

Vincent M. Pompo
Voice: 610.430.8000
vpompo@lambmcerlane.com

April 19, 2019

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

Re: In Re: Meghan Flynn, et al. v. Sunoco Pipeline, L.P.
Docket Numbers: C-2018-3006116; P-2018-3006117

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission please find the Prehearing Conference Memorandum of West Whiteland Township, Chester County, Pennsylvania with regard to the above-captioned proceeding.

All parties of record have been served pursuant the attached Certificate of Service. If you have any questions or concerns, please do not hesitate to contact this office.

Thank you very much for your cooperation and assistance.

Respectfully,

LAMB MCERLANE PC

By: /s/ Vincent M. Pompo
Vincent M. Pompo
Solicitor for West Whiteland Township

VMP/ajb
Enclosures
cc: Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Meghan Flynn, Rosemary Fuller	:	
Michael Walsh, Nancy Harkins, Gerald	:	Docket No. C-2018-3006116
McMullen, Caroline Hughes and	:	
Melissa Haines	:	Docket No. P-2018-3006117
Petitioner,	:	
	:	
v.	:	
	:	
Sunoco Pipeline, L.P.,	:	
	:	
Respondent.	:	

**PREHEARING CONFERENCE MEMORANDUM OF WEST WHITELAND
TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA**

West Whiteland Township, Chester County, Pennsylvania (the “Township” or “West Whiteland”) in accordance with the Prehearing Conference Order dated March 20, 2019, hereby submits this Prehearing Conference Memorandum in the above-captioned proceeding and submits as follows:

I. THE NAMES, ADDRESSES, TELEPHONE NUMBERS AND E-MAIL ADDRESS OF ANY PERSON THE PARTIES WISH TO HAVE LISTED ON THE SERVICE LIST OR E-MAIL DISTRIBUTION LIST:

Vincent M. Pompo
PA Attorney I.D. # 37714
Lamb McErlane PC
24 East Market Street, Box 565
West Chester, PA 19381
(610) 430-8000
vpompo@lambmcerlane.com

Alex J. Baumler
PA Attorney I.D. # 315760
Lamb McErlane PC
24 East Market Street, Box 565

West Chester, PA 19381
(610) 430-8000
abaumler@lambmcerlane.com

II. SETTLEMENT

West Whiteland Township is willing to address settlement of all or part of the proceedings with the other parties.

III. DISCOVERY SCHEDULE

West Whiteland Township is in agreement with the discovery schedule proposed by counsel for Complainants.

IV. OTHER PROPOSED ORDERS WITH RESPECT TO DISCOVERY

West Whiteland Township does not propose any additional orders with respect to discovery.

V. SITE VISIT NECESSITY

West Whiteland Township does not believe that a site view is necessary to be conducted regarding this matter.

VI. LITIGATION SCHEDULE

West Whiteland Township is in agreement with the litigation schedule proposed by counsel for Complainants.

VII. WITNESSES

West Whiteland Township will offer the testimony of a West Whiteland Township representative(s) to be determined with greater specificity as the factual record in this matter is further developed.

West Whiteland also reserves the right to call additional witnesses as necessary, including any experts or witnesses so identified by any other party to this proceeding and agrees

to notify Administrative Law Judge Barnes and the parties promptly should the Township determine that additional witnesses will be called.

VIII. LIST OF ISSUES AND SUB-ISSUES IN THIS PROCEEDING APPLICABLE TO THE TOWNSHIP AND THE POSITION OF THE TOWNSHIP IN REGARDS TO THE SAME:¹

4. Public Awareness/Emergency Preparedness

It is the position of West Whiteland that Sunoco's emergency preparedness and public awareness programs are insufficient and violate the governing federal regulations. Sunoco's discharge of its statutory and regulatory obligations to provide public awareness and emergency response programs to the Township have been perfunctory at best. First emergency responders were able only to review but not retain Sunoco's emergency management plan, thereby denying them a valuable reference source for use in training or in the event of a pipeline incident. When Sunoco finally provided a copy of the emergency management plan, it was so heavily redacted, it was all but useless.

8. Remaining Life Study of ME1 and 12" pipe

It is West Whiteland's understanding that as of the time of the writing of the instant Prehearing Conference Memorandum a Joint Petition for Approval of Settlement has been filed by the Bureau of Investigation and Enforcement and Sunoco in the Enforcement Action before the PUC at Docket No. C-2018-3006534. It is further understood that the Settlement Agreement stipulates that Sunoco shall be obligated to produce a remaining life study regarding ME1. It is further understood that a summary of the completed remaining life study shall be made

¹ The numerical designations of the issues addressed in Section VIII of this Memorandum correspond with the numerically listed issues and sub-issues identified in Paragraph 2 h.) (1-11) of the March 20, 2019 Prehearing Conference Order.

publically available. West Whiteland takes the position that the full remaining life study should be provided to the parties to this proceeding and the same type of study should be required in a timely manner for the 12” pipeline. The Township is amenable to complying with measures which would protect the proprietary and confidential security information of Sunoco set forth in the study.

Respectfully submitted,

LAMB MCERLANE, PC

By: /s/ Vincent M. Pompo

Vincent M. Pompo
Attorney I.D. # 37714
vpompo@lambmcerlane.com
Alex J. Baumler
Attorney I.D. # 315760
abaumler@lambmcerlane.com
*Attorneys for Intervenor
West Whiteland Township*

Dated April 19, 2019

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Petitioner,	:	
	:	
v.	:	
	:	
Sunoco Pipeline, L.P.,	:	
	:	
Respondent.	:	

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a copy of West Whiteland Township’s Prehearing Conference Memorandum upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a party).

