew or should have known were incorrect, do a disservice to the public making it appear that these untrue conditions exist. Mr. Baker admitted he is not a pipeline construction or operation expert and he should not have been allowed to issue these wild, speculative accusations that he made without reasonable investigation or necessary qualifications.

Baker can now take exception with the Initial Decision's finding. This portion of the Reply Exceptions must be stricken.

Likewise, Complainant includes issues and arguments beyond the scope of SPLP's Exceptions when he states: "You had state police there." Complainant's Reply Exceptions at page 5. In his Reply Exception, Mr. Baker appears to attempt to except to the ALJ's lack of a finding of fact on this issue, which he cannot do. Mr. Baker waived this issue by failing to except to the Initial Decision. *Springfield Twp. v. Pennsylvania Pub. Util. Comm'n*, 676 A.2d 304, 309 (Pa. Cmwlth. 1996). During the hearing, Mr. Baker made similar sensational hearsay statements that SPLP called the police, but these statements were properly objected to<sup>14</sup> at that time. N.T. 44-47. Even if it was not properly objected to (which it was), the issue of whether SPLP called police to the Lower Frankford meeting is not corroborated by any competent evidence in the record and cannot be relied upon.<sup>15</sup> This portion of the Reply Exceptions must be stricken.

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<sup>14</sup> The *Walker/Chapman* rule provides that simple hearsay evidence may support an agency's finding of fact only when the hearsay is admitted into the record without objection and is corroborated by competent evidence in the record. *Walker v. Unemployment Compensation Board of Review*, 367 A.2d 366, 370 (Pa. Cmwlth. 1976) (*Walker*) (citations omitted); *Chapman v. Unemployment Compensation Board of Review*, 20 A.3d 603, 610, n.8 (Pa. Cmwlth. 2011) (*Chapman*).

<sup>15</sup> *Supra* n. 13 (*Walker/Chapman* rule).

## II. CONCLUSION

WHEREFORE, SPLP respectfully requests the Commission strike portions Complainant's Reply Exceptions at pages 1, 2, 3, 5, 6, and 7 and the entirety of pages 23-29 as identified in Attachment A with red strikethroughs.

Respectfully submitted,



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*Attorneys for Respondent Sunoco Pipeline L.P.*

Dated: March 11, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the forgoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

**BY OVER-NIGHT FEDERAL EXPRESS**

WILMER JAY BAKER  
430 RUN ROAD  
CARLISLE PA 17015



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Thomas J. Sniscak, Esquire  
Whitney E. Snyder, Esquire

Dated: March 11, 2020