



June 11, 2018

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

Re: Petition of Senator Andrew Dinniman for Interim Emergency Relief; Docket No. P-2018-3001453; Senator Andrew Dinniman v. Sunoco Pipeline, L.P.; Docket No. C-2018-3001451

Dear Secretary Chiavetta,

The Marcellus Shale Coalition (MSC) was formed in 2008 and is comprised of nearly 200 producing, midstream, transmission and supply chain members who are fully committed to working with local, county, state and federal government officials and regulators to facilitate the safe development of natural gas resources in the Marcellus, Utica and related geological formations. Our members represent many of the largest and most active companies in natural gas production, gathering, processing and transmission in the country, as well as the suppliers and contractors who service the industry.

As president of the MSC, and on behalf of the thousands of employees of our member companies, I write to urge the Pennsylvania Public Utility Commission (PUC or Commission) to stand by and implement its order of May 3, 2018 that authorized the resumption of operation of the Mariner East 1 (ME 1) pipeline. The decision of May 24, 2018 by Administrative Law Judge Elizabeth Barnes to shut down the operation of ME 1 is contrary to the PUC's findings contained in the Commission's May 3rd decision and should not stand.

The resumption of ME 1 occurred only after extensive and exhaustive study and investigation conducted by the PUC's Bureau of Investigation and Enforcement. Yet, just three weeks later the Commission's determination and order was undermined in a manner that all parties, including the PUC, ought to find troubling and unacceptable.

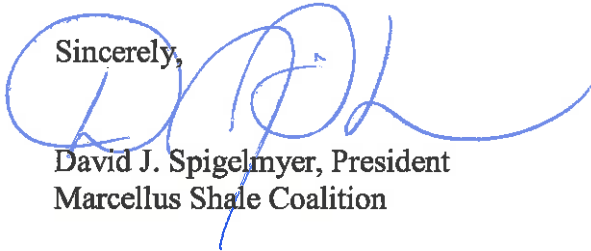
Administrative Law Judge Barnes' actions ignored the findings of the Bureau of Investigation and Enforcement, and her written order and conditions indicate that she was persuaded by speculation, insinuation and an external agenda that is supported by neither the facts nor the law. It represents an unprecedented departure from settled administrative law, not to mention the practices and procedures of the PUC itself. Her order contains numerous assertions and recognition of alleged facts that were never entered into the docket's proceedings. Furthermore, it attacks the motives of the operator, and by extension, those employees who strive each day to operate ME 1 safely and responsibly. That is not the role of an administrative law judge, nor is such unfounded speculation supportive of an action that has had significant economic

consequences and impacts for those companies, employees and consumers who rely upon the operation of ME 1 on a daily basis.

The PUC's previous lengthy shutdown of ME 1 was based upon the Commission's own determination that it would not reinstate operation until it was satisfied that a host of conditions ensuring the safety of employees, residents and communities along ME 1's path had been met. Indeed that threshold was met. An arbitrary decision that undermines this rule of law, administrative procedure, basic fairness, and proper consideration of its economic consequences cannot stand.

I urge the PUC to lift Administrative Law Judge Barnes' decision expeditiously. Thank you for your consideration of these comments.

Sincerely,



David J. Spigelmyer, President
Marcellus Shale Coalition

cc: Honorable Gladys Brown, Chair
Honorable Andrew Place, Vice Chair
Honorable John Coleman
Honorable David Sweet
Honorable Norm Kennard