

June 2, 2023

Lynde Blymier
132 Rex Drive
Carlisle, PA 17015
717-329-0038
lkblymier@comcast.net

DATE OF DEPOSIT

JUN - 2 2023

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

RE: Lynde Blymier v. Sunoco Pipeline L.P.; Docket No. C-2023-3040188
Lynde Blymier's Answer to Sunoco Pipeline Answer and New Matter

Dear Secretary Chiavetta:

Enclosed is my, Lynde Blymier, reply to Sunoco Pipeline Answer and New Matter in the above complaint.

If you have any questions regarding this filing, please contact me at the above information.

Respectfully,

A handwritten signature in black ink that reads "Lynde Blymier". The signature is written in a cursive style with a large initial "L".

Lynde Blymier

cc: certified mail # 7007 2680 0003 0617 1653

LYNDE BLYMIER

Petitioner

v.

Docket No. C-2023-3040188

SUNOCO PIPELINE

Respondent

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**LYNDE BLYMIER RESPONSE
TO
SUNOCO PIPELINE ANSWER AND NEW MATTER**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Response from Lynde Blymier to Sunoco Pipeline answers are as follows:

Numbers 1 - 3 are agreed.

4. I contacted the PUC. I was told that I could file a complaint against Sunoco Pipeline with the PUC. I could **not** file an informal complaint. I would have to file a formal complaint.

5. I am not trying to imply that Sunoco has caused a safety issue. I am not implying that all Sunoco's pipelines are unsafe. I am stating that due to current ground issues, that are visual above ground, there may be a safety issue in a specific area.

6-+10 Agreed.

11- 15. Agreed in part and Denied in part. I was told by the PUC, I need to include an explanation as to why I was filing a complaint. I was also told to include any evidence that I had as to why I was filing this complaint. I had only one report showing testing in the area I am concerned about. At this time, I am not trying to imply guilt or innocence of any party as to the cause of any damage on the property. My complaint is against Sunoco because they own the pipeline. I can visually see there is subsidence in the ground in the exact area where the pipeline crosses the main electric lines to the mobile home community. The 8' pipeline has been there since the 1930's. I have lived in the community since 1991. During that time I have observed nothing to be concerned about. In 2019, I observed subsidence in that same area.

I just want independent testing so I know this area is still safe. Exhibit B, referred to in the complaint, is the Exhibit B in the report I submitted as evidence.

ANSWER TO NEW MATTER

16-21 Agreed.

22-51 Agreed and Denied All information mentioned in these sections were submitted by direction and on behalf of my employers, the land owners. I was also directed to supply any information requested by any government agency and to cooperate fully with Sunoco. That was my only involvement. Again, at this time, my complaint is not to find fault with anyone as to the cause of damage to this property. My concern is one specific area and its safety.

52-55 Denied in part. The statements made in this section, by Sunoco, were part of my employment. I did not have in my possession any evidence as to the safety of the pipeline crossing the electric lines until I saw the report I submitted with my complaint. The report was done by Barton & Loguidice, D.P.C. and dated April 29, 2021. On August 12, 2022, I received a call from Tom Miller. He is a land agent with Percheron representing Sunoco Pipeline. His call was regarding tenant complaints, including my own. On August 23, 2022, I meet with Tom Miller and Mark McConnell, both from Percheron, I stated to them that I would cooperate with them but only as a resident, and was part of the resident contact list they requested. They asked me if I would talk with other residents and compile a list of contact information for anyone who thought they had a problem with their home caused by ground conditions. At that meeting, I asked them to look at an area concerning me. I showed them the area where the pipeline crosses the electric lines. August 30, 2022, Sunoco started to have testing done in this area. I asked if I could personally receive the results of the testing. I was told they would make the request to Sunoco. I have not received the testing results. This is the testing referred to in #14 of Sunoco's Answer to Complaint and New Matter. However, the test results are not included in the New Matter. As stated above, I found out that one report raised safety concerns in 2021. That is within the three year period. As I stated previously, my complaint is not to hold anyone responsible for what has caused problems. It is to hold the owner of the pipeline responsible for upkeep and safety.

56. Agreed in part and Denied in part. Agreed as a point of law. Denied as to applying to this complaint.

57. Denied. Element 1 Any issue decided in a prior case is **not** identical to the present issue. This complaint is not alleging Sunoco did or did not cause damage to the property. It is asking for independent testing to be done to show whatever caused subsidence in the area where the pipeline crosses the main electric lines has not compromised the safety of the pipeline.

58. Denied Element 2, 3, and 4. Sunoco's objections are based on litigation as to responsibility for damage. This complaint is **not** to decide who is responsible for damage to property. It is to hold the owner of the pipeline responsible for upkeep and safety.

59. Agreed in part and Denied in part. Agreed that I am the property manager for Regency South and Carlisle Pike Self Storage. I am also a resident of Regency South since 1991. I submitted information to DEP as instructed by my employer. To my recollection, I have never been deposed, nor ever spoke for my employer at any proceedings.

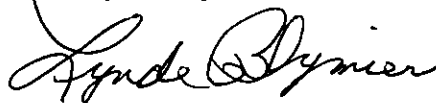
60. Denied. The Complaint does not meet the five elements to invoke collateral estoppel.

61- 78 As I am not an attorney, I cannot comment as to point of law.

The Sunoco pipeline is regulated by the PUC. The PUC will not permit an informal complaint against the pipeline. Therefore a formal complaint must be made. The complaint form from the PUC specifically states that an individual can make a complaint without a lawyer. I was instructed to send any information I have as evidence in my complaint. I have only one report that questions safety of the pipeline. I spoke with representatives of Sunoco prior to submitting my complaint. I requested a report for the testing done by Sunoco where the pipeline crosses the main electric lines. As of this date, I have not received the report. I sent a statement as to the reason for the complaint. I did everything requested by the PUC to file a complaint. The pipeline has submitted information as to responsibility of damage to property. I am not asking for any decision as to responsibility of damage to property. I am asking that Sonoco Pipeline be held responsible for upkeep and safety of their pipeline when a possible problem concerning safety is reported. A possible problem that currently can be observed. That is why I have asked for independent testing be done.

Respectfully, Sunoco Pipeline L.P.'s request to the Commission for dismissal of this Complaint should be denied.

Respectfully,



Lynde Blymier

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Dated: June 2, 2023

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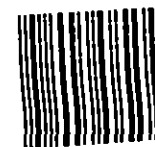
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