



COUNTY OF DELAWARE
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April 19, 2019

Via Electronic Filing
Rosemary Chiavetti, 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 and P-2018-3006117

Dear Secretary Chiavetti:

In connection with the above-captioned action, enclosed for electronic filing with the Commission please find the Prehearing Conference Memorandum of the County of Delaware.

All parties of record have been served pursuant to 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 very kind assistance.

Sincerely,

COUNTY OF DELAWARE

Pat Biswanger /e/

Patricia Sons Biswanger
Assistant Solicitor

Enclosures

cc: as per Certificate of Service (w/enclosures)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PREHEARING CONFERENCE MEMORANDUM OF
THE COUNTY OF DELAWARE**

Pursuant to the Prehearing Conference Order dated March 20, 2019 (the “Order”) issued by the Honorable Elizabeth H. Barnes, as well as Commission regulations at 52 Pa. Code § 5.222, Intervenor County of Delaware (“Delaware County”), by and through its attorneys, Michael Maddren and Patricia Sons Biswanger, hereby submits the following in response to paragraph 2 of the Order.

2.a. Service: Delaware County requests that the following persons be listed on the service list:

Michael Maddren (Pa. ID # 84696)	Patricia Sons Biswanger (Pa. ID # 71076)
Office of the Solicitor	Office of the Solicitor
Delaware County	Delaware County
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2.b. Settlement: Delaware County remains willing to explore settlement options that will benefit the citizens and residents of the County. Delaware County also remains willing to reduce the facts at issue in this matter through stipulation.

2.c. Discovery: Delaware County anticipates conducting limited discovery and is agreeable to any reasonable proposed schedule.

2.d. Other Proposed Discovery Orders: Delaware County does not anticipate any issues with discovery provided that Sunoco timely and fully responds to discovery.

2.e. Site Visit Necessity: Delaware County believes that a site visit of the affected public gathering places and horizontal drilling locations within the County will be beneficial. For example, Delaware County believes that a site view of the Glenwood Elementary School in the Rose Tree Media School District and the valve station located immediately behind it is necessary. Still further, site visits of the Tunbridge Apartment Building complex, the Granite Farms Estates, and other schools, parks, businesses, life care facilities, and retail shopping areas located in proximity to the pipeline are necessary to an understanding of the complexity of this matter and to underscore the need for detection, warning, education, and emergency planning programs specific to Delaware County and its residents.

2.f. Litigation Schedule: Delaware County is amenable to any reasonable proposed litigation schedule.

2.g. Witnesses: Delaware County reserves the right to identify its lay and expert witnesses as discovery and the facts develop prior to the hearing. At this time possible witnesses include:

- Delaware County Council members
- Delaware County Local Emergency Planning Committee (*e.g.*, Edward Doyle, Chairman; John Bera, Hazardous Materials Coordinator)
- Delaware County first responders

2.h. Issues and Subissues: Delaware County reserves the right to identify specific issues and subissues as the case and the facts develop. Issues that require further study include:

- Whether Sunoco's emergency preparedness and public awareness programs are sufficient and comply with federal guidelines;

- Whether Sunoco's public awareness program is inadequate in the absence of a Mass Early Warning System;
- Whether Sunoco has produced a remaining life study regarding ME1; and
- Whether the Glenwood Elementary School is subject to unique risks resulting from leaks, mechanical failure, purposeful damage, or other failure of the valve station in that a pipeline valve station and pipelines are situated immediately behind the school.

2.i. **Evidence:** Delaware County will provide testimony and documentary evidence as needed in support of its position.

Respectfully submitted,

Michael Maddren /e/

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Date: April 19, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of April, 2019, I have served a true copy of the foregoing **Prehearing Conference Memorandum of the County of Delaware** upon the parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), via electronic mail (boldface indicates first-class mail), upon the persons listed below:

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