



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Anthony D. Kanagy

akanagy@postschell.com
717-612-6034 Direct
717-731-1985 Direct Fax
File #: 162860

March 23, 2017

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

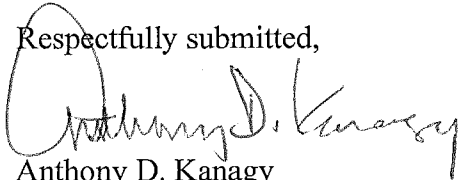
**Re: Application of Laurel Pipe Line Company, L.P. for All Necessary Authority, Approvals, and Certificates of Public Convenience To Change the Direction of Petroleum Products Transportation Service to Delivery Points West of Eldorado, Pennsylvania
Docket No. A-2016-2575829**

**Laurel Pipe Line Company, L.P. - Pipeline Capacity Agreement with Buckeye Pipe Line Company, L.P.
Docket No. G-2017-2587567**

Dear Secretary Chiavetta:

Enclosed please find the Motion to Compel Answers to Interrogatories and Requests for Production of Documents Propounded by Laurel Pipe Line Company, L.P. on Monroe Energy, LLC, Set I in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Anthony D. Kanagy

ADK/skr

Enclosure

cc: Certificate of Service
Honorable Eranda Vero

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST CLASS MAIL

Adam D. Young, Esquire
Michael L. Swindler, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

Robert A. Weishaar, Jr., Esquire
McNees Wallace & Nurick LLC
1200 G Street, NW
Suite 800
Washington, DC 20005
*Counsel for Gulf Operating, LLC
and Sheetz, Inc.*

Susan E. Bruce, Esquire
Adeolu A. Bakare, Esquire
Kenneth R. Stark, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
*Counsel for Gulf Operating, LLC
and Sheetz, Inc.*

Alan M. Seltzer, Esquire
John F. Povilaitis, Esquire
Buchanan Ingersoll & Rooney, PC
409 N. Second Street, Suite 500
Harrisburg, PA 17101-1357
Counsel for PESRM

Karen O. Moury, Esquire
Carl R. Shultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
*Counsel for Husky Marketing and
Supply Company*

Jonathan D. Marcus, Esquire
Daniel J. Stuart, Esquire
Marcus & Shapira LLP
One Oxford Centre, 35th Floor
301 Grant Street
Pittsburgh, PA 15219-6401
Counsel for Giant Eagle, Inc.

Andrew S. Levine, Esquire
Stradley, Ronon, Stevens & Young, LP
2600 One Commerce Square
Philadelphia, PA 19103
Counsel for Sunoco, LLC

Kevin J. McKeon, Esquire
Todd S. Stewart, Esquire
Whitney E. Snyder, Esquire
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
Counsel for Monroe Energy, LLC

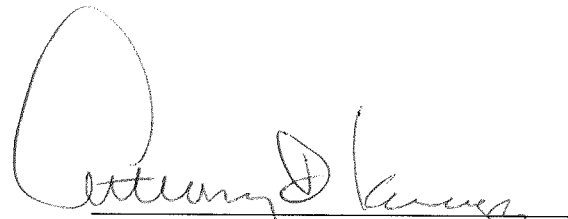
Christopher A. Ruggiero, Esquire
Vice President, General Counsel &
Secretary
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
Counsel for Monroe Energy, LLC

Richard E. Powers, Jr., Esquire
Joseph R. Hicks, Esquire
Venable LLP
575 7th Street, NW
Washington, DC 20004
Counsel for Monroe Energy, LLC

VIA E-MAIL ONLY:

Joseph Otis Minott, Esquire
Ernest Logan Welde, Esquire
Clean Air Council
135 S. 19th Street, Suite 300
Philadelphia, PA 19103
Counsel for Clean Air Council

Date: March 23, 2017



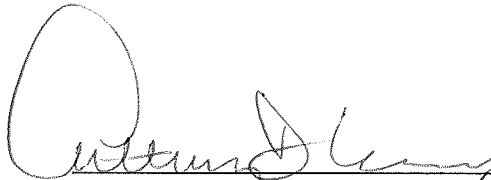
Anthony D. Kanagy

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company,	:	
L.P. for All Necessary Authority, Approvals,	:	
and Certificates of Public Convenience To	:	Docket No. A-2016-2575829
Change the Direction of Petroleum Products	:	
Transportation Service to Delivery Points	:	
West of Eldorado, Pennsylvania	:	
	:	
Laurel Pipe Line Company, L.P. - Pipeline	:	
Capacity Agreement with Buckeye Pipe Line	:	Docket No. G-2017-2587567
Company, L.P.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.342(g)(1), YOU MAY FILE A REPLY TO THE ENCLOSED MOTION TO COMPEL WITHIN FIVE (5) DAYS AFTER THE DATE OF SERVICE. YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.



