

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17120**

**West Goshen Township
v.
Sunoco Pipeline, L.P.**

**Public Meeting: December 21, 2017
2589346-OSA
Docket No. C-2017-2589346**

STATEMENT OF VICE CHAIRMAN ANDREW G. PLACE

Before us today for consideration and disposition is the Sunoco Pipeline, L.P.'s (Sunoco or Company) Petition to Rescind or Discontinue the interim injunction directed by the Commission on October 26, 2017 in the above captioned matter. Sunoco filed this Petition on November 21, 2017 and West Goshen Township (Township) filed its Answer on December 1, 2017. In its Petition, Sunoco states that it has reevaluated the proposed installation of Valve 344 and has decided that the valve be eliminated and not be located at the Janiec 2 Tract nor anywhere in the Township. Petition at 2. Sunoco also has concluded that the valve is not needed operationally nor required by any applicable code or regulation. *Id.*

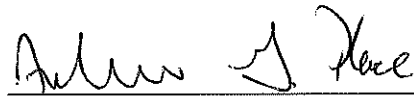
In its Petition, Sunoco has clearly indicated that its construction plans to locate this equipment within the limits of West Goshen Township have changed. In doing so, the provisions of the 2015 Settlement Agreement¹ are impacted and these issues are the gravamen of the Township's March 29, 2017 First Amended Formal Complaint to Enforce Settlement Agreement. Because this change directly impacts the issues being litigated before the Administrative Law Judge assigned to this case, I believe that the parties should have first raised this issue in the underlying proceeding and sought a negotiated amendment to the 2015 Settlement Agreement. In timely reaching a formal agreement reflecting the change in Sunoco's construction plans, the parties could have submitted a revised agreement, requested approval by the Administrative Law Judge, suspended the litigation schedule and have brought the matter before the Commission for final disposition. In addition, by amending the 2015 Settlement Agreement with Sunoco's updated construction plans, the parties would have been afforded the appropriate protections that a written modification provides. I firmly believe that, if Sunoco had entered into successful settlement negotiations in the pending proceeding during the period of time expended to file and address this Petition, their actions may have resulted in expedited treatment of the issues in this case including the interim injunction.

¹ Agreement between the Township, Sunoco Pipeline LP and the local group of concern citizens of West Goshen Township, Docket No. U-2015-2486071.

Most importantly, I strongly encourage the parties to settle this matter now that Sunoco has modified its constructions plans of certain equipment to be located within the limits of West Goshen Township. To do otherwise is wasting the parties' and this Commission's resources.

Therefore, I dissent.

Date: December 21, 2017

A handwritten signature in cursive script, appearing to read "Andrew G. Place", written above a horizontal line.

Andrew G. Place, Vice Chairman