



February 1, 2017

By eFiling

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of Laurel Pipe Line Company, L.P. for All Necessary Authority, Approvals, and Certificates of Public Convenience to Change the Direction of Petroleum Products Transportation Service to Delivery Points West of Eldorado, Pennsylvania, Docket No. A-2016-2575829.

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene of Clean Air Council in the above captioned matter. Copies of this letter and the attached petition have been eFiled and a copy has been sent electronically to the service list.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Otis Minott".

Joseph Otis Minott, Esquire

A handwritten signature in black ink, appearing to read "Ernest Logan Welde".

Ernest Logan Welde, Esquire

Attorneys for Clean Air Council

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of Laurel Pipe Line
Company, L.P. for All Necessary
Authority, Approvals, and Certificates
of Public Convenience To Change the
Direction of Petroleum Products
Transportation Service to Delivery
Points West of Eldorado, Pennsylvania** :
: Docket No. A-2016-2575829
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PETITION TO INTERVENE OF THE CLEAN AIR COUNCIL

Pursuant to 52 Pa. Code §§ 5.72-5.75, Clean Air Council (“CAC”) hereby files this Petition to Intervene in response to the Application of Laurel Pipe Line Company, L.P. (“Laurel”) for All Necessary Authority, Approvals, and Certificates of Public Convenience To Change the Direction of Petroleum Products Transportation Service to Delivery Points West of Eldorado, Pennsylvania (“Application”). In support thereof, CAC states as follows:

1. CAC is a member-supported, non-profit environmental organization serving Pennsylvania and the Mid-Atlantic Region. CAC is dedicated to protecting and defending everyone’s right to a healthy environment. CAC works through a broad array of related sustainability and public health initiatives, using public education, community action, government oversight, and enforcement of environmental laws. CAC has more than 16,000 members and activists throughout the Commonwealth, including in the areas that will be directly affected by Laurel’s Application.

2. CAC’s attorneys in this matter are:

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(PA ID 315012)

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3. On November 14, 2016, Laurel filed its Application with the Pennsylvania Public Utility Commission (“PUC” or “Commission”) pursuant to various provisions of the Pennsylvania Public Utility Code. *See* 66 Pa. C.S. § 101, *et seq.*

4. As set forth in the Application, Laurel currently transports petroleum products from points of origin near Philadelphia, Pennsylvania, to destination points across the Commonwealth, terminating west of Pittsburgh, Pennsylvania. *See* Application p. 19.

5. The Application proposes to dramatically modify the jurisdictional pipeline service provided by Laurel by changing “the direction of service on its pipeline for delivery points west of Eldorado.” *Id.*

6. The Application asserts that, based on the proposal, “it does not appear that a Certificate of Public Convenience or any other Commission approval should be required.” *Id.* at p. 25.

7. The Application also requests authority for Laurel to “reinstate the current direction of service in the future without Commission approval.” *Id.* at p. 1.

8. On November 16, 2016, the Commission issued a Secretarial Letter directing Laurel to publish notice of the Application in a newspaper having general circulation in the area involved and file proof of publication with the Commission by December 19, 2016. The Secretarial Letter also confirmed the Commission would publish notice of the Application in the *Pennsylvania Bulletin* on December 3, 2016, with formal protests and petitions to intervene due

to the Commission by December 19, 2016. On December 6, 2016, the Commission issued a supplement to the November 16 Secretarial Letter extending the deadline for protests and petitions to intervene in this matter to Wednesday, February 1, 2017.

9. The Commission's regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and, as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code § 5.72(a)(3). A "person" includes a corporation and an association. 52 Pa. Code § 1.8.

10. Here, CAC meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). CAC is committed to ensuring open public participation and effective government oversight in proceedings that affect the environment and public health. The Commission's actions in this proceeding regarding Laurel's proposal to change the direction of service on its pipeline will have a direct impact on the ability of CAC to achieve these goals. Specifically, Laurel's request to change the direction of service without securing a Certificate of Public Convenience or any other Commission approval, and to change the direction of service again in the future without seeking approval, directly implicates CAC's interest and the public interest in open public participation, effective government oversight, and protection of public health and the environment.

