



Thomas J. Sniscak
(717) 703-0800
tjsniscak@hmslegal.com

Whitney E. Snyder
(717) 703-0807
wesnyder@hmslegal.com

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

July 1, 2020

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., Docket Nos. C-2018-3006116 & P-2018-3006117 (consolidated)
Melissa DiBernardino, Docket No. C-2018-3005025 (consolidated)
Rebecca Britton, Docket No. C-2019-3006898 (consolidated)
Laura Obenski, Docket No. C-2019-3006905 (consolidated)
Andover Homeowner's Association, Inc.; Docket No. C-2018-3003605
(consolidated)
v.
Sunoco Pipeline L.P.

**SUNOCO PIPELINE L.P.'S MOTION FOR ENFORCEMENT OF OMNIBUS
ORDER**

Dear Secretary Chiavetta:

Attached for electronic filing with the Commission is Sunoco Pipeline L.P.'s Motion for Enforcement of Omnibus Order. Because this document does not contain new averments of fact, it does not require a verification.

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

Very truly yours,

/s/ Whitney E. Snyder

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

WES/das
Enclosure

cc: Honorable Elizabeth Barnes (by email ebarnes@pa.gov)
Per Certificate of Service

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).

VIA ELECTRONIC MAIL

Michael S. Bomstein, Esquire
Pinnola & Bomstein
Suite 2126 Land Title Building
100 South Broad Street
Philadelphia, PA 19110
mbomstein@gmail.com

Counsel for Flynn et al. Complainants

Anthony D. Kanagy, Esquire
Garrett P. Lent, Esquire
Post & Schell PC
17 North Second Street, 12th Floor
akanagy@postschell.com
glent@postschell.com

*Counsel for Intervenor
Range Resources – Appalachia LLC*

Erin McDowell, Esquire
3000 Town Center Blvd.
Canonsburg, PA 15317
emcdowell@rangeresources.com

Counsel for Range Resources Appalachia

Margaret A. Morris, Esquire
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
mmorris@regerlaw.com

*Counsel for Intervenor
East Goshen Township and County of Chester*

Rich Raiders, Esquire
Raiders Law
606 North 5th Street
Reading, PA 19601
rich@raiderslaw.com

*Counsel for
Andover Homeowner's Association, Inc.*

Vincent M. Pompo
Guy A. Donatelli, Esq.
24 East Market St., Box 565
West Chester, PA 19382-0565
vpompo@lambmcerlane.com
gdonatelli@lambmcerlane.com

*Counsel for Intervenor
West Whiteland Township,
Downingtown Area School District,
Rose Tree Media School District*

Leah Rotenberg, Esquire
Mays, Connard & Rotenberg LLP
1235 Penn Avenue, Suite 202
Wyomissing, PA 19610
rotenberg@mcr-attorneys.com

*Counsel for Intervenor
Twin Valley School District
James R. Flandreau
Paul, Flandreau & Berger, LLP
320 W. Front Street
Media, PA 19063
jflandreau@pfbllaw.com*

*Counsel for Intervenor
Middletown Township*

Mark L. Freed
Joanna Waldron
Curtin & Heefner LP
2005 S. Easton Road, Suite 100
Doylestown, PA 18901
mlf@curtinheefner.com
jaw@curtinheefner.com

*Counsel for Intervenor
Uwchlan Township*

Josh Maxwell
Mayor of Downingtown
4 W. Lancaster Avenue
Downingtown, PA 19335
jmaxwell@downingtwn.org

Pro se Intervenor

James C. Dalton, Esquire
Unruh Turner Burke & Frees
P.O. Box 515
West Chester, PA 19381-0515
jdalton@utbf.com

*Counsel for West Chester Area School
District, Chester County, Pennsylvania*
Virginia Marcille-Kerslake
103 Shoen Road
Exton, PA 19341
vkerslake@gmail.com

Pro Se Intervenor

Thomas Casey
1113 Windsor Dr.
West Chester, PA 19380
Tcaseylegal@gmail.com

Pro se Intervenor

Patricia Sons Biswanger, Esquire
217 North Monroe Street
Media, PA 19063
patbiswanger@gmail.com

Counsel for County of Delaware

Melissa DiBernardino
1602 Old Orchard Lane
West Chester, PA 19380
lissdibernardino@gmail.com

Pro se Complainant

Joseph Otis Minott, Esquire
Alexander G. Bomstein, Esquire
Ernest Logan Welde, Esquire
Kathryn L. Urbanowicz, Esquire
Clean Air Council
135 South 19th Street, Suite 300
Philadelphia, PA 19103
Joe_minott@cleanair.org
abomstein@cleanair.org
lwelde@cleanair.org
kurbanowicz@cleanair.org

James J. Byrne, Esquire
Kelly S. Sullivan, Esquire
McNichol, Byrne & Matlawski, P.C.
1223 N. Providence Road
Media, PA 19063
jjbyrne@mbmlawoffice.com
ksullivan@mbmlawoffice.com

