



Thomas J. Sniscak  
(717) 703-0800  
[tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com)

Whitney E. Snyder  
(717) 703-0807  
[wesnyder@hmslegal.com](mailto:wesnnyder@hmslegal.com)

Kevin J. McKeon  
(717) 703-0801  
[kjmckeon@hmslegal.com](mailto:kjmckeon@hmslegal.com)

Bryce R. Beard  
(717) 703-0808  
[brbeard@hmslegal.com](mailto:brbeard@hmslegal.com)

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 [www.hmslegal.com](http://www.hmslegal.com)

November 9, 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 TO STRIKE PORTIONS OF GLEN  
RIDDLE STATION, L.P.’S REPLY BRIEF**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is Sunoco Pipeline L.P.’S Motion to Strike Portions of Glen Riddle Station, L.P.’S Reply Brief in the above-referenced proceeding. Copies have been served in accordance with the attached Certificate of Service.

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

Respectfully submitted,

*/s/ Thomas J. Sniscak*

Thomas J. Sniscak, Esq.  
Whitney E. Snyder, Esq.  
Kevin J. McKeon, Esq.  
Bryce R. Beard, Esq.

*Counsel for Sunoco Pipeline L.P.*

BRB/das

Enclosures

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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**NOTICE TO PLEAD**

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Pursuant to 52 Pa. Code § 5.103(c), you are hereby notified that, if you do not file a written response to the enclosed Motion to Strike within twenty (20) days from service of this notice, a decision may be rendered against you. Any Response to the Motion 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.	:		
	:	Docket No.	C-2020-3023129
v.	:		
	:		
SUNOCO PIPELINE L.P.	:		

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**SUNOCO PIPELINE L.P.’S MOTION TO STRIKE PORTIONS OF GLEN RIDDLE  
STATION, L.P.’S REPLY BRIEF**

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Pursuant to 52 Pa. Code §§ 5.103, 5.501, and § 5.431(b), Sunoco Pipeline L.P. (“SPLP”), by its undersigned counsel, moves to strike portions of Glen Riddle Station, L.P.’s (“GRS”) Reply Brief (“GRS RB”). In its reply brief, GRS:

- Falsely states that SPLP failed to file an Answer and New Matter to the Complaint. Given that SPLP’s Answer and New Matter was served on GRS and filed with the Commission on December 23, 2020, a fact admitted by GRS previously in this proceeding, GRS’s allegations are a blatant attempt to mislead Your Honor and the Commission and GRS’s arguments thereon must be stricken.
- Attaches as exhibits extra-record materials, in violation of the Commission’s regulations, Your Honor’s Briefing Order, and SPLP’s due process rights; these materials are not part of the record, may not be considered, and must be stricken.

SPLP respectfully requests that GRS’s untrue allegations and extra-record materials be stricken and that Your Honor grant any further relief that is necessary or deemed appropriate.

**I. ARGUMENT**

**A. GRS’s untrue allegations and inappropriate reply arguments that SPLP “never filed an Answer with New Matter to GRS’s Complaint” must be stricken.**

Rather than directly address the fact that GRS failed to answer SPLP’s New Matter,<sup>1</sup> GRS attempted to distract from its fundamental error by making untrue allegations that SPLP “never

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<sup>1</sup> This fact was not disputed by GRS in its reply brief. *See* SPLP Main Brief at 23-25.

filed an Answer with New Matter to GRS's Complaint." See GRS RB at 14-16. In support, GRS provides Exhibit C to its reply brief, a screenshot of the published entries on the Commission's online public docket in this matter. *Id.* at 15. There is no innocent explanation for this incorrect argument and attempt to confuse the PUC's records.

First, there can be no question that SPLP in fact filed and served its Answer and New Matter on December 23, 2020. Indeed, GRS's Counsel was served a copy of SPLP's Answer and New Matter on December 23, 2020 and provided with the e-filing confirmation showing SPLP's Answer and New Matter was filed with the Commission. See **Attachment A** (SPLP's email service of its Answer and New Matter to GRS Counsel Samuel Cortes) and **Attachment B** (the Commission's e-filing confirmation of filing that was attached to email service sent to GRS Counsel Samuel Cortes). Worse, GRS knew and admitted SPLP filed its Answer and New Matter in its February 10, 2021 *Complainant's Response to Respondent's Motion for Prehearing Conference, Revised Procedural Schedule, and Expedited Response* at paragraph 2.<sup>2</sup> There is no innocent excuse for GRS now representing the exact opposite to Your Honor and the Commission in its reply brief<sup>3</sup> – at most, it is an ill-attempt to invent a defense or response to SPLP's Main Brief identification of GRS's major substantive defect of failing to file a response to SPLP's December 23, 2020 New Matter.