11. CAC's interests in this proceeding are unique from, and not adequately represented by, the other parties that have intervened¹ or may seek to intervene because CAC is a

¹ To date, there have been no other public interest, environmental nonprofits that have sought to intervene.

well-established, Pennsylvania-based environmental organization that has extensive experience in air quality issues, renewable energy, and energy efficiency.

12. CAC's intervention is in the public interest because it will enable CAC to contribute its unique perspective and insight of a well-established local environmental organization as the Commission considers Laurel's Application. CAC has intervened in previous matters before the Pennsylvania Public Utility Commission.

13. Due to the early stage of this proceeding, CAC reserves the right to raise and address issues identified through its continued review and analysis of Laurel's Application (and related information) or other issues raised by other parties.

WHEREFORE, Clean Air Council respectfully requests that the Commission grant this Petition to Intervene.

Respectfully submitted,



Joseph Otis Minott, Esquire



Ernest Logan Welde, Esquire

Date: February 1, 2017

Attorneys for Clean Air Council

VERIFICATION

I, Ernest Logan Welde, staff attorney Clean Air Council, hereby verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and that I am duly authorized to make this verification, and that I expect to be able to prove the same at any hearing held in this matter.

A handwritten signature in cursive script that reads "Ernest Logan Welde".

Ernest Logan Welde, Esquire

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Clean Air Council's Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

Via Email and/or First Class Mail

<p>Lillian S. Harris, Esq. Garrett P. Lent, Esq. Post & Schell, P.C. 17 North Second St., 12th Floor Harrisburg, PA 17101-1601 lharris@postschell.com glent@postschell.com</p>	<p>Alan M. Seltzer, Esq. John F. Povilaitis, Esq. Buchanan Ingersoll & Rooney, PC 409 N. Second St., Suite 500 Harrisburg, PA 17101-1357 Alan.seltzer@bipc.com John.povilaitis@bipc.com</p>
<p>Richard E. Powers, Jr., Esq. Venable LLP 575 Seventh St., NW Washington, DC 20004-1601 repowers@venable.com</p>	<p>John R. Evans, Esq. Office of Small Business Advocate 300 North Second Street, Suite 202 Harrisburg, PA 17101 jorevan@pa.gov</p>
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<p>Susan E. Bruce, Esq. Adeolu A. Bakare, Esq. Kenneth R. Stark, Esq. McNees Wallace & Nurick LLC 100 Pine St. P.O. Box 1166 Harrisburg, PA 17108-1166 sbruce@mcneeslaw.com abakare@mcneeslaw.com kstark@mcneeslaw.com</p>	<p>Adam Young, Esq. Michael Swindler, Esq. Bureau of Investigation & Enforcement Pa. Public Utility Commission The Commonwealth Keystone Building P.O. Box 3265 Harrisburg, PA 17105-3265 adyoung@pa.gov mwindler@pa.gov</p>
<p>David B. MacGregor, Esq. Post & Schell, P.C. Four Penn Center 1600 John F. Kennedy Blvd. Philadelphia, PA 19103-2808 dmacgregor@postschell</p>	<p>Anthony M. Lagreca Pennsylvania Energy Solutions Refining and Marketing LLC 1735 Market St., 11th Floor Philadelphia, PA 19103 Anthony.lagreca@pes-companies.com</p>

<p>Christopher A. Ruggiero, Esq. V.P., General Counsel and Secretary Monroe Energy, LLC 4101 Post Rd. Trainer, PA19061</p>	<p>Karen O. Moury, Esq. Carl R. Shultz, Esq. Eckert Seamans Cherin & Mellott, LLC 213 Market St., 8th Fl. Harrisburg, PA 17101 kmoury@eckertseamans.com cshultz@eckertseamans.com</p>
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Ernest Logan Welde, Esquire