



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

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

ATTORNEYS AT LAW

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

July 1, 2022

**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 EXTENSION OF TIME FOR  
PAYMENT OF CIVIL PENALTY AND REQUEST FOR EXPEDITED  
RESPONSE AND RELIEF**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is Sunoco Pipeline L.P.’s Motion for Extension of Time for Payment of Civil Penalty and Request for Expedited Response and Relief in the above-referenced proceeding.

Sunoco Pipeline L.P. is seeking a 10-day expedited response time, or by July 11, 2022. Sunoco Pipeline L.P. is also requesting expedited relief so that the Commission may rule on the Motion by July 14, 2022, prior to when the penalty subject to this Motion is ordered to be submitted.

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  
Whitney E. Snyder  
Kevin J. McKeon  
Bryce R. Beard  
*Counsel for Sunoco Pipeline L.P.*

BRB/jld

Enclosures

cc: Office of Special Assistants (via email - [ra-OSA@pa.gov](mailto:ra-OSA@pa.gov))

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

---

**NOTICE TO PLEAD**

---

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 for Extension of Time for Payment of Civil Penalty and Request for Expedited Response and Relief within ten (10) 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.	:	
	:	
v.	:	Docket No. C-2020-3023129
	:	
SUNOCO PIPELINE L.P.	:	

---

**SUNOCO PIPELINE L.P. MOTION FOR EXTENSION OF TIME  
FOR PAYMENT OF CIVIL PENALTY  
AND REQUEST FOR EXPEDITED RESPONSE AND RELIEF**

---

Pursuant to 52 Pa. Code §§ 1.15 and 5.103, Sunoco Pipeline L.P. (“SPLP”) respectfully requests the Commission:

- a) Grant an extension of time for SPLP to submit the payment for penalty required under the Commission’s June 16, 2022 Opinion and Order in this proceeding (“June 16 Order”) until a final decision is rendered on SPLP’s Petition for Reconsideration of the June 16 Order or, in the alternative, confirm that the Commission has the ability to issue a refund of any penalty payment made if the June 16 Order penalty is reconsidered and reversed in whole or in part;
- b) To the extent answers to this Motion are considered, require answers to be submitted within 10 days (July 11, 2022); and
- c) Expedite relief and render a decision on this Motion by July 14, 2022.

**I. BACKGROUND**

1. The June 16, 2022 Order required SPLP to submit a \$51,000 civil penalty payment to the Commission within 30 days (Monday, July 18, 2022).

2. On July 1, 2022, SPLP filed a Petition for Reconsideration of the June 16, 2022 Order seeking reconsideration and reversal of the Commission’s findings of violation and issuance of civil penalty in the June 16, 2022 Order.

## **II. MOTION FOR EXTENSION**

3. Section 1.15 of the Commission’s regulations allow the Commission to grant extensions of time upon motion made and for good cause:

§ 1.15. Extensions of time and continuances.

(a) Extensions of time shall be governed by the following:

(1) Except as otherwise provided by statute, whenever under this title or by order of the Commission, or notice given thereunder, an act is required or allowed to be done at or within a specified time, the time fixed or the period of time prescribed may, by the Commission, the presiding officer or other authorized person, for good cause be extended upon motion made before expiration of the period originally prescribed or as previously extended.

*Id.*

4. The Commission has previously granted extensions of time for a respondent to submit payment of civil penalties where the respondent sought reconsideration of the order issuing the penalty. *Pa. PUC BI&E v. Uber Technologies, Inc., Gegen, LLC, Rasier LLC, and Rasier-PA, LLC*, Docket No. C-2014-2422723 (Order entered June 9, 2016) (treating petition for stay as request to extend deadline for payment of civil penalty pursuant to 52 Pa. Code § 1.15 to allow for through consideration of reconsideration and granting stay of requirement to pay penalty pending final disposition of petition for reconsideration).

5. Good cause exists here to grant the requested extension. SPLP has sought reconsideration of the Commission’s Order within the allowable time frame. If reconsideration is granted and the penalty is modified or reversed, due process would require the Commission to issue a refund of the penalty payment to SPLP. Administrative efficiency will be created by

extending the time for payment so that the Commission will not be required to go through the process of issuing a refund in the event reconsideration is granted and the penalty is modified or reversed. Moreover, since the penalty payment is directed to the Commonwealth's General Fund, 66 Pa. C.S. § 3315, and is not specifically allocated to any planned purpose, there is no harm to anyone if the payment date is extended.

6. Whether the Commission has a process to order refunds and what specific process the Commission may use is not described in the Public Utility Code or the Commission's regulations. Accordingly, if the Commission refuses to extend the time for payment of the penalty, SPLP respectfully requests the Commission confirm and explain the process in place for refunds of a civil penalty.

### **III. MOTION FOR EXPEDITED RESPONSE AND EXPEDITED RELIEF**

7. The civil penalty is currently due on Monday, July 18, 2022. Accordingly, SPLP seeks expedited response and relief so that SPLP knows no later than July 14, 2022 whether it is required to submit the civil penalty on July 18, 2022.

8. SPLP does not believe answers to this motion are warranted. The date on which SPLP submits a civil penalty to the Commission which penalty is then provided to the Commonwealth's General Fund has no impact on the Complainant in this proceeding. However, recognizing the Commission's regulations allow for parties to be heard on motions as a general matter, SPLP is seeking expedited answer to this motion if the Commission is to consider an answer.

#### IV. CONCLUSION

WHEREFORE, SPLP respectfully requests the Commission:

- a) Grant an extension of time for SPLP to submit the payment for penalty required under the Commission's June 16, 2022 Opinion and Order in this proceeding (June 16 Order) until a final decision is rendered on SPLP's Petition for Reconsideration of the June 16 Order or, in the alternative, confirm that the Commission has the ability to issue a refund of any penalty payment made if the June 16 2022 Order penalty is reconsidered and reversed in whole or in part;
- b) To the extent answers to this Motion are considered, require answers to be submitted within 10 days (July 11, 2022); and
- c) Expedite relief and render a decision on this Motion by July 14, 2022.

Respectfully submitted,

/s/ Thomas J. Sniscak

Thomas J. Sniscak, Esq. (PA ID No. 33891)  
Kevin J. McKeon, Esq. (PA ID No. 30428)  
Whitney E. Snyder, Esq. (PA ID No. 316625)  
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](mailto:tjsniscak@hmslegal.com)  
[kjmckeon@hmslegal.com](mailto:kjmckeon@hmslegal.com)  
[wesnyder@hmslegal.com](mailto:wesnyder@hmslegal.com)  
[brbeard@hmslegal.com](mailto: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](mailto:dsilva@mankogold.com)

*Attorneys for Respondent Sunoco Pipeline L.P.*

Dated: July 1, 2022

**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.

Dated: July 1, 2022