Second, Your Honor has actually referred to SPLP's December 23, 2020 Answer and New Matter in the January 28, 2021 Order in this proceeding.<sup>4</sup> See *Glen Riddle Station L.P. v. Sunoco*

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<sup>2</sup> See *Complainant's Response to Respondent's Motion for Prehearing Conference, Revised Procedural Schedule, and Expedited Response*, Paragraph No. 2, filed February 10, 2021. (Available at <https://www.puc.pa.gov/pcdocs/1693079.pdf>) (Admitting the procedural history contained in SPLP's February 4, 2021 *Motion for Prehearing Conference, Revised Procedural Schedule, and Expedited Response*, stating "2. SPLP filed Preliminary Objections and an Answer and New Matter on December 23, 2020." Available at: <https://www.puc.pa.gov/pcdocs/1692480.pdf>)

<sup>3</sup> While the strict doctrine of Judicial Estoppel does not apply, the concept supports that GRS should not be permitted to switch positions during the course of litigation as the moment requires.

<sup>4</sup> GRS never contested the January 28, 2021, Order or Your Honor's recitation of material fact that SPLP filed an

*Pipeline L.P.*, Docket No. C-2020-3023129, Order Granting in Part and Denying in Part Preliminary Objections at 2 (Order entered January 28, 2021) (“January 28, 2021 Order”). As Your Honor described:

On December 23, 2020, Sunoco filed an answer and new matter in response to the complaint.

...

In its new matter, which was accompanied by a notice to plead, Sunoco argued ....

January 28, 2021 Order at 2.<sup>5</sup> Incredibly, GRS cites the January 28, 2021 Order at page 12 to support its untrue allegation that SPLP failed to file an Answer with New Matter in this case. *See* GRS RB at 15.

Third, regarding GRS RB Exhibit C, as Your Honor is aware, the Commission does not publish all formal complaints and answers and new matters in the public docket; as a matter of policy, where a formal complaint involves *pro se* complainants or residential service matters where complainants may inadvertently include personal information, the Commission typically does not post the initial pleadings, and that apparently was the case here. *See* GRS RB Exhibit C (containing neither GRS’s Formal Complaint nor SPLP’s Answer and New Matter).<sup>6</sup> However, the Commission nevertheless does provide a log at each docket showing when both a complaint and answer and new matter are filed, within the “Daily Actions” section of the public docket. Indeed, the instant matter’s Daily Actions shows that: 1) on December 2, 2020, the Private Document “Glenn Riddle Station FC” was published and restricted on the Commission’s website; and 2) on December 23, 2020, the Private Document “Answer to Formal Complaint – Sunoco Pipeline” was

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answer and new matter and did not seek any interlocutory review of the Order. *See* 52 Pa. Code §§ 5.301-5.302.

<sup>5</sup> SPLP notes that these cited paragraphs have been repeated in the procedural background of numerous Orders entered by Your Honor in this matter, most recently Your Honor’s August 20, 2021 Revised Briefing Order.

<sup>6</sup> There are countless examples of this standard Commission process that are available for review on the Commission’s docket search. *See, e.g.*, Docket Nos. [C-2017-2629683](#); [C-2019-3013805](#); [C-2018-3003605](#).

published and restricted on the Commission's website. *See Attachment C.* On the Commission's website, the Daily Actions tab is directly above the "Public Documents" tab GRS used to make GRS RB Exhibit C.

Regardless of whether GRS was aware of these facts (they should have been as previously admitted), GRS's counsel was personally served with SPLP's Answer and New Matter and the Commission's confirmation that it was filed with the Commission, a fact admitted by GRS. *See Attachments A and B*; See also *supra* note 2. Desire to change facts admitted, or ignorance or failure to review or check emails is no excuse.

