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May 17, 2019

**VIA ELECTRONIC FILING**

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

Re: Meghan Flynn, et al. v. Sunoco Pipeline L.P.; Docket Nos. C-2018-3006116 and P-2018-3006117; **SUNOCO PIPELINE L.P.'S MOTION TO STRIKE UNTIMELY INTERVENORS' ANSWER TO MOTION FOR AMENDED PROTECTIVE ORDER**

Dear Secretary Chiavetta:

Attached for electronic filing with the Commission is Sunoco Pipeline L.P.'s Motion to Strike Untimely Intervenor's Answer to Motion for Amended Protective Order which now includes a Notice to Plead in the above-referenced proceedings.

If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

Thomas J. Sniscak  
Kevin J. McKeon  
Whitney E. Snyder  
*Counsel for Sunoco Pipeline L.P.*

WES/das  
Enclosure

cc: Hon. Elizabeth H. Barnes (Electronic ebarnes@pa.gov and first class mail)  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MEGHAN FLYNN	:		
ROSEMARY FULLER	:		
MICHAEL WALSH	:		
NANCY HARKINS	:		
GERALD MCMULLEN	:		
CAROLINE HUGHES and	:		
MELISSA HAINES	:		
	:	Docket Nos.	C-2018-3006116
Complainants,	:		P-2018-3006117
	:		
v.	:		
	:		
SUNOCO PIPELINE L.P.,	:		
	:		
Respondent.	:		

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**NOTICE PLEAD**

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TO: Parties of Record

Sunoco Pipeline L.P. has filed a Motion to Strike Untimely Intervenors' Answer to Motion for Amended Protective Order in the above-captioned matter, pursuant to the Pennsylvania Public Utility Commission's regulations at 52 Pa. Code § 5.103. You are hereby notified that a written response is due within twenty (20) days of the service of the Motion to Strike, consistent with 52 Pa. Code §§ 5.61(a) and 5.103(c).

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MEGHAN FLYNN	:		
ROSEMARY FULLER	:		
MICHAEL WALSH	:		
NANCY HARKINS	:		
GERALD MCMULLEN	:		
CAROLINE HUGHES and	:		
MELISSA HAINES	:		
	:	Docket Nos.	C-2018-3006116
Complainants,	:		P-2018-3006117
	:		
v.	:		
	:		
SUNOCO PIPELINE L.P.,	:		
	:		
Respondent.	:		

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**MOTION TO STRIKE UNTIMELY INTERVENORS' ANSWER  
TO MOTION FOR AMENDED PROTECTIVE ORDER**

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Pursuant to 52 Pa. Code § 5.103, Sunoco Pipeline L.P. (SPLP) moves to strike the May 14, 2019<sup>1</sup> Certain Intervenors'<sup>2</sup> Opposition to Sunoco Pipeline L.P.'s Motion for Amended Protective Order and in Support of Complainants' Opposition to Same (Answer) because it is untimely in violation of 52 Pa. Code § 5.103(c) and there is no good cause to allow this untimely filing. The Answer was six days late and should be stricken as untimely and not considered in deciding SPLP's Motion for Amended Protective Order (Motion).

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<sup>1</sup> Intervenors' cover letter indicates May 19, 2019, and there are no other dates on the document. However, the document is reflected as filed on the Commission's website as of May 14, 2019.

<sup>2</sup> Certain Intervenors are: Chester County, Delaware County, East Goshen Township, Uwchlan Township, Downingtown School District, Rose Tree Media School District.

SPLP filed its Motion on April 18, 2019. There is only one responsive document allowed to a motion – an answer. 52 Pa. Code § 5.103(c). There is only one timeline for everyone in a proceeding to answer a motion – 20 days. *Id.* The filing is late, and Intervenors do not even mention this fact in their Answer, let alone try to justify it.

No good cause exists to allow this late filing. Intervenors do not even attempt to argue good cause for their late filing. There is none. SPLP served Intervenors with its Motion. Intervenors are represented by counsel. Moreover, at the April 24, 2019 Prehearing Conference, Your Honor specifically allowed for parties to respond in writing without setting an alternative answer date, and instead specifying that you would give people “the normal 20 days” to respond. N.T. 676:4-19. Intervenors therefore must have been aware of the motion, their ability to answer in writing, and when their Answer was due. There is no good cause to allow for this late-filed answer.

WHEREFORE, SPLP respectfully requests Your Honor strike and not consider Certain Intervenor's Opposition to Sunoco Pipeline L.P.'s Motion for Amended Protective Order and in Support of Complainants' Opposition to Same.

Respectfully submitted,



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Dated: May 17, 2019

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the forgoing document upon the persons listed below in accordance with the requirements of § 1.54 (relating to service by a party). This document has been filed electronically on the Commission's electronic filing system and served on the following:

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Dated: May 17, 2019