

Josh Maxwell
219 William Street
Downingtown, PA 19335

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

April 19, 2019

Docket No. C-2019-3006898

**JOSH MAXWELL INTERVENOR V. SPLP PREHEARING CONFERENCE
MEMORANDA Docket No. C-2019-3006898**

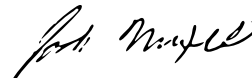
**re: In Re: Meghan Flynn, et al. v. Sunoco Pipeline, L.P. Docket Numbers: C-2018-3006116;
P-2018-3006117**

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission please find the Prehearing Conference Memorandum of Josh Maxwell, *Pro se*, with regard to the above-captioned proceeding

If you have any questions regarding these filings please do not hesitate to contact me.

Very Truly Yours,



Josh Maxwell

Pro se

April 19, 2019

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSH MAXWELL :
Pro Se Intervenor :
219 William Street :
Downingtown, PA 19335 :
 :
 :
v. : **Docket No. C-2019-3006898**
 :
SUNOCO PIPELINE L.P. :
Respondent :
 :

JOSH MAXWELL’S PREHEARING CONFERENCE MEMORANDUM

In response to the order of the Honorable Judge Barnes, dated March 20, 2019, I respectfully submit this prehearing conference memorandum.

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:

Josh Maxwell
219 William Street
Downingtown, PA 19335
(610) 308-3037
jmaxwell@downingtown.org

II. SETTLEMENT

Josh Maxwell is willing to address settlement of all or part of the proceedings with the

Respondent.

III. DISCOVERY SCHEDULE

Rebecca Britton cannot propose a discovery schedule as consolidation has not been ruled on in my pro se complaint. I do not require 9-12 months of discovery.

IV. OTHER PROPOSED ORDERS WITH RESPECT TO DISCOVERY

Rebecca Britton does not propose any additional orders with respect to discovery.

V. SITE VISIT NECESSITY

Write what you need if anything for a site visit- this is optional

Josh Maxwell believes that a site visit of the School District's facilities relative to the Mariner Pipelines is necessary. A visual identification of the pipelines relative to the Downingtown School District's facilities would serve to illustrate how places of public assembly in high consequence areas need detection, warning, education and emergency planning programs specific to NGL's; not just to the School District, but, any other place of public assembly in Chester County.

I reserve the right to add or delete a location pending consolidation, and if there is a cost of site visits.

VI. LITIGATION SCHEDULE

I am amiable to the proposed schedule of Rebecca Britton and Flynn matter.

VII. WITNESSES

Josh Maxwell offers the testimony of the following persons:

1. Chief Jack Law

Downingtown Fire Department
c.a.s.e. Consulting Services

Chief Law will provide testimony as to the public protections in place for a regional emergency response.

2. David Busch
Downingtown Municipal Water Authority
100 Water Place Way, Downingtown, PA 19335
Phone: (610) 269-5362

Mr. Busch will provide testimony regarding the risks and dangers of Sunoco's operation near the Downingtown Municipal Water Authority.

3. Chief Howard Holland
Downingtown Police Chief
10 West Lancaster Avenue
Downingtown, PA 19335
(610) 269-0263

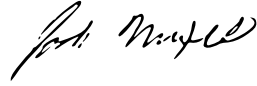
Chief Holland will provide testimony as to the public protections in place for a regional emergency response.

Josh Maxwell also reserves the right to call additional witnesses, or amend my witness list, as necessary pending ruling on consolidation. I have the right to call additional witnesses pending the fast moving nature of this matter. Alternatively, I reserve the right to question any experts or witnesses so identified by any other party to this proceeding if consolidation does occur. I agree to notify Administrative Law Judge Barnes and the parties in this proceeding promptly should the determination of any additional witnesses need to be called. I respectfully request to be able to call by phone, or other feasible digital communication technology, these identified witnesses. I will need to be able to reduce my costs to have these experts witness testify; as I am a pro se complainant. I expect, to have to, publicly raise money to call these witnesses and will need to reduce my costs wherever this constraint is applicable regarding expert testimony.

VIII. LIST OF ISSUES AND SUB-ISSUES IN THIS PROCEEDING APPLICABLE TO JOSH MAXWELL'S POSITION AS SUBMITTED IN MY ORIGINAL INTERVENTION.

1. Lack of study from ALL state agencies with emergency management duties means meaningful and comprehensive hazard mitigation and preparedness planning has not taken place.
2. Lack of pipeline siting agency in PA. Political subdivisions in the Commonwealth do not have the expertise, knowledge or finances to navigate the potential hazards associated with NGL's; or are they experts in pipeline siting.
3. December 13th PA PUC I&E Safety Division issued Summons of Formal Complaint to Sunoco Pipeline LP Docket Nos. C-2018-3006534 indicating statewide concern over 8 inch line. This must extend to 12 inch co-located pipeline because same corrosion control and engineering practices.
4. Attorney General and Chester County District Attorney's investigations into the Mariner East Pipeline System.
 - A. Early Warning System
 - B. Public Awareness
 - C. Emergency Alert System
 - D. Evacuation Plans
 - E. Family Emergency Preparedness Planning
 - F. Water Resources/Marsh Creek Watershed/Marsh Creek State Park
 - G. Horizontal Directional Drilling
 - H. Valve and School location
 - I. Emergency Operation Planning
 - J. Federal Hazard Insurance
 - K. Pipeline Right of Way Selection

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Josh Maxwell". The signature is fluid and cursive, with the first name "Josh" and last name "Maxwell" clearly distinguishable.

Josh Maxwell

Pro se
April 19, 2019

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing 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 via electronic filing:



Josh Maxwell
Pro se
April 19, 2019

VIA ELECTRONIC FILING

Pennsylvania Public Utility Commission
efiling system

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Honorable Elizabeth Barnes
ebarnes@pa.gov

VERIFICATION

I, Josh Maxwell, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink, appearing to read "Josh Maxwell".

Josh Maxwell
Pro se
April 19, 2019