Therefore, SPLP asks that Your Honor strike GRS's untrue allegations that SPLP failed to file its Answer and New Matter at GRS RB Pages 14-16 and GRS RB Exhibit C. GRS's counsel was aware SPLP's Answer and New Matter was filed; GRS had a copy of the pleading and filing confirmation and previously admitted that it was filed with the Commission. That its existence is not immediately evident on the face of Commission's website (just as his Complaint's existence is not immediately evident) means nothing as GRS knew or should have known after reasonable investigation. SPLP also requests that Your Honor grant any other relief deemed necessary or appropriate to address GRS's improper conduct.<sup>7</sup>

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<sup>7</sup> SPLP notes that the presiding officer or the Commission upon its own initiative may impose appropriate sanctions for asserting untrue allegations upon the individual who signed the document, the represented party, or both. *See* 52 Pa. Code § 1.35 which provides in relevant part (emphasis added):

(c) *Effect.*

(1) **The signature of the individual signing a document filed with the Commission constitutes a certificate by the individual that:**

- (i) The individual has read the document being signed and filed, and knows the contents thereof.
- (ii) The document has been signed and executed in the capacity specified upon the document with full power and authority to do so, if executed in a representative capacity.
- (iii) **The document is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law, to the best of the individual's knowledge, information and belief formed after reasonable inquiry.**
- (iv) The document is not interposed for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(2) **If a document is signed in violation of this subsection, the presiding officer or the Commission, upon**

**B. GRS intentionally included extra-record materials in its reply brief in violation of the Commission’s regulations, Your Honor’s prior orders, and SPLP’s due process rights, and those extra-record must be stricken.**

In compounding its effort to resuscitate its weak case at the reply brief stage, GRS attached to its reply brief Exhibit A and Exhibit B, which are extra-record materials that violate 52 Pa. Code §§ 5.431(b) and 5.501, Your Honor’s July 14, 2021 Briefing Order, and SPLP’s due process rights. Consequently, this type of advocacy or behavior should neither be tolerated nor rewarded – particularly where a party’s counsel has a working knowledge of the Commission’s procedures, as GRS Counsel claimed at various times throughout this litigation.<sup>8</sup> The extra-record information improperly offered and included in its Reply Brief must be stricken. 52 Pa. Code § 5.431(b) states:

(b) After the record is closed, additional matter may not be relied upon or accepted into the record unless allowed for good cause shown by the presiding officer or the Commission upon motion.

52 Pa. Code § 5.431(b). Additionally, Your Honor put the parties on notice that extra-record materials are not allowed in briefs:

6. That the parties are advised not to include any extra-record evidence in their briefs.

*Glen Riddle Station L.P. v. Sunoco Pipeline L.P.*, Docket No. C-2020-3023129, Briefing Order at 4 (Order entered July 14, 2021); *see also* 52 Pa. Code § 5.501 (Content and form of briefs).

**First**, Exhibit A contains an extra-record letter sent from GRS lead counsel Samuel W. Cortes to the Office of Open Records dated September 29, 2021 entitled “Position Statement of Samuel Cortes, Esquire and Fox Rothschild LLP.” *See* GRS RB at 5. GRS seeks to include this

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**motion or upon its own initiative, may impose upon the individual who signed it, a represented party, or both, an appropriate sanction, which may include striking the document, dismissal of the proceeding or the imposition of civil penalties under section 3301 of the act (relating to civil penalties for violations).**

<sup>8</sup> *See, e.g.*, N.T. 11:3-4 (“I have appeared before the PUC before in some fashion”); N.T. 11:10-12 (“They propose written testimony. I know that is a practice that’s been used before in PUC proceedings I’ve been involved in.”).

self-serving and unsworn exhibit and argument therein to raise irrelevant contentions from separate Right to Know Law proceedings before the Court of Common Pleas and the Office of Open Records which do not even relate to Glen Riddle Station L.P.; GRS is not a party to that proceeding, only Mr. Cortes is.<sup>9</sup> GRS ignored the Commission's regulations at 52 Pa. Code § 5.431(b) and Your Honor's Briefing Order, and should not benefit from such unacceptable and improper behavior.

