



September 25, 2018

Rosemary Chiavetti
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
PO Box 3265
Harrisburg, PA 17105-3265

RE: *Andover Homeowners' Association, Inc. v. Sunoco Pipeline, L.P., Docket C-2018-3003605*

Dear Secretary Chiavetta,

Please find the attached Answer to Range Resource's Petition to Intervene. Thank you.

Sincerely,

/s/ Rich Raiders

Rich Raiders, Esq.

Enclosure

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Senator Andrew Dinniman	:	Docket No. C-2018-3001451
v.	:	Docket No. P-2018-3001453
Sunoco Pipeline L.P.	:	
	:	
Andover Homeowners' Association, Inc.	:	Docket No. C-2018-3003605
v.	:	
Sunoco Pipeline L.P.	:	

ANSWER OF ANDOVER HOMEOWNERS' ASSOCIATION, INC. TO PETITION TO INTERVENE OF RANGE RESOURCES – APPALACHIA LLC

COMES NOW Andover Homeowners' Association, Inc. ("Association"), by and through its below-signed counsel, and respectfully answers the Petition to Intervene filed by Range Resources – Appalachia LLC ("Range") in the Association's docket, and in support thereof avers as follows:

I. INTRODUCTION

1. Admitted in part and denied in part. Admitted that the Association seeks the Public Utility Commission ("PUC" or "Commission") to conduct a comprehensive risk assessment and to require Sunoco Pipeline L.P. ("Sunoco") to provide a competent, credible and useful public awareness program for residents, visitors, neighbors and other users of lands upon or near hazardous, highly volatile natural gas liquids ("NGL") pipelines such as those anticipated for use in the Mariner East ("ME") project. Further admitted that the Association questions the adequacy of the emergency response procedures believed to be in place in the event of a ME incident. Denied in that, by the Commission performing its duties to ensure safe and efficient operation of transportation infrastructure, that Range suffers any prejudice, harm or inconvenience.

II. RANGE IN PENNSYLVANIA

1. Admitted that Range is a foreign corporation conducting industrial operations in the Commonwealth. Denied in that the Association has no knowledge of Range's business activities.
2. The Association is without sufficient knowledge to form an opinion and therefore denies the averments in this paragraph. To the extent Range is expressing an economic interest, the Association asserts a substantial countervailing economic interest of being burdened with ME infrastructure, and a risk of substantial economic harm, from the proposed transport of hazardous, highly volatile liquids through the residential Andover subdivision. An accident involving highly volatile liquids in or near the Andover subdivision could have substantial negative economic impacts on the Association and its Members. The Association intends to demonstrate the magnitude of its economic risks through expert estimates of potential property damage, injuries, and loss of life that could result from an accident involving hazardous, highly volatile liquids. By way of further answer, Andover Members work hard to own their homes and sustain their families.
3. The Association is without sufficient knowledge to form an opinion and therefore denies the averments in this paragraph. To the extent Range is expressing an economic interest, the Association incorporates its answer in Paragraph 3 above.
4. The Association is without sufficient knowledge to form an opinion and therefore denies the averments in this paragraph. To the extent Range is expressing an economic interest, the Association incorporates its answer in Paragraph 3 above.

III. RANGE'S INTEREST IN THIS PROCEEDING

5. Denied due to lack of knowledge.
6. Denied. On information and belief, Range was not at all prejudiced when the Commission shut down the Mariner East 1 (“ME1”) pipeline earlier in 2018. The Association believes that Range has access to other outlets for any production it wishes to ship on the ME system. The Association demands strict proof that Range has no other outlet for its product transportation to its believed European end markets.
7. Denied in part and admitted in part. Denied in that Range speculates, possibly correctly, that ME is unsafe and would have to be shut down because the Association could potentially demonstrate that ME cannot be safely operated. Admitted that Range acknowledges the Association’s concerns about ME operations.
8. Denied. See the response to Paragraph 6 above. By way of further answer, the Association avers that the lives and property of its Members are of critical importance to them.

IV. REQUEST FOR RELIEF

9. Denied. Range claims to have “significant interest in the continued safe operation of ME1” (the Association observes that ME1 has leaked hazardous, highly volatile liquids three times in less than one year, and denies that it has ever operated “safely”) but pleads to not allow the Commission to explore whether ME1, or any part of the ME system, can be operated within acceptable levels of risk. Range further wishes to prohibit the Commission from assessing and quantifying the risk of ME, in terms of consequences and probability. If Range actually had such an interest, it would have not filed a hostile intervention, but instead would have joined the Association in seeking to

determine the degree of public safety risk and obtaining a credible public awareness program.

10. No response required.

11. Conclusions of law to which no response required.

12. Conclusions of law to which no response required.

13. The Association is without knowledge of Range's contracts with Sunoco, and therefore denies the averments of this paragraph.

14. Denied. Range, without any justification, asserts that it has no other outlets for its shipping volumes that it successfully diverted from ME1 during the Commission's shutdown of this line earlier in 2018. By way of further answer, the Association's interest in its property, and the lives and property of its Members, is substantial.

15. Denied. Sunoco can adequately represent its shippers and its partners in contract.

16. No response required.

17. Denied. Range, by filing a hostile intervention, seeks to quash an assessment of the public safety risks of ME, and an evaluation of the credibility and suitability of Sunoco's inadequate public awareness program. Was public safety actually of "paramount concern" to Range, it would join the Association in a comprehensive process to protect the public at risk from the current and proposed ME pipelines.

18. Admitted in part and denied in part. Admitted that the Commission reviewed SOME of the issues concerning pipeline safety. Denied in that the Commission did not include the issues the Association raises in its petition, including but not limited to the Sunoco's boilerplate, implausible public awareness program and the economic impacts suffered

and threatened by those who have been forced to host this dangerous industrial infrastructure and their neighbors.

19. Admitted in part and denied in part. Admitted that the Commission did not enjoin ME1 operation. Denied that any of the issues raised by the Association were part of the Commission's review.

20. Admitted in part and denied in part. Admitted that the Association does not believe that Sunoco can operate NGL pipelines on the Association's property, or, for that matter, anywhere in Chester or Delaware Counties, with acceptable levels of risk to life and property. Denied in that the Commission, not the Association, would have to judge if Sunoco's public awareness, siting and emergency response programs are adequately protective of the public; i.e., whether they acceptably mitigate the public safety risks of continued Sunoco pipeline accidents.

21. No response required.

V. CONCLUSION

WHEREFORE, the Andover Homeowners' Association, Inc. respectfully requests that the Pennsylvania Public Utility Commission deny Range Resources – Pennsylvania LLC intervenor status in the Association's petition and allow the Association to pursue its well-pled complaint before the Office of Administrative Law Judge.

Respectfully Submitted,

/s/ Rich Raiders

Dated: September 25, 2018

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania State Senator Andrew E. Dinniman	:	
	:	C-2018-3001451
v.	:	
	:	P-2018-3001453
Sunoco Pipeline L.P.	:	
	:	
Andover Homeowners' Association, Inc.,	:	C-2018-3003605
Petitioner	:	
	:	
v.	:	
	:	
Sunoco Pipeline L.P.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Andover Homeowners' Association's Answer to New Matter of Sunoco Pipeline L.P. in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant) to the participants and counsel listed on the following page. This document has been filed electronically on the Commission's electronic filing system.

Respectfully Submitted,

/s/ Rich Raiders

Dated: September 25, 2018

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