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December 17, 2018

VIA 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 PREHEARING CONFERENCE MEMORANDUM**

Dear Secretary Chiavetta:

Attached for electronic filing with the Commission is Sunoco Pipeline L.P.'s Prehearing Conference Memorandum in the above-referenced proceeding.

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

Very truly yours,

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

WES/das

Enclosure

cc: Hon. Elizabeth H. Barnes, (Electronic and first class mail)
Per Certificate of Service

1. Whether SPLP is required under any applicable regulations over which the Commission has jurisdiction to use “American-made” steel for construction of its pipelines.
 - a. SPLP’s Position: It is not.
2. Whether SPLP’s Public Awareness Program and Emergency Management procedures, materials, and training are in violation of any law or regulation.
 - a. SPLP’s Position: They are not. Moreover, SPLP’s Public Awareness Program and Emergency Management procedures, materials, and training have already been found by the Commission to be adequate.

C. DISCOVERY

SPLP does not propose any modifications to the Commission’s discovery regulations.

D. OTHER PROPOSED ORDERS OF DISCOVERY

SPLP does not propose any modifications to the Commission’s discovery regulations.

F. PROPOSED SCHEDULE FOR TESTIMONY, HEARING, AND BRIEFS.¹

Given this is a pro se Complainant, SPLP submits that it may be more efficient to have an in-person hearing where Complainant may present his case, rather than utilizing the Commission’s written testimony procedures. However, if this proceeding will proceed using written testimony, SPLP requests that all testimony be type-written (not handwritten), utilizing page and line numbers, and that Complainant be advised to follow the Commission’s procedural rules concerning submission of pre-filed testimony.

¹ In prehearing conference order, Paragraph E was not included and is reflected here as such to match the order as written.

If the parties proceed without the use of pre-filed testimony, SPLP proposes the following schedule:

Evidentiary Hearing	March 13, 2019
Initial Briefs	April 24, 2019
Reply Briefs	May 15, 2019

If the parties proceed with pre-filed testimony, SPLP proposes the following schedule:

Complainant Direct	February 20, 2019
Respondent Rebuttal	April 19, 2019
Complainant Surrebuttal	May 20, 2019
Responder Rejoinder Outlines	June 20, 2019
Evidentiary Hearings	July 16, 2019
Main Briefs	August 20, 2019
Reply Briefs	September 10, 2019

G. WITNESSES.

SPLP does not have the burden of proof in this proceeding and it cannot predict what specific witnesses it may need to present to defend against the Amended Complaint until Complainant and aligned intervenors present their testimony. SPLP entered testimony into the record in various proceedings already addressing the issue raised in this proceeding and may rely on and incorporate such evidence into this proceeding. SPLP identifies preliminarily, as potential witnesses:

- Mr. Joseph Perez, Vice President, Technical Services, Operations and Engineering Services, Energy Transfer Partners and SPLP.
 - Topics: SPLP’s Public Awareness Program, Emergency Response materials, procedures, and training, and issues regarding steel.

- Mr. Gregory Noll, Principal at GGN Technical Resources, LLC and Sunoco's emergency management expert.
 - Topics: SPLP's Emergency Response materials, procedures, and training.
- Mr. John Zurcher, Principal at Process Performance Improvement Consultants, LLC (P-PIC), Managing Director at The Blacksmith Group, and Sunoco's expert witnesses regarding public awareness, hazard warnings, and pipeline safety.
 - Topics: SPLP's Public Awareness Program, Emergency Response materials, procedures, and training, and issues regarding steel.

SPLP will identify additional witnesses as necessary to respond to the witnesses and evidence submitted by Complainant and Intervenors aligned with Complainant. Depending upon Complainant's testimony, SPLP reserves the right to identify and submit other witnesses subject to the form and time of presentation in the schedule proposed herein by SPLP.

Each of these witnesses may present testimony regarding any of the above-stated issues or any other issue that may arise during the course of this proceeding. SPLP reserves the right to adopt any testimony of other witnesses, in whole or in part, to substitute witnesses, and to offer additional witnesses and exhibits as may be necessary, including but not limited to witnesses and evidence to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

H. ISSUES

See Section B.

I. EVIDENCE

SPLP does not have the burden of proof in this proceeding and it cannot predict what specific evidence it may need to present to defend against the Amended Complaint until Complainant and aligned intervenors present their testimony. SPLP entered extensive evidence

into the record in various hearings addressing similar issues that Complainant raises and may rely on that evidence and incorporate it into the record of this proceeding as necessary going forward.

SPLP intends to present the pre-filed testimony of the above-named witnesses along with any exhibits that witness may sponsor to support his or her testimony. SPLP reserves the right to adopt testimony of other witnesses, in whole or in part, to substitute witnesses, and to offer additional witnesses and exhibits, including but not limited to addressing the testimony, exhibits or other evidence that other parties in this proceeding may present.

Respectfully submitted,



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Dated: December 17, 2018

Attorneys for Respondent Sunoco Pipeline L.P.

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). This document has been filed electronically on the Commission's electronic filing system and served via overnight mail on the following:

VIA FIRST CLASS

WILMER JAY BAKER
430 RUN ROAD
CARLISLE PA 17015



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

Dated: December 17, 2018