Christopher J. Barr, Esquire (DC ID #375372)
Jessica R. Rogers, Esquire (PA ID #309842)
Post & Schell, P.C.
607 14th Street, N.W., Suite 600
Washington, DC 20005-2000
Phone: (202) 347-1000
Fax: (202) 661-6970
E-mail: cbarr@postschell.com
E-mail: jrogers@postschell.com

David B. MacGregor, Esquire (PA ID #28804)
Anthony D. Kanagy, Esquire (PA ID #85522)
Garrett P. Lent, Esquire (PA ID #321566)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: (717) 731-1970
Fax: (717) 731-1985
E-mail: dmacgregor@postschell.com
E-mail: akanagy@postschell.com
E-mail: glent@postschell.com

Date: March 23, 2017

Counsel for Laurel Pipe Line Company, L.P.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company,	:	
L.P. for All Necessary Authority, Approvals,	:	
and Certificates of Public Convenience To	:	Docket No. A-2016-2575829
Change the Direction of Petroleum Products	:	
Transportation Service to Delivery Points	:	
West of Eldorado, Pennsylvania	:	
	:	
Laurel Pipe Line Company, L.P. - Pipeline	:	
Capacity Agreement with Buckeye Pipe Line	:	Docket No. G-2017-2587567
Company, L.P.	:	

**MOTION TO COMPEL ANSWERS TO INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS
PROPOUNDED BY LAUREL PIPE LINE COMPANY, L.P.
ON MONROE ENERGY, LLC – SET I**

TO ADMINISTRATIVE LAW JUDGE ERANDA VERO:

As explained herein, Laurel Pipe Line Company, L.P. (“Laurel” or the “Company”) hereby files, pursuant to 52 Pa. Code § 5.342, this Motion to Compel Answers to its First Set of Interrogatories and Requests for Production of Documents (“Set I Discovery”) directed to Monroe Energy, LLC (“Monroe”). The Motion to Compel requests that Administrative Law Judge Eranda Vero (the “ALJ”) direct Monroe to provide full and complete responses to Request Nos. 1 through 13 of the Set I Discovery as is required by 52 Pa. Code § 5.342(a)(4). In support of this Motion, Laurel states as follows:

I. INTRODUCTION

1. On November 14, 2016, Laurel filed the above-captioned Application with the Pennsylvania Public Utility Commission (“Commission”) at Docket No. A-2016-2575829. The Application sought all necessary, authority, approvals and Certificates of Public Convenience, 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, and

confirming that Laurel may, in its discretion, reinstate the current direction of service in the future without further Commission approval.

2. On February 1, 2017, Monroe filed a formal Protest containing specific factual allegations regarding the effects of Laurel's proposal on Monroe and other entities through Pennsylvania. In support of its Protest, Monroe adopted and incorporated the Affidavit of Daniel S. Arthur that was attached to the Protest of Gulf Operating, LLC. *See* Protest of Monroe Energy, LLC, Docket No. A-2016-2575829, at p. 5 (filed Feb. 1, 2017).

3. On March 2, 2017, Laurel served Set I Discovery on Monroe. A copy of Laurel Set I Discovery to Monroe is provided as Appendix A hereto.

4. Monroe objected to Set I Discovery on March 13, 2017. Monroe lodged fourteen (14) general objections, and specifically objected to Request Nos. 1 through 13, *i.e.* all of the interrogatories in the Set I Discovery. A copy of Monroe's Objections is provided as Appendix B hereto.

5. Laurel contacted counsel for Monroe on March 22, 2017, by e-mail to consider whether the parties could resolve any of the objections and proposed to use a common set of instructions and definitions. Monroe agreed to use a common set of instructions and definitions. Laurel does not believe that the parties will be able to resolve their discovery disputes as to the specific questions given the numerous objections raised by Monroe to Laurel's requests for basic information.

