**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Melissa DiBernardino :

:

v. :  C-2018-3005025

:

Sunoco Pipeline, L.P. :

**PREHEARING CONFERENCE ORDER**

In accordance with the provisions of 66 Pa.C.S. § 333 and 52 Pa.Code §§ 5.221-5.224, an initial telephonic prehearing conference in the above-captioned case has been scheduled on Tuesday, January 15, 2019 at 2:00 p.m.

THEREFORE,

IT IS ORDERED:

1. That an initial telephonic prehearing conference shall be held at 2:00 p.m. on Tuesday, January 15, 2019.

2. **The parties should be available at the telephone numbers listed on the Prehearing Conference Notice when contacted by the presiding officer. If you will be at a telephone number that is different than the number on the hearing notice, you must notify the presiding administrative law judge of that telephone number at least five (5) business days before the hearing.**

3. That on or before **Friday, January 11, 2019**, the parties shall file and serve initial prehearing conference memoranda which shall include:

a.) A statement regarding possible settlement of the case.

b.) Issues.

c.) A proposed plan and schedule of discovery.

d.) Other proposed orders with respect to discovery.

f.) A proposed schedule for the submission of written testimony, conducting an in-person hearing, and submission of briefs.

g.) Names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness’ testimony.

h.) A list of the issues and sub-issues of this proceeding which the party intends to address and a statement of the party’s position on each of the issues and sub-issues listed.

i.) A statement describing the evidence the party proposes to present at hearing, relating the evidence to each of the issues and sub-issues the party intends to address.

j.) All petitions to intervene.

4. That pursuant to 52 Pa.Code §§ 1.21 & 1.22, if you are an individual, you may represent yourself or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted Pro Hac Vice, represent you. **However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding.**  Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa.Code § 1.24(b).

5. That parties shall review the regulations pertaining to prehearing conferences, in particular 52 Pa.Code § 5.222(d), which provides that parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable.

6. That failure of a party to attend the initial prehearing conference, without good cause shown, shall constitute a waiver of all objections to the agreements reached, and to an order or ruling with respect thereto.

7. That a request for a change of the scheduled initial prehearing conference date shall state the agreement or opposition of other parties and shall be submitted in writing no later than five (5) days prior to the initial prehearing conference. 52 Pa.Code § 1.15(b). Requests for change must be sent to me, with copies to all parties of record. The correct address is:

Elizabeth H. Barnes

Administrative Law Judge

P.O. Box 3265,

Harrisburg, PA 17105-3265

[ebarnes@pa.gov](mailto:ebarnes@pa.gov)

Date: December 21, 2018 /s/

Elizabeth H. Barnes

Administrative Law Judge

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