BEFORE THE

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company, L.P. :

For approval to change direction of petroleum : A-2016-2575829

products transportation service to delivery :

points west of Eldorado, Pennsylvania :

**PREHEARING CONFERENCE ORDER**

On November 14, 2016, Laurel Pipe Line Company, L.P. (“Laurel” or “Applicant”) filed with the Pennsylvania Public Utility Commission (“PUC” or “Commission”) an application requesting all necessary authority, approvals and Certificates of Public Convenience from the Commission to the extent required, authorizing Laurel to change the direction of its petroleum products transportation service over a portion of its system west of Eldorado, Pennsylvania. By Secretarial letter dated November 16, 2016, the Commission acknowledged receipt of the application. By Notice dated February 6, 2017, a prehearing conference was scheduled for **Tuesday, February 14, 2017**, **Hearing Room #5, Keystone Building, Harrisburg, PA 17105** to discuss, among other things:

1. scheduling of public input hearing and corresponding locations;
2. identification of issues raised in the application;
3. discovery matters, if any; and
4. scheduling of technical evidentiary hearing(s)

The Notice also referenced Administrative Law Judge Eranda Vero as the presiding officer.

On February 6, 2017, Laurel and Buckeye Pipe Line Company, L.P. (Buckeye) filed a Capacity Agreement at Docket No. G-2017-2587567. On February 7, 2017, Laurel filed a Motion to Consolidate the Commission’s consideration of the Capacity Agreement with the above-captioned Application proceedings.

The participants are hereby directed to comply with the following requirements:

1. Participants and Service

The Commission’s rules are intended to maximize the opportunity for members of the public to file formal protests/complaints and participate in adjudicatory proceedings if they so choose. If you filed a protest or complaint, you are a party to this proceeding. **IF YOU WANT TO RECEIVE SERVICE OF ALL DOCUMENTS IN THIS CASE, INCLUDING VOLUMINOUS DISCOVERY, TESTIMONY AND EXHIBITS, MOTIONS, INTERIM RULINGS, CORRESPONDENCE AND OTHER DOCUMENTS ASSOCIATED WITH THIS MULTI-PARTY CASE, YOU MUST NOTIFY THE UNDERSIGNED**

**ADMINISTRATIVE LAW JUDGE IN WRITING ON OR BEFORE FEBRUARY 13, 2017, THAT YOU WISH TO RECEIVE SERVICE AND YOU MUST PARTICIPATE IN-PERSON AT THE SCHEDULED PREHEARING CONFERENCE.** Written requests for service of all documents should be sent to me at the following address:

Administrative Law Judge Eranda Vero

Pennsylvania Public Utility Commission

801 Market Street, Suite 4063

Philadelphia, PA 19107

Telephone: (215) 560-2105

The names and addresses of parties who request service of all documents in writing by February 13, 2017, shall appear on the Full Service List in this proceeding. Parties on the Full Service List must be prepared to discuss whether they will accept service by electronic mail pursuant to 52 Pa.Code § 1.54(c). Further discussion of the types of service will occur at the prehearing conference.

For case management purposes, if the undersigned administrative law judge does not receive notification from you in writing that you wish to receive copies of all documents, we will not require the other parties in this case to serve you with voluminous discovery, testimony and exhibits, motions, interim rulings, correspondence, briefs and other documents associated with this multi-party case.

Parties who do not request service of all documents in writing by February 13, 2017, will be included on the Limited Service List for this case. Each party appearing on the Limited Service List will not be required to file and serve any documents in this case. The parties on the Full Service List will not be required to serve copies of their documents on those parties on the Limited Service List. Parties on the Limited Service List will receive copies of Orders, Hearing Notices, the Recommended Decision and the Commission’s Decision.

Parties included on the Limited Service List have the right to appear and testify at any Public Input Hearing scheduled in this case. The transcripts of the public input hearings and any views that are conducted will be important parts of the record made in this proceeding. Persons testifying at a Public Input Hearing, however, will not be permitted to also testify at the technical evidentiary hearings. The technical evidentiary hearings are held for the limited purpose of receiving into evidence prepared written testimony and associated exhibits, and the oral cross-examination of the sponsoring witnesses.

Service may be made electronically, to those parties who have agreed to accept service in that manner. Documents served electronically should be followed by a hard copy to the administrative law judge; however, documents served electronically need not be followed by service of a hard copy to the parties if the parties have so agreed. 52 Pa.Code § 1.54 (b) (3). Service may be made by facsimile to those parties who have agreed to accept service in that manner. 52 Pa. Code § 1.54 (b) (4). A final version in hard copy shall be stamped on the date due for filing with the Secretary regardless of any agreement among the parties. The undersigned administrative law judge agrees to electronic or facsimile service for this proceeding. In addition, I am requesting that a hard copy of all documents be sent to the Philadelphia Regional Office. Since documents can be submitted to the undersigned administrative law judge and the participants by fax and e-mail, fax and e-mail addresses will be included on the service list where those methods of service are accepted by the participant. Please check the list for omissions and errors and contact the Philadelphia Regional Office to make corrections. The fax number for the Philadelphia Regional Office is (215) 560-3133 and my e-mail address is [evero@pa.gov](mailto:evero@pa.gov).

I have attached a service list to this Order. The attached service list is current to-date. Parties should check their service list and make the appropriate changes.

2. Procedure

* 1. You must serve me directly with a copy of any document that you file in this proceeding. If you file any document in this case with the Commission’s Secretary, or mail any documents to the undersigned administrative law judge, you must provide copies to all other parties as well until such time as the Full Service List and the Limited Service List are developed and published.

b. Participants should review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222, and in particular, subsection (d) which provides, in part:

(d) Participants and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable. (Emphasis added.)

c. **Each Full Service List participant must file and serve, at least one (1) day before the Prehearing Conference, a prehearing conference memorandum which sets forth the history of the proceeding, the issues you intend to present, a listing of your proposed witnesses and the subject of their testimony, and a proposed litigation schedule, agreed upon by all the parties, if possible, that allows for a reasonable date to close the record. If possible, consider settlement conferences when scheduling. This prehearing conference memorandum can be sent by facsimile or electronic mail to the presiding officer and to any other counsel who have agreed to accept service by either method.**

**d. Pursuant to 52 Pa.Code § 5.103(c), a party has 20 days from the date of service within which to answer or object to a motion, unless the period of time is otherwise fixed by the Commission or the presiding officer. Full Service List participants are hereby instructed to include an answer to Laurel’s Motion to Consolidate in their prehearing conference memoranda and to consider their answer to the Motion in their proposed litigation schedules.**

e. Full Service List participants should review the regulations relating to discovery, specifically 52 Pa.Code § 5.331(b), which provides, *inter alia*, that “[p]articipants shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa.Code § 5.322, which encourages participants to exchange information on an informal basis. All participants are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371‑3.572.

f. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, limited liability company, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall ensure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

Date: February 7, 2016 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Eranda Vero

Administrative Law Judge

**A-2016-2575829 APPLICATION OF LAUREL PIPE LINE COMPANY, L.P Revised 2/6/2017**

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