



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 North Street, Harrisburg, Pennsylvania 17120

IN REPLY PLEASE  
REFER TO OUR FILE

Docket Nos:  
C-2018-3001451  
P-2018-3001453

September 19, 2019

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**TO ALL PARTIES OF RECORD:**

**Re: Pennsylvania State Senator Andrew E. Dinniman**

**v.**

**Sunoco Pipeline, L.P.**

**Docket Numbers: C-2018-3001451; P-2018-3001453;  
1169 CD 2018 (Commonwealth Court)**

On April 28, 2018, State Senator Andrew E. Dinniman filed the above referenced Complaint and Petition for Interim Emergency Relief against Sunoco Pipeline L.P. (Sunoco). Various persons and entities filed petitions to intervene and comments in support of, or opposition to, the relief sought in the complaint and petition.<sup>1</sup> After two days of hearings, on May 24, 2018 the presiding officer issued an Interim Emergency Order and Certification of Material Question. *See* 52 Pa. Code § 3.10. Following the Commission's Public Meeting of June 14, 2018, on June 15, 2018 the Commission entered an Opinion and Order affirming in part, and reversing in part, the Interim Emergency Order (the "June 15 Order").

Sunoco requested the Commission to certify the June 15 Order for interlocutory appeal to the Commonwealth Court. On July 25, 2018, the Commission granted Sunoco's motion. Sunoco then filed a petition with Commonwealth Court to allow an interlocutory appeal. On September 27, 2018, the Commonwealth Court granted Sunoco's request for interlocutory review. The Court limited the appeal to the issue of standing. The Court also ordered a stay of all proceedings in this matter before the Commission.

On September 9, 2019, the Commonwealth Court issued a reported Opinion in Sunoco's interlocutory appeal. The Court reversed the June 15 Order, holding that "Senator Dinniman lacked either personal or legislative standing to file the Complaint and petition for emergency interim relief against Sunoco...." The Court remanded this matter to the Commission with instructions to dissolve the interim emergency injunction and dismiss the Complaint.<sup>2</sup>

<sup>1</sup> The complete procedural history of this matter is contained in the Commission Opinion and Order entered June 15, 2018 (Public Meeting held June 14, 2018).

<sup>2</sup> The Commonwealth Court Order states "AND NOW, the 9<sup>th</sup> day of September, 2019, the Order of the Public Utility Commission (PUC) in the above-captioned matter dated June 15, 2018, is REVERSED and the matter is REMANDED to the PUC with instructions to dissolve the interim emergency injunction and dismiss the Complaint." Slip Op. at 17.

This Secretarial Letter is issued pursuant to the Commonwealth Court's Order of September 9, 2019. **THEREFORE,**

**IT IS ORDERED:**

- 1) That the Commission's interim emergency injunction contained in the Commission's June 15, 2018 Order is dissolved;
- 2) That the Complaint of Andover Homeowners' Association, Inc. against Sunoco Pipeline, L.P. at C-2018-3003605, which was consolidated with Docket Numbers C-2018-3001451 and P-2018-3001453, is now bifurcated from these cases, and shall be returned to the Office of Administrative Law Judge for further proceedings.
- 3) That the Complaint and Petition for Interim Emergency Relief at Docket Numbers C-2018-3001451 and P-2018-3001453, respectively, are dismissed.
- 4) That Docket Numbers C-2018-3001451 and P-2018-3001453 are closed.

Sincerely,



Rosemary Chiavetta  
Secretary

cc: ALJ Elizabeth Barnes  
Renardo L. Hicks, Chief Counsel  
Robert F. Young, Deputy Chief Counsel  
Terrence J. Buda, Assistant Counsel