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February 24, 2021

**VIA ELECTRONIC FILING**

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

RE: Glen Riddle Station, L.P. v. Sunoco Pipeline L.P.; Docket No. C-2020-3023129;  
**SUNOCO PIPELINE L.P.'S PREHEARING CONFERENCE  
MEMORANDUM**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is Sunoco Pipeline L.P.'s Prehearing Conference Memorandum in the above-captioned matter.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at (717) 236-1300.

Very truly yours,

*/s/ Whitney E. Snyder*

Thomas J. Sniscak  
Whitney E. Snyder

*Counsel for Sunoco Pipeline L.P.*

WES/das  
Enclosures

cc: Honorable Joel Cheskis (via email [jcheskis@pa.gov](mailto:jcheskis@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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**PREHEARING CONFERENCE MEMORANDUM  
OF SUNOCO PIPELINE L.P.**

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**TO THE HONORABLE JOEL CHESKIS:**

Pursuant to 52 Pa. Code § 5.222(d) and Your Honor’s February 17, 2021 Order, Sunoco Pipeline L.P. (“SPLP”) submits this prehearing conference memorandum.

**A. SPLP WITNESSES**

SPLP does not have the burden of proof in this proceeding and it cannot predict what specific witnesses it may need to present to defend against the Complaint until Complainant presents its direct testimony. Accordingly, SPLP reserves its right to add, substitute, or remove witnesses from the below list. SPLP identifies preliminary as potential witnesses:

<b>Witness</b>	<b>Subject matter of testimony</b>
Jayne Fye Superintendent for Michels	Construction safety
Joe Becker Senior Director of Engineering and Construction for SPLP	Construction safety
Joe McGinn Vice President of Public Affairs for SPLP	Communications with public
Gina Greenslate Public Awareness Manager for SPLP	Public awareness
William Kelly Senior Manager Emergency Services for SPLP	Emergency response and fire apparatus and emergency vehicle ingress/egress

**B. ISSUES**

**1. Procedural Issues**

Protective Order - SPLP proposed a commonly used and approved protective order to Complainant for concurrence on February 15, 2021. SPLP has not received a response to date.

**2. Substantive Issues**

Complainant has the burden of proof in this proceeding to show that SPLP is in violation of law or a Commission regulation that has a discernable effect on Complainant, over which this Commission has jurisdiction. Complainant must prove that SPLP violated the law or regulations to obtain any relief, injunction or otherwise. SPLP reserves the right to address additional issues as they may arise during this proceeding. SPLP's position will be finalized in its evidence and briefs submitted under the schedule developed in this proceeding.

SPLP submits that discussion of substantive issues at the prehearing conference is premature, an inefficient use of the parties' time, and will result in fruitless and contentious arguments among the parties.

a. SPLP's Public Awareness Plan

SPLP is not in violation of any applicable law or regulation concerning public awareness for its new construction on the Property. Complainant's reliance on 49 C.F.R. 195.440 is misplaced because that section does not apply to new pipeline construction and Complainant fails to allege that SPLP has violated any law or regulation regarding public awareness in its new pipeline construction. To the extent Complainant seeks specific enhancements to SPLP's legally compliant public awareness plan, the Commission is considering such enhancements in a pending rulemaking at L-2019-3010267.

b. Safety of SPLP's Construction Practices

SPLP's construction practices on the Property are in compliance with all laws and regulations under the Commission's jurisdiction. SPLP's construction practices and techniques meet or exceed industry standards and do not create any safety issues. SPLP has offered or provided significant safety information and communications with Complainant during the course of construction at the property, predating the instant complaint and continuing today.

**C. EVIDENCE**

SPLP does not have the burden of proof in this proceeding and it cannot predict what specific evidence it may need to present to defend against the Complaint until Complainant presents its direct testimony.

If the proposed litigation schedule below is approved, SPLP intends to present the pre-filed testimony of the above-named witnesses along with any exhibits that witness my sponsor to support his or her testimony. SPLP reserves the right to adopt testimony of other witnesses, in whole or in part, to substitute witnesses, and to offer additional witnesses and exhibits, including but not limited to addressing the testimony, exhibits or other evidence that Complainant may present.

SPLP reserves the right to present specific evidence in response to Complainant's direct testimony, including but not limited to construction practices, standard operating procedures, public awareness correspondence, communications with Complainant regarding construction and safety, Complainant's and Complainant's employees actions at the site, and additional responsive evidence as required.

**D. SETTLEMENT**

SPLP has been participating in ongoing settlement discussions with Complainant predating the instant complaint. SPLP will continue to work with Complainant on possible settlement of its claims.

**E. PROPOSED SCHEDULE**

On February 22, 2021, SPLP reached out to Complainant on a proposed litigation schedule in this proceeding. SPLP is continuing to correspond with Complainant regarding reaching a mutually agreeable schedule. If the parties are not able to agree to a schedule prior to the prehearing conference, SPLP proposes the below schedule.

Complainant Direct	March 11, 2021
Respondent Rebuttal	April 12, 2021
Complainant Surrebuttal	May 12, 2021
Respondent Rejoinder	June 11, 2021
Hearing (2 days)	June 21-22, 2021
Main Briefs	July 20, 2021
Reply Briefs	August 3, 2021

**F. PROPOSED MODIFICATIONS TO DISCOVERY**

At this time, SPLP does not have any proposed modifications to the Commission’s discovery regulations. However, SPLP reserves the right to request discovery modifications as necessary pending the establishment or adoption of the above proposed litigation schedule.

Respectfully submitted,

/s/ Whitney E. Snyder

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*Counsel for Sunoco Pipeline L.P.*

Date: February 24, 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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/s/ Whitney E. Snyder

Thomas J. Sniscak, Esq.

Whitney E. Snyder, Esq.

Dated: February 24, 2021