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February 4, 2021

Via Electronic Filing

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

RE: Glen Riddle Station, L.P. v. Sunoco Pipeline L.P.; Docket No. C-2020-3023129;
**SUNOCO PIPELINE L.P.'S MOTION FOR PREHEARING
CONFERENCE, REVISED PROCEDURAL SCHEDULE, AND
EXPEDITED RESPONSE**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is Sunoco Pipeline L.P.'s Motion for Prehearing Conference, Revised Procedural Schedule, and Expedited Response in the above-referenced proceeding. Copies have been served in accordance with the attached Certificate of Service.

The motion is served electronically pursuant to the COVID-19 Suspension Emergency Order dated March 20, 2020 and ratified March 26, 2020.

If you have any questions, please feel free to contact the undersigned counsel.

Respectfully submitted,

/s/ Whitney E. Snyder

Thomas J. Sniscak
Whitney E. Snyder

Counsel for Sunoco Pipeline L.P.

WES/das
Enclosures

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GLEN RIDDLE STATION, L.P.	:	
	:	
Complainant,	:	
	:	
v.	:	
	:	Docket No. C-2020-3023129
SUNOCO PIPELINE L.P.,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

You are hereby advised that you may file a response within seven (7) days of the attached Motion for Prehearing Conference, Revised Procedural Schedule, and Expedited Response. Any response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Sunoco Pipeline, L.P., and where applicable, the Administrative Law Judge presiding over the issue.

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GLEN RIDDLE STATION, L.P.	:	
	:	
Complainant,	:	
	:	
v.	:	
	:	Docket No. C-2020-3023129
SUNOCO PIPELINE L.P.,	:	
	:	
Respondent.	:	

**SUNOCO PIPELINE L.P. MOTION FOR PREHEARING CONFERENCE, REVISED
PROCEDURAL SCHEDULE, AND EXPEDITED RESPONSE**

Pursuant to 52 Pa. Code §§ 5.103, 5.222, 5.412, and 5.61, Sunoco Pipeline L.P. (SPLP) requests that the evidentiary hearing currently scheduled for March 3, 2021 at 10:00 A.M. be rescheduled as a telephonic prehearing conference, that a procedural schedule be set in this proceeding be set utilizing written testimony, and that the Answer to this Motion be due in seven days and a decision be issued expeditiously thereafter. In support thereof, SPLP states as follows:

I. PROCEDURAL HISTORY

1. Complainant Glen Riddle (Complainant or Glen Riddle) filed a formal Complaint with the Commission that was served on December 3, 2020.
2. SPLP filed Preliminary Objections and an Answer and New Matter on December 23, 2020.
3. Glen Riddle filed an Answer to Preliminary Objections on January 4, 2021.
4. On January 28, 2021 an Order was issued granting in part and denying in part SPLP's Preliminary Objections.

5. On January 29, 2021 a hearing notice was issued setting an evidentiary hearing for March 3, 2021.

6. On January 29, 2021 a prehearing order was issued requiring parties to file a prehearing memorandum by February 24, 2021.

II. MOTION

7. The Commission's regulations encourage the use of prehearing conferences. 52 Pa. Code § 5.222(a) ("it is the policy of the Commission to arrange for conferences between parties to the proceedings prior to the commencement of hearings").

8. SPLP believes a prehearing conference will be valuable here to allow the parties to cooperatively work out a procedural schedule, determine the amount of hearing time necessary to this proceeding, arrangements for the submission of written testimony, potentially the simplification of issues, and discuss other pertinent matters. 52 Pa. Code § 5.222 (b)-(c).

9. The Commission's regulations also encourage the use of written testimony, particularly for expert witnesses. 52 Pa. Code § 5.412(a) ("Use of written testimony in Commission proceedings is encouraged, especially in connection with the testimony of expert witnesses."). Written or "pre-filed" testimony in question and answer form along with associated exhibits is very prevalent in Commission proceedings and reduces the amount of hearing time on what can be technical or policy issues as the parties essentially cross-examine at live hearings.

10. SPLP believes written testimony should be utilized for this proceeding given the allegations at issue concerning the safety of construction practices, which will require expert testimony. The Complaint is 134 paragraphs long, contains 16 exhibits, and encompasses multiple issues and allegations. Because the complaint raises various complex issues which will require extensive discovery, SPLP believes that due process and the Commission's pre-filed testimony

procedures require in a proceeding like this to balance discovery and adequate presentation and notice of expert positions or testimony, that written testimony be utilized so SPLP has proper notice of the allegations against it and the ability to respond. The same rules will apply for Complainants to do discovery and to test and respond to SPLP's testimony and exhibits in defense of its positions. Complainant here is represented by counsel and there are no pro se parties involved. It is also unclear whether this proceeding can occur in just one day of hearing.

11. Written testimony procedure has been ordered in various other safety complaint proceedings before the Commission where SPLP has been a respondent, including at Docket Nos. C-2018-3006534 et al (consolidated).

12. The written testimony process has benefits to both parties because it helps distill what is at issue, and thus helps foster potential settlements or stipulations. It is the Commission's policy to encourage settlement, and a written testimony procedural schedule will allow additional time for potential settlement.

III. REQUEST FOR EXPEDITED RESPONSE AND DECISION

13. Because the evidentiary hearing is currently scheduled March 3, 2021 and this is a brief motion seeking solely procedural relief, SPLP believes a seven-day response period is adequate and should be ordered. SPLP also requests an expedited decision given the upcoming hearing.

IV. CONCLUSION AND REQUESTED RELIEF

WHEREFORE, SPLP respectfully requests Your Honor issue an Order:

1. Modifying the currently scheduled evidentiary hearing to a prehearing conference;

2. Requiring prehearing conference memorandums to include a proposed procedural schedule utilizing written testimony and associated exhibits in conformance with standard Commission practice; and
3. Requiring the Answer to this Motion be filed within seven days.

Respectfully submitted,

/s/ Whitney E. Snyder

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Counsel for Sunoco Pipeline L.P.

Dated: February 4, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the forgoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL ONLY

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scortes@foxrothschild.com

/s/ Whitney E. Snyder _____
Thomas J. Sniscak, Esq.
Whitney E. Snyder, Esq.

Dated: February 4, 2021