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January 19, 2021  
*(Via PUC Electronic Filing)*

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

**RE: Flynn et al. v. Sunoco; Docket Nos. C-2018-3006116, P-2018-3006117**

Dear Secretary Chiavetta:

Pursuant to Judge Barnes' Order, please be advised that on this date I have served a copy of Intervenor, Middletown Township's Post-Hearing Reply Brief upon counsel in the above referenced proceeding filed with the Commission today.

If there are any questions, please contact me.

Very truly yours,

  
JAMES R. FLANDREAU

JRF:cmc  
Enclosure

cc: The Hon. Elizabeth Branes, Pennsylvania Public Utility Commission (w/ enc.)  
Service List (w/ enc.)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**POST HEARING REPLY BRIEF OF INTERVENOR MIDDLETOWN TOWNSHIP**

Intervenor, Middletown Township respectfully submits this Post-Hearing Reply Brief pursuant to the Order dated October 23, 2020, and in accordance with 52 Pa. Code § 5.501 and responds to the Post Hearing Brief filed by Sunoco on December 16, 2020 as follows:

1. Sunoco asserts on page 100 of its brief that notice of a pipeline release directly to schools and municipalities would be counter-productive, and the proper way to provide notice of a release is to notify the County 911 Center. Greg Noll testified on behalf of Sunoco that it is not practical to notify anyone other than the County 911 Center in the event that a release triggered the hydrocarbon sensor located behind Glenwood Elementary School.

2. Sunoco’s argument does not provide any justification as to why Sunoco’s control center cannot contact the principal of Glenwood Elementary School after it has placed the initial call to the County 911 Center. We again assert the position set forth in paragraph 24 of our Post Hearing Brief that Mr. Noll was unable to provide any reason why Sunoco’s control center could not directly communicate with the principal of Glenwood Elementary School upon activation of the

hydrocarbon sensors<sup>1</sup> on the adjacent valve station so long as the control center first notified the County 911 Center. (N.T. October 7, 2020, at 3381: 17-25, 3382: 1-4).

3. Mr. Noll testified that there would be no impediment to contacting the Glenwood Elementary School principal in the event the hydrocarbon sensor was triggered, and stated that any ancillary secondary notifications that the stakeholders on both sides of the equation decide to do would be a joint decision. (N.T. October 7, 2020, at 3381: 24-25., 3382: 1-2).

WHEREFORE, Intervenor Middletown Township respectfully requests that this Court grant the relief requested in the Petition to Intervene.

Respectfully submitted,

**PAUL, FLANDREAU & BERGER, LLP**

BY: 

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Dated: January 19, 2021

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<sup>1</sup> The Intervenor's brief erroneously stated hydrocarbon center instead of hydrocarbon sensor in paragraph 24.

## CERTIFICATE OF SERVICE

I hereby certify that this day I have served a copy of the Intervenor's Post-Hearing Reply Brief upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a party).

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Dated: January 19, 2021



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