GRS knew or should have known that Exhibit A and GRS RB n. 2 have no relevance to the instant proceeding and Your Honor's disposition of the underlying Complaint. Your Honor has already ruled on two occasions that the topics of Exhibit A and GRS RB n. 2 – matters related to communications between SPLP and Middletown Township - were not relevant to this proceeding, and therefore did not need to be produced in discovery. *See Glen Riddle Station, L.P. v. Sunoco Pipeline L.P.*, Docket No. C-2020-3023129, Order Denying Motion to Compel Filed by Glen Riddle Station L.P. – Set I at 8-11 (Order entered March 5, 2021); *see also* Ruling on GRS Motion to Compel Set IV and Oral Argument at N.T. 33-37. GRS's inclusion of these irrelevant arguments yet again, and inclusion of extra-record documents from a separate RTKL matter where GRS is not a party should not be condoned. Because Exhibit A is extra record material and GRS RB n. 2 is irrelevant to the disposition of this case, they must be stricken as they violate 52 Pa. Code § 5.431(b) and Your Honor's July 14, 2021 Order.

**Second**, GRS attached a document from a separate *pending* but nowhere near completed litigation matter as Exhibit B<sup>10</sup> to its reply brief which: 1) contains unproven allegations not subject

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<sup>9</sup> Indeed, Exhibit B does not contain any reference to Glen Riddle Station L.P, the GRS property, or anything at all relevant to the alleged safety concerns and communication complaints subject to the instant complaint.

<sup>10</sup> GRS claims this document is a "criminal indictment." GRS RB at 5. It is not. Exhibit B is a Grand Jury Presentment, not an indictment. *Compare* 42 Pa. C.S. §§ 4542 (defining investigating grand jury presentment), 4548(c) (investigating grand jury does not have power to indict), *with* Exhibit B at 1 ("We, the members of the Forty-Fifth Statewide *Investigating Grand Jury*...") (emphasis added).

to any final determination and thus cannot be used as evidence to support a finding of fact; and 2) is wholly unrelated to the Complaint, as it contains no allegations related to the GRS Property, GRS's safety allegations, or GRS's communication allegations in the Complaint. GRS RB at 5. GRS further asks Your Honor to take judicial notice of the pleading as it is "a publicly available document." GRS RB at n. 3.<sup>11</sup>

GRS's attempt *in its Reply Brief* to seek judicial notice of Exhibit B must be denied for several reasons:

- a. The "Glen Riddle" allegations in Exhibit B do not in any way pertain to the construction at issue on the GRS Property that is the subject of this litigation. Instead, those allegations (which under law are not evidence) by a non-party in another unresolved legal proceeding relate to what was called the former "Glen Riddle/SEPTA" Horizontal Directional Drill (also referred to as HDD No. S3-0620). That former HDD was referred to as the "Glen Riddle/SEPTA" HDD after the subsurface crossing the HDD was designed to make – a crossing beneath Glen Riddle Road and the SEPTA rail tracks, which occurred in 2017-2018 prior to the most recent 2020-2021 construction activities at GRS Property. In fact, the HDD in the previous 2017-2018 construction was not even located on GRS Property, as the HDD entry and exit areas were located on other properties. As GRS would acknowledge, there was no active construction activities on the GRS Property during the 2017-2018 period of construction of ME2 by the former HDD S3-0360 which was mentioned in the separate and pending litigation matter. Moreover, a review of the allegations in Exhibit B shows the alleged environmental conditions summarized therein all occurred on other

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<sup>11</sup> GRS further cites an unreported case, *Bowen v. Smith*, which holds no precedential value to support the inclusion of GRS RB Exhibit B.

properties – not the GRS Property – and furthermore have nothing to do with the construction activities in 2020-2021 that are the subject of the current litigation before the Commission – which makes GRS’s current attempt to improperly and belatedly reference Exhibit B entirely irrelevant to this proceeding. GRS has attempted to conflate these two different matters to leave the false impression they are one and the same. They are not.