*Counsel for Thornbury Township, Delaware
County*

Michael P. Pierce, Esquire
Pierce & Hughes, P.C.
17 Veterans Square
P.O. Box 604
Media, PA 19063
Mppierce@pierceandhughes.com

Counsel for Edgmont Township

Rebecca Britton
211 Andover Drive
Exton, PA 19341
rbrittonlegal@gmail.com

Pro se Complainant

Laura Obenski
14 South Village Avenue
Exton PA 19341
ljobenski@gmail.com

Pro se Complainant

/s/ Whitney E. Snyder
Thomas J. Sniscak, Esquire
Whitney E. Snyder, Esquire

Dated: July 1, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | | |
|--|---|-------------|-------------------------------|
| MEGHAN FLYNN et al. | : | Docket Nos. | C-2018-3006116 (consolidated) |
| | : | | P-2018-3006117 |
| MELISSA DIBERNARDINO | : | Docket No. | C-2018-3005025 (consolidated) |
| REBECCA BRITTON | : | Docket No. | C-2019-3006898 (consolidated) |
| LAURA OBENSKI | : | Docket No. | C-2019-3006905 (consolidated) |
| ANDOVER HOMEOWNER'S ASSOCIATION, INC. | : | Docket No. | C-2018-3003605 (consolidated) |
| | : | | |
| | : | | |
| v. | : | | |
| | : | | |
| SUNOCO PIPELINE L.P. | : | | |

NOTICE TO PLEAD

PLEASE TAKE NOTICE that Sunoco Pipeline L.P. (“SPLP”) has filed a Motion for Enforcement of Omnibus Order (“Motion”). Pursuant to 52 Pa. code § 5.103, **you are hereby notified that an answer or other responsive pleading shall be filed within twenty (20) days of service of the Motion.** Your failure to file an answer or other responsive pleading will allow the presiding office to rule on the Motion without a response from you. All pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel.

Respectfully submitted,

/s/ Whitney E. Snyder

Thomas J. Sniscak, Esq. (PA ID No. 33891)

Whitney E. Snyder, Esq. (PA ID No.
316625)

Hawke, McKeon & Sniscak LLP

100 North Tenth Street

Harrisburg, PA 17101

Tel: (717) 236-1300

tjsniscak@hmslegal.com

kjmckeon@hmslegal.com

wesnyder@hmslegal.com

/s/ Robert D. Fox

Robert D. Fox, Esq. (PA ID No. 44322)

Neil S. Witkes, Esq. (PA ID No. 37653)

Diana A. Silva, Esq. (PA ID No. 311083)

MANKO, GOLD, KATCHER & FOX, LLP

401 City Avenue, Suite 901

Bala Cynwyd, PA 19004

Tel: (484) 430-5700

rfox@mankogold.com

nwitkes@mankogold.com

dsilva@mankogold.com

Counsel for Sunoco Pipeline L.P.

Dated: July 1, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | | |
|---------------------------------------|---|-------------|-------------------------------|
| MEGHAN FLYNN et al. | : | Docket Nos. | C-2018-3006116 (consolidated) |
| | : | | P-2018-3006117 |
| MELISSA DIBERNARDINO | : | Docket No. | C-2018-3005025 (consolidated) |
| REBECCA BRITTON | : | Docket No. | C-2019-3006898 (consolidated) |
| LAURA OBENSKI | : | Docket No. | C-2019-3006905 (consolidated) |
| ANDOVER HOMEOWNER'S ASSOCIATION, INC. | : | Docket No. | C-2018-3003605 (consolidated) |
| | : | | |
| | : | | |
| v. | : | | |
| | : | | |
| SUNOCO PIPELINE L.P. | : | | |

SUNOCO PIPELINE L.P. MOTION FOR ENFORCEMENT OF OMNIBUS ORDER

Sunoco Pipeline L.P. (SPLP) respectfully moves for enforcement of the February 11, 2020 Order Granting Sunoco Pipeline L.P.'s Omnibus Motion (Omnibus Order) that requires parties in this proceeding adhere to the Commission's regulations and Your Honor's procedural orders in this proceeding.

1. On June 30, 2020, counsel for Andover Homeowners Association Inc. (Andover) sent an email copying Your Honor seeking various forms of procedural and substantive relief. That email is attached as **Exhibit A**.

2. The Commission's regulations specify procedures to obtain various types of relief including what type of relief may be available and how and when it can be obtained. Andover must follow these procedures, which do not include informal email correspondence to an Administrative Law Judge.

3. The Omnibus Order stated:

That SPLP's Omnibus Motion for Adherence to Regulations and the Procedural Rules Order is granted.

...

That future discovery disputes will be addressed when ripe in accordance with the Commission's regulations.

Id. at Order PP 1-4.

4. Andover's counsel's June 30, 2020 email violates the Omnibus Order and flouts Commission regulations and procedures.

WHEREFORE, SPLP respectfully requests Your Honor take no action on Andover Homeowner's Association Inc.'s June 30, 2020 email and confirm that SPLP is under no duty to respond to the email.