Via Electronic Mail Service

Thomas J. Sniscak, Esq. Kevin J. McKeon, Esq. Whitney E. Snyder, Esq. Hawk McKeon & Sniscak, LLP 100 North Tenth Street Harrisburg, PA 17101 tjsniscak@hmslegal.com kjmkeon@hmslegal.com wesnyder@hmslegal.com Counsel for Respondent Sunoco Pipeline, LP	Robert D. Fox, Esq. Neil S. Witkes, Esq. Diana A. Silva, Esq. Manko, Gold, Katcher & Fox, LLP 401 City Avenue, Suite 901 Bala Cynwyd, PA 19004 rfox@mankogold.com nwitkes@mankogold.com dsilva@mankogold.com Counsel for Respondent Sunoco Pipeline, LP
Curtis Stambaugh, Esq. Assistant General Counsel Sunoco Pipeline, LP 212 N. Third Street, Suite 201 Harrisburg, PA 17101 curtis.stambaugh@energytransfer.com Counsel for Respondent Sunoco Pipeline, LP	Anthony D. Kanagy, Esq. Garret P. Lent, Esq. Post & Schell PC 17 N. Second Street, 12 th Floor Harrisburg, PA 17101-1601 akanagy@postschell.com glent@postschell.com Counsel for Intervenor Range Resources Appalachia

<p>Erin McDowell, Esq. 3000 Town Center Blvd Canonsburg, PA 15317 emcdowell@rangeresources.com <i>Counsel for Intervenor Range Resources Appalachia</i></p>	<p>Michael S. Bomstein, Esq. Pinnola & Bomstein 100 South Broad Street, Suite 2126 Philadelphia, PA 19110 mbomstein@gmail.com <i>Counsel for Complainants</i></p>
<p>Rich Raiders, Esq. Raiders Law, PC 606 North 5th Street Reading, PA 19601 rich@raiderslaw.com <i>Counsel for Intervenor Andover Home Owners' Association, Inc.</i></p>	<p>Leah Rotenberg, Esq. Mays Connard & Rotenberg, LLP 1235 Penn Avenue, Suite 202 Wyomissing, PA 19610 rotenberg@mcr-attorneys.com <i>Counsel for Intervenor Twin Valley School District</i></p>
<p>Margaret A. Morris, Esq. Reger Rizzo & Darnall 2929 Arch Street, 13th Floor Philadelphia, PA 19104 mmorris@regerlaw.com <i>Counsel for Intervenor East Goshen Township and Chester County</i></p>	<p>Mark L. Freed, Esq. Curtin & Heefner, LLP Doylestown Commerce Center 2005 S. Easton Road, Suite 100 Doylestown, PA 18901 mlf@curtinheefner.com <i>Counsel for Intervenor Uwchlan Township</i></p>
<p>James R. Flandreau, Esq. Paul Flandreau & Berger, LLP 320 West Front Street Media, PA 19063 jflandreau@pfbllaw.com <i>Counsel for Intervenor Middletown Township</i></p>	<p>James C. Dalton, Esq. Unruh Turner Burke & Frees 17 West Gay Street, Suite 200 P.O. Box 515 West Chester, PA 19381 jdalton@utbf.com <i>Counsel for Intervenor West Chester Area School District</i></p>
<p>Patricia S. Biswanger, Esq. 217 North Monroe Street Media, PA 19063 patbiswanger@gmail.com <i>Counsel for Intervenor Delaware County</i></p>	<p>Michael Maddren, Esq. Office of the Solicitor County of Delaware Government Center Building 201 West Front Street Media, PA 19063 maddrenm@co.delaware.pa.us <i>Counsel for Intervenor Delaware County</i></p>
<p>James J. Byrne, Esq. McNichol Byrne & Matlawski PC 1223 N. Providence Road Media, PA 19063 jjbyrne@mbmlawoffice.com <i>Counsel for Intervenor Thornbury Township</i></p>	<p>David J. Brooman, Esq. Richard C. Sokorai, Esq. High Swartz 40 East Airy Street Norristown, PA 19404 dbrooman@highswartz.com rsokorai@highswartz.com <i>Counsel for Intervenor West Goshen Township</i></p>

<p>The Honorable Elizabeth Barnes Administrative Law Judge Office of the Administrative Law Judge Commonwealth Keystone Building P.O. Box 3265 Harrisburg, PA 17105-3265 ebarnes@pa.gov</p>	<p>Michael P. Pierce, Esq. Pierce & Hughes, P.C. 17 Veterans Square P.O. Box 604 Media, PA 19063 mppierce@pierceandhughes.com <i>Counsel for Intervenor Edgmont Township</i></p>
<p>Thomas Casey 1113 Windsor Drive West Chester, PA 19380 tcaseylegal@gmail.com <i>Pro Se Intervenor</i></p>	<p>Virginia Marcille-Kerslake 103 Shoen Road Exton, PA 19341 vkerslake@gmail.com <i>Pro Se Intervenor</i></p>
<p>Josh Maxwell Mayor of Downingtown 4 W. Lancaster Avenue Downingtown, PA 19335 jmaxwell@downingtwn.org <i>Pro Se Intervenor</i></p>	<p>Laura Obenski 14 South Village Avenue Exton, PA 19341 ljobenski@gmail.com <i>Pro Se Complainant</i></p>
<p>Rebecca Britton 211 Andover Drive Exton, PA 19341 rebeccabritton50@yahoo.com <i>Pro Se Complainant</i></p>	<p>Melissa DiBernardino 1602 Old Orchard Lane West Chester, PA 19380 lissdibernardino@gmail.com <i>Pro Se Complainant</i></p>

Dated: April 19, 2019

/s/ Vincent M. Pompo
Vincent M. Pompo