- b. Pursuant to 66 Pa. C.S. § 332(e) and 52 Pa. Code § 5.408 this improper and ambush tactic to offer for the first time in a Reply Brief these allegations—irrelevant ones at that—as further evidence to support their claims in this case should neither be tolerated nor rewarded. GRS violated the Commission’s rules and regulations and Exhibit B cannot simply be admitted under the guise of judicial notice which, true to form, it did not do correctly under the Commission’s rules even if it were relevant, which it is not. Moreover, GRS knew or should have known judicial notice is improper where a party’s substantive due process rights<sup>12</sup> are violated. *See* 52 Pa. Code § 5.408(c). As the record has long since closed, there is no opportunity for SPLP to respond to or object to the Reply Brief’s inclusion of the extra-record evidence, or even to provide alternative facts to be noticed in rebuttal. *Id.*

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<sup>12</sup> “The Commission, as an administrative body, is bound by the due process provisions of constitutional law and by the principles of common fairness.” *Hess v. Pa. Pub. Util. Comm’n*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014); *Bridgewater Borough v. Pa. Pub. Util. Comm’n*, 124 A.2d 165 (Pa. Super. 1956); *McCormick v. Pa. Pub. Util. Comm’n*, 30 A.2d 327 (Pa. Super. 1943). “Among the requirements of due process are notice and an opportunity to be heard on the issues, to be apprised of the evidence submitted, to cross-examine witnesses, to inspect documents, and to offer evidence in explanation or rebuttal.” *Hess v. Pa. Pub. Util. Comm’n*, 107 A.3d 246,266 (Pa. Cmwlth. 2014); *Davidson v. Unemployment Compensation Bd. o/Review*, 151 A.2d 870 (Pa. Super. 1959); *In re Shenandoah Suburban Bus Lines, Inc.*, 46 A.2d 26 (Pa. Super. 1946).

## II. CONCLUSION

For the foregoing reasons, SPLP respectfully requests that Your Honor:

- (1) Strike the portions of GRS's Reply Brief at 14-16 that contain knowingly untrue allegations and argument that SPLP failed to file an Answer and New Matter to the Complaint;
- (2) Strike the extra record materials attached to GRS's Reply Brief, Exhibit A and Exhibit B, and related argument at GRS RB n. 2 and GRS RB at 5 (second paragraph); and
- (3) Grant any other relief Your Honor deems necessary or appropriate.

Respectfully submitted,

/s/ Thomas J. Sniscak

Thomas J. Sniscak, Esq. (PA ID No. 33891)  
Whitney E. Snyder, Esq. (PA ID No. 316625)  
Kevin J. McKeon, Esq. (PA ID No. 30428)  
Bryce R. Beard, Esq. (PA ID No. 325837)  
Hawke, McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
Tel: (717) 236-1300  
tjsniscak@hmslegal.com  
wesnyder@hmslegal.com  
kjmckeon@hmslegal.com  
brbeard@hmslegal.com

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  
dsilva@mankogold.com

*Counsel for Sunoco Pipeline L.P.*

Date: November 9, 2021

## **Attachment A**

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**From:** Whitney Snyder  
**Sent:** Wednesday, December 23, 2020 3:30 PM  
**To:** 'Cortes, Samuel W.'  
**Cc:** Thomas Sniscak; Bryce Beard; Debbie A. Schreffler  
**Subject:** SPLP Answer and New Matter; Glen Riddle v. SPLP; Docket No. C-2020-3023129  
**Attachments:** SPLP Answer and New Matter Glen Riddle, C-2020-3023129, 12.23.20 FINAL .pdf; FilingDetail Answer and New Matter.pdf

Counsel,

Attached please find Sunoco Pipeline L.P.'s Answer and New Matter in the above-captioned proceeding filed with the Commission today.

Best,

Whitney E. Snyder | Partner

**Hawke McKeon & Sniscak LLP**

100 North 10th Street | Harrisburg, PA 17101

Phone: 717.703.0807 | Fax: 717.236.4841 | Email: [wesnyder@hmslegal.com](mailto:wesnyder@hmslegal.com)

<http://www.hmslegal.com/> |

## **Attachment B**



Commonwealth of Pennsylvania  
**Pennsylvania Public Utility Commission**  
 Harrisburg, PA 17105-3265  
**EFILING - FILING DETAIL**

Date Created	Filing Number
12/23/2020	1972067

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

**Docket Number:** C-2020-302129

**Case Description:**

**Transmission Date:** 12/23/2020 3:27 PM

**Filed On:** 12/23/2020 3:27 PM

**eFiling Confirmation Number:** 1972067

File Name	Document Type	Upload Date
SPLP Answer and New Matter Glen Riddle, C-2020-3023129, 12.23.20 FINAL .pdf	Answer to Formal Complaint	12/23/2020 3:26:51 PM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

