

December 8, 2008

Daniel P. Delaney
D 717.231.4516
F 717.231.4501
dan.delaney@klgates.com

Via E-mail and FedEx

Hon. Harris T. Bock
Hearing Officer
Dispute Resolution Institute
660 Two Logan Square
18th and Arch Streets
Philadelphia, PA 19103

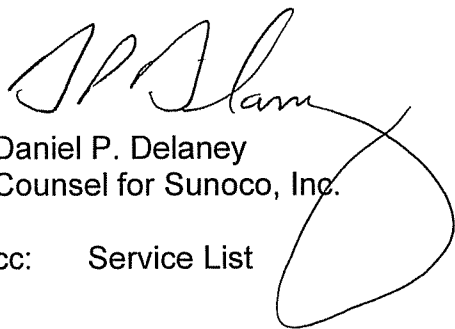
Re: In the Matter of the Philadelphia Water Department's Proposed Increase in Rates for Water, Sewer and Stormwater Rates and Charges (Phase II).
FY2009-2012 Rates

Dear Hearing Officer Bock:

Enclosed for filing please find an original and one copy of the Notice of Intent to Participate by Sunoco, Inc. in the above captioned matter. As indicated on the enclosed Certificate of Service, all parties to this proceeding have been served with a copy of this document. Thank you for your assistance and cooperation.

Please call the undersigned if you have any questions concerning this filing.

Very truly yours,



Daniel P. Delaney
Counsel for Sunoco, Inc.

cc: Service List

**BEFORE THE CITY OF PHILADELPHIA WATER DEPARTMENT
HEARING OFFICER HARRIS T. BOCK PRESIDING**

In the Matter of the Philadelphia Water Department's Proposed Increase in Rates for Water, Sewer and Stormwater Rates and Charges (Phase II). :
: :
: : FY2009-2012 Rates :
: :
: :

**NOTICE OF INTENT TO PARTICIPATE IN THE MATTER OF
PHILADELPHIA WATER DEPARTMENT'S PROPOSED
INCREASE IN WATER, SEWER AND STORMWATER
RATES AND CHARGES (PHASE II) – FY2009-2012.**

1. Name of intervener: Sunoco, Inc. (R&M)

2. Sunoco's representative in this matter is:

Daniel P. Delaney, Esquire
PA Attorney I.D. 23955

3-4. The address and telephone number of Sunoco's representative is:

K&L Gates LLP
17 North Second Street, 18th Floor
Harrisburg, PA 17101-1507
(717) 231-4500
(717) 231-4501 (Fax)
dan.delaney@klgates.com

5. Brief description of Sunoco, Inc. (R&M):

Sunoco, Inc. (R&M) operates a refinery in the City of Philadelphia. The Philadelphia refinery produces refined petroleum products including gasoline, diesel and heating oils, jet fuel, industrial fuels, petrochemicals and liquefied petroleum gases.

6. Issues of interest to Sunoco, Inc. (R&M):

Sunoco is interested in the proposed changes in rates, rules and regulations concerning charges for Storm Water Management Services ("SWMS") proposed in the Department's filing. As a consumer of certain services provided by the Department, Sunoco has an interest in insuring that the proposed changes in regulations and increases in rates and charges are just and reasonable, supported by the evidence presented by the Department and non-discriminatory to Sunoco. In approximately early November 2008, Sunoco first received a preliminary estimate of the SWMS charges that would be imposed upon Sunoco as a result of the Department's full implementation of its new parcel based allocation methodology. The application of that methodology proposes a significant increase to Sunoco for SWMS charges, without regard to stormwater sent to the Department. Sunoco has consulted with the Department concerning this estimate and has preliminarily identified certain components of the estimate that it believes are incorrect. These include the identity of Sunoco-owned parcels which should be included in the parcel-based allocation and also the appropriate treatment of stormwater discharges into the Schuylkill River by Sunoco pursuant to National Pollution Discharge Elimination (NPDES) permits allowing those discharges, among other issues. Sunoco has a particular interest in the availability of credits under the Department's proposed stormwater regulations for customers holding NPDES permits. Sunoco files this intervention to preserve its objection to the Department's proposed allocation of SWMS charges to its properties under the revised parcel-based methodology including but not limited to its objection to the proposed regulation 304.5(b)(3) concerning credits for NPDES permit holders.

7. A formal request for hearings in this matter was filed with the Department of Records by Community Legal Services, Inc. by letter dated May 30, 2008. A prehearing conference was conducted by Hearing Examiner Bock on November 6, 2008. Sunoco was unable to intervene in this matter until now because the impact of the revised parcel-based SWMS charge allocation for Sunoco was not communicated until early November 2008 and not confirmed in person with the Department staff until December 2008. Sunoco respectfully requests the Hearing Officer to permit its intervention in this case at the present time.

8. No party to this proceeding will be prejudiced by permitting this intervention.

9. No hearings have been conducted in this matter.

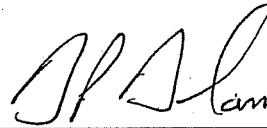
10. Sunoco plans to request additional time to prepare and file its testimony. Sunoco has corresponded with counsel for the Department who appears to have indicated that the Department has no objection to Sunoco's request for an extension.

11. Sunoco is a substantial customer of the Department who should be permitted to participate in this case.

12. Sunoco anticipates being an active party participating in the technical hearings in this proceeding. Sunoco has corresponded with counsel for the Department who appears to have indicated that the Department has no objection to Sunoco's intervention.

WHEREFORE, Sunoco, Inc. (R&M) respectfully requests the Hearing Officer to approve its participation in this matter and to provide whatever additional relief is just and reasonable under the circumstances.

Respectfully submitted,



Daniel P. Delaney
PA Attorney I.D. 23955

Kirkpatrick & Lockhart Preston Gates Ellis LLP
17 North Second Street, 18th Floor
Harrisburg, PA 17101-1507
(717) 231-4500
(717) 231-4501 (Fax)
dan.delaney@klgates.com

Counsel for Sunoco, Inc. (R&M)

Dated: December 8, 2008

**BEFORE THE CITY OF PHILADELPHIA WATER DEPARTMENT
HEARING OFFICER HARRIS T. BOCK PRESIDING**

In the Matter of the Philadelphia	:	
Water Department's Proposed	:	
Increase in Rates for Water, Sewer	:	FY2009-2012 Rates
and Stormwater Rates and Charges	:	
(Phase II).	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals listed, in the manner identified;

Via E-mail and First Class Mail

Philip A. Bertocci, Esq.
Thu B. Tran, Esq.
Community Legal Services
1424 Chestnut Street
Philadelphia, PA 19102


Andre Dasent, Esq.
1650 Market Street, 36th Floor
Philadelphia, PA 19103

Brian Glass, Esq.
Citizens for Pennsylvania's Future
1518 Walnut Street, Suite 1100
Philadelphia, PA 19102

James P. Dougherty, Esq.
Charis Mincavage, Esq.
Shelby A. Linton-Keddie, Esq.
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Philip L. Hinerman, Esq.
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103-3291

K&L Gates LLP
17 North Second Street, 18th Floor
Harrisburg, PA 17101-1507
(717) 231-4500
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