Respectfully submitted,

/s/ Whitney E. Snyder

Thomas J. Sniscak, Esq. (PA ID No. 33891)

Whitney E. Snyder, Esq. (PA ID No. 316625)

Hawke, McKeon & Sniscak LLP

100 North Tenth Street

Harrisburg, PA 17101

Tel: (717) 236-1300

tjsniscak@hmslegal.com

kjmckeon@hmslegal.com

wesnyder@hmslegal.com

/s/ Robert D. Fox

Robert D. Fox, Esq. (PA ID No. 44322)

Neil S. Witkes, Esq. (PA ID No. 37653)

Diana A. Silva, Esq. (PA ID No. 311083)

MANKO, GOLD, KATCHER & FOX, LLP

401 City Avenue, Suite 901

Bala Cynwyd, PA 19004

Tel: (484) 430-5700

rfox@mankogold.com

nwitkes@mankogold.com

dsilva@mankogold.com

Counsel for Sunoco Pipeline L.P.

Dated: July 1, 2020

EXHIBIT A

FW: Flynn et al. - Docket Nos. C-2018-3006116 et al

From: Rich Raiders <rich@raiderslaw.com>

Sent: Tuesday, June 30, 2020 7:32 AM

To: Diana Silva <DSilva@mankogold.com>; mbomstein@gmail.com; akanagy@postschell.com; glent@postschell.com; emcdowell@rangeresources.com; gdonatelli@lambmcerlane.com; rotenberg@mcr-attorneys.com; mmorris@regerlaw.com; vpompo@lambmcerlane.com; m1f@curtinheefner.com; jaw@curtinheefner.com; jflandreau@pfbllaw.com; patbiswanger@gmail.com; jdalton@utbf.com; jjbyrne@mbmlawoffice.com; ksullivan@mbmlawoffice.com; mppierce@pierceanandhughes.com; lissdibernardino@gmail.com; tcaseylegal@gmail.com; vkerslake@gmail.com; rbrittonlegal@gmail.com; jmaxwell@downingtown.org; ljobenski@gmail.com; Joe_minott@cleanair.org; abomstein@cleanair.org; lwelde@cleanair.org; kurbanowicz@cleanair.org

Cc: Robert Fox <RFox@mankogold.com>; Neil Witkes <NWitkes@mankogold.com>; Thomas Sniscak <TJSniscak@hmslegal.com>; Whitney Snyder <WESnyder@hmslegal.com>; Barnes, Elizabeth <EBARNES@pa.gov>

Subject: Re: Flynn et al. - Docket Nos. C-2018-3006116 et al

Adding Her Honor to the thread.

On 6/30/2020 6:38 AM, Rich Raiders wrote:
Judge Barnes,

Discovery is long since closed in this matter. All briefs, but for the sur-rebuttal, are completed. Lay testimony was months ago. This is nothing but a frivolous abuse of process, for which the Association seeks sanctions and a protective Order. Sunoco has had their chance to start the discovery process long ago, and this does nothing but interfere with our trial preparation. As is always the rule, we have focused our inquiry on specific issues to not unduly burden Her Honor with trivia and nonsense. However, Sunoco now introduces, way after the fact, trivia and nonsense.

Please strike all further discovery in this matter. Please specifically strike this attempt to harass the Andover Homeowners' Association. Nothing here is remotely relevant to anything in the proceedings. Sunoco vehemently complains about alleged violations of their "constitutional rights" while trampling on the rights of every non-aligned party. Of course, the Association seeks attorneys' fees from Sunoco for this misconduct. Thank you.

Rich Raiders, Esq.

On 6/29/2020 3:38 PM, Diana Silva wrote:
Counsel and Parties:

Per attached letter, SPLP hereby serves the following:

1. First Request for Admissions and Interrogatories to Complainants Megan Flynn, Rosemary Fuller, Michael Walsh, Nancy Harkins, Gerald McMullen, Caroline Hughes, and Melissa Haines;
2. First Request for Admissions and Interrogatories to Andover Homeowner's Association, Inc.; and
3. First Request for Admissions and Interrogatories to Pro Se Intervenor Thomas Casey.

Thank you,

Diana

Diana A. Silva, Esquire

MANKO | GOLD | KATCHER | FOX LLP

An environmental, energy, litigation, safety and land use law practice

401 City Avenue, Suite 901 | Bala Cynwyd, PA 19004

484.430.2347 (office) | 610.504.0761(cell) | 484.430.5711(f)

dsilva@mankogold.com | [Bio](#) | www.mankogold.com



--



Rich Raiders, Esq.
606 North 5th Street
Reading, PA 19601

321 East Main Street
Annville, PA 17003

484 509 2715 voice
610 898 4623 fax
www.raiderslaw.com

--



Rich Raiders, Esq.
606 North 5th Street
Reading, PA 19601

321 East Main Street
Annville, PA 17003

484 509 2715 voice
610 898 4623 fax
www.raiderslaw.com