**No paper submission is necessary for filings under 250 pages.**

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

## **Attachment C**

Attachment C – Daily Actions C-2020-3023129

# Docket Number C-2020-3023129

Home ▶ Docket

Case Summary ▼

Daily Actions ▲

Action Date	Description	Date Posted
10/25/2021	Document Published on Web - Document 'Reply Brief - SPLP' is made public	10/25/2021
10/25/2021	Document Published on Web - Document 'Reply Brief - Glen Riddle Station' is made public	10/25/2021
10/23/2021	Document Attached to Case - Reply Brief - Glen Riddle Station - Glen Riddle Station filed Reply Brief	10/23/2021
10/22/2021	Document Attached to Case - Reply Brief - SPLP - Sunoco Pipeline LP filed Reply Brief	10/22/2021
9/27/2021	Document Attached to Case - Transcript Correction - Sunoco Pipeline LP - Sunoco Pipeline LP filed Transcript Correction Request regarding changing "calcimate" to "Calciment".	9/27/2021

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12/23/2020	Document Published on Web - Document 'Preliminary Objection - Sunoco Pipeline' is made public	12/23/2020
12/23/2020	Document Attached to Case - Preliminary Objection - Sunoco Pipeline - Sunoco Pipeline L.P filed Preliminary Objection	12/23/2020
12/23/2020	Document Attached to Case - Answer to Formal Complaint - Sunoco Pipeline - Sunoco Pipeline L.P filed Answer to Formal Complaint	12/23/2020
12/23/2020	Private Document Published on Web - Document 'Answer to Formal Complaint - Sunoco Pipeline' Restricted on Web - {BC2AE1E3-3F84-CDC7-8739-76914B500000}	12/23/2020
12/3/2020	Document Published on Web - Document 'Glen Riddle Station FC Notice' is made public	12/3/2020
12/3/2020	Document EServed to POR - Document 'Glen Riddle Station FC' is eServed - {4F84F8E2-C713-CDA8-86DC-76248EC00000}	12/3/2020
12/3/2020	Private Document Published on Web - Document 'Glen Riddle Station FC' Restricted on Web - {4F84F8E2-C713-CDA8-86DC-76248EC00000}	12/3/2020
12/3/2020	Document Served - Other - See Comments - Assigned to ALJ, copy to BIE Prosecution.	12/3/2020
12/3/2020	Private Document Removed from Web - Private Document 'Glenn Riddle Station FC' has been removed from Web - {4F84F8E2-C713-CDA8-86DC-76248EC00000}	12/3/2020
12/2/2020	Private Document Published on Web - Document 'Glenn Riddle Station FC' Restricted on Web - {4F84F8E2-C713-CDA8-86DC-76248EC00000}	12/2/2020
12/2/2020	Case Created - C-2020-3023129	12/2/2020
12/2/2020	Assigned Responsible Bureau - ALJ	12/2/2020

Public Documents ▲

## VERIFICATION

I, Joseph Becker, Senior Director, Engineering & Construction, of Energy Transfer, on behalf of Sunoco Pipeline L.P., hereby state that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing in this matter. This verification is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

A handwritten signature in blue ink that reads "Joseph Becker". The signature is written in a cursive style and is positioned above a horizontal line.

Joseph Becker  
Senior Director, Engineering & Construction,  
Energy Transfer

**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**

Samuel W. Cortes, Esquire  
Ashley L. Beach, Esquire  
Fox Rothschild LLP  
747 Constitution Drive, Suite 100  
Exton, PA 19341  
(610) 458-7500  
[scortes@foxrothschild.com](mailto:scortes@foxrothschild.com)  
[abeach@foxrothschild.com](mailto:abeach@foxrothschild.com)

*/s/ Thomas J. Sniscak*  
\_\_\_\_\_  
Thomas J. Sniscak, Esq.  
Whitney E. Snyder, Esq.  
Kevin J. McKeon, Esq.  
Bryce R. Beard, Esq.

*Counsel for Sunoco Pipeline L.P.*

Dated: November 9, 2021