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April 19, 2019

Via Electronic Filing and first class mail
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 the Twin Valley Area School District, Berks and Chester Counties, Pennsylvania with regard to the above-captioned proceeding.

Please do not hesitate to contact me with questions or comments.

Very truly yours,

Leah Rotenberg
Attorney for Twin Valley School District

**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 THE TWIN VALLEY SCHOOL
DISTRICT, BERKS AND CHESTER COUNTIES, PENNSYLVANIA**

The Twin Valley School District, Berks and Chester Counties, Pennsylvania (the “District” or “TVSD”) in accordance with the Prehearing Conference Order dated March 20, 2019, hereby submits this Prehearing Conference Memorandum in the above-captioned proceeding:

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:

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II. SETTLEMENT

Twin Valley School District is willing to address settlement of all or part of the proceedings with the other parties.

III. DISCOVERY SCHEDULE

Twin Valley School District agrees with the discovery schedule proposed by counsel for Complainants and suggests that a period of six to nine months will be necessary to complete discovery in this matter due to the number of parties, the complexity of litigation involved, and the importance of expert testimony.

IV. OTHER PROPOSED ORDERS WITH RESPECT TO DISCOVERY

Twin Valley School District does not propose any additional orders with respect to discovery.

V. SITE VISIT NECESSITY

Twin Valley School District believes that a site visit of the District's facilities near the Mariner Pipelines is necessary. This matter, and the need for relief requested, can be best understood by direct observation of school facilities and environments near the pipelines.

VI. LITIGATION SCHEDULE

Twin Valley School District agrees with the litigation schedule proposed by counsel for Complainants.

VII. WITNESSES

Twin Valley School District would offer the testimony of the following persons:

Robert F. Pleis, Ed.D.

Superintendent, Twin Valley School District
4851 N. Twin Valley Road
Elverson, PA 19520
(610) 286-8600

Dr. Pleis will provide testimony in support of the District's position that Sunoco has failed to provide sufficient information tailored to allow proper detection, warning, education, and emergency response protocols within the District. Dr. Pleis will also offer testimony as to the specific logistical challenges the pipelines present to the District, its staff and its children, particularly given Twin Valley's rural setting.

Scott Haddock
Director of Facilities, Twin Valley School District
4851 N. Twin Valley Road
Elverson, PA 19520
(610) 286-8600

At this time, counsel expects that the District's Director of Facilities, Scott Haddock, will provide testimony in support of the School District's position that Sunoco has not provided the School District with the information necessary to conduct optimal emergency preparedness or respond to emergency incidents attributable to the pipelines. Mr. Haddock can also testify about his past experiences with pipeline events and emergencies, Sunoco's communications apparatus, and the impact of pipeline events and emergencies on the school community.

Note that the Berks County Intermediate Unit recently hired an individual to work with all county school districts as a Safety Coordinator. Twin Valley School District may also choose to call this individual to discuss the specific challenges of responding to emergencies in a school setting.

Twin Valley School District 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 District determine that additional witnesses will be called.

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

4. Public Awareness/Emergency Preparedness

It is the position of Twin Valley School District that Sunoco's detection, warning and emergency preparedness, and public awareness programs are insufficient and violate governing federal regulations. Sunoco's efforts thus far have been perfunctory and not calibrated to address the needs of rural schools. Twin Valley shares concerns about the adequacy of Sunoco's early warning system and emergency training, given the District's need to safeguard large numbers of students and staff.

5. Mass Warning Systems

It is Twin Valley School District's position that the public awareness plan of Sunoco is insufficient and otherwise inadequate in its failure to install a mass early warning system at TVSD's schools within the attendant "blast zone" of the pipelines. The District will present evidence to demonstrate that multiple variables surrounding a pipeline leak or rupture exist, which include, but are not limited to: (1) that leaks may not be detectable due to regular traffic noise; (2) that the wind direction and strength present at the time of leak or rupture may fluctuate; (3) that the highly volatile liquids transported through the pipelines are of an odorless and invisible nature, and; (4) that the distance and speed at which vapor clouds travel may

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.

fluctuate — and that Sunoco is the party best positioned to develop a mass early warning system which would reach, warn, and allow governmental emergency responders the ability to evacuate the greatest number of affected persons in a safe and efficient manner.

6. Pipeline Integrity Management

It is the position of the Twin Valley School District that Sunoco has not used every reasonable effort to protect the public from any dangers associated with Mariner East 1 and the workaround pipelines through its pipeline integrity management program. The April 1, 2017 leak in New Morgan Borough within the District was the result of pipe corrosion, leaving the District with concerns about the adequacy of current protocols.

7. Leak Detection Protocols

It is the position of the Twin Valley School District that Sunoco's current leak detection protocols are not optimally effective. A leak detected near the District's schools in April 2017 was reported not by Sunoco, but by a passerby who actually witnessed the leak. Sunoco's cathodic protection system, and other leak detection systems, did not perform adequately.

8. Remaining Life Study of ME1 and 12" pipe

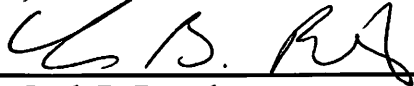
Twin Valley School District anticipates that, as part of a Joint Petition for Approval of Settlement in the enforcement action docketed at No. C-2018-3006534, Sunoco shall be obligated to produce a remaining life study regarding ME1 and make the results available to the public. The District takes the position that the full remaining life study should be provided to the parties to this proceeding and a similar study should be required in a timely manner for the 12" pipeline. The District is amenable to complying with measures which would protect the proprietary and confidential security information of Sunoco set forth in the study.

9. Location of pipelines close to dwellings and public gathering places

The Twin Valley School District includes schools in close proximity to the pipeline. The District will offer testimony to show that a leak or other emergency could impact hundreds of students or staff members.

Respectfully submitted,

MAYS, CONNARD & ROTENBERG, LLP

By:  _____

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*Attorneys for Intervenor
Twin Valley School District*

Dated April 19, 2019