6. Laurel hereby files its Motion to Compel Monroe to respond to Set I, Request Nos. 1 through 13.

II. ARGUMENT

A. MONROE'S GENERAL OBJECTIONS FAIL TO COMPLY WITH THE COMMISSIONS REGULATIONS AND SHOULD BE DENIED.

7. In its Objections to Set I Discovery, Monroe lodged fourteen general objections, which provide as follows:

1. Monroe objects to any request to the extent that it seeks information already in the possession of Laurel and/or as easily available to Laurel as to Monroe.
2. Monroe objects to any request to the extent that it seeks data that is beyond the scope of this proceeding, is irrelevant or is not reasonably calculated to lead to the discovery of admissible evidence.
3. Monroe objects to the extent the requests seek data, information or documents protected from disclosure by the attorney-client privilege, attorney work product doctrine or other applicable privilege.
4. Monroe objects to the extent that individual requests seek production and disclosure of trade secrets, proprietary or confidential information, competitively-sensitive information and/or information protected from disclosure pursuant to Section 15(13) of the Interstate Commerce Act. Subject to, and without waiving, this objection, Monroe will produce confidential information, not otherwise subject to objection, pursuant to the terms of the Protective Order issued in this proceeding by the Presiding Administrative Law Judge.
5. Monroe objects to the extent the requests call for information or documents not in Monroe's possession, custody, or control.
6. Monroe objects to the requests to the extent that they are overbroad, not reasonably limited to the relevant time period, or that a response would otherwise subject Monroe to an undue burden by, *inter alia*, requiring Monroe to perform studies, analyses or calculations, create documents or data not currently in existence, or undertake unreasonable efforts to locate or produce information.
7. Monroe objects to the requests to the extent that they are vague, ambiguous, fail to state with specificity the information sought, or require Monroe to speculate.

8. Monroe objects to the requests to the extent they seek production of data information or documents that are within Respondents' possession, custody or control, have already been produced by other parties in this proceeding, are publicly available, or are otherwise reasonably available to Respondents from alternative sources without undue cost or inconvenience.

9. Monroe objects to the requests to the extent they seek production of data, information or documents that are unreasonably cumulative or duplicative.

10. Monroe objects to the requests, including its Instructions and Definitions, to the extent to which they purport to impose upon Monroe obligations other than those required by the Commission's Rules of Practice and Procedure.

11. Monroe objects to all discovery requests that seek "any" and/or "all documents" and similarly worded requests on that grounds that such requests are unreasonably cumulative and duplicative, fail to identify with specificity the information or material sought, and create an unreasonable burden compared to the likelihood of such requests leading to the discovery of admissible or probative evidence. Notwithstanding this objection, Monroe will produce all relevant, non-privilege information not otherwise objectionable that it is able to locate after a reasonable inquiry of persons expected to have knowledge of the requested information.

12. Monroe objects to any request to the extent that the request seeks "any" and/or "all" since that it is overly broad, and not reasonably tailored to avoid imposing an undue burden upon Monroe.

13. Monroe objects to any requests to the extent the request seeks "any documents or workpapers supporting any analysis" as being overly broad and not reasonably tailored to avoid imposing an undue burden upon Monroe.

14. Monroe objections to Instruction No. 12 to the extent it calls for or requires production of information and/or documents protected by the attorney-client privilege, the work product doctrine, the privilege accorded settlement materials, or other applicable privileges. Moreover, Monroe objects to the extent this instruction calls for or requires the production of information from non-parties to this proceeding and/or the production of information not within the possession, custody, and control of Monroe.

8. Pursuant to Section 5.342(c) of the Commission's regulations, an objection must:
- (1) Be served instead of an answer.
 - (2) Restate the interrogatory or part thereof deemed objectionable and the specific ground for the objection.
 - (3) Include a description of the facts and circumstances purporting to justify the objection.
 - (4) Be signed by the attorney making it.
 - (5) Not be valid if based solely on the claim that an answer will involve an opinion or contention that is related to a fact or the application of law to fact.
 - (6) Not excuse the answering party from answering the remaining interrogatories or subparts of interrogatories to which no objection is stated.

52 Pa. Code § 5.342(c) (emphasis added).

9. The general objections contained in paragraphs 1 through 4 of Monroe's Objections fail to comply with the requirements of Section 5.342(c) and should be denied. These general objections are not lodged against any particular interrogatory, and therefore do not restate the interrogatory or portion thereof that is deemed objectionable. *See* 52 Pa. Code § 5.342(c)(2). Moreover, these general objections do not describe the facts or circumstances that Monroe asserts justify the objection. *See* 52 Pa. Code § 5.342(c)(3). By failing to identify the request each general objection is lodged against and describe the facts or circumstances Monroe asserts justify each objection, *i.e.* complying with the Commission's regulations, Laurel is deprived of an adequate opportunity to respond to the objections. Therefore, Monroe's general objections should be summarily denied.

B. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 1 OF THE SET I DISCOVERY.

10. Laurel – Set I, Request No. 1 provides as follows:

1. With reference to Monroe's claim in paragraph 16 of its protest that there exist a "lack of service alternatives for Laurel's current shippers"

- a. Please provide records showing by month and by product type, the quantity of refined petroleum products lifted by Monroe out of terminals in Pennsylvania from January 1, 2012 to February 1, 2017.
- b. Please ensure that all information provided in response to subpart (a) identifies the terminal the product originated from, and method of transportation used for the shipment.
- c. Please identify the amount of refined product by month and by product type that Monroe has purchased from other parties who shipped this refined product on Laurel from January 1, 2012 to the Present.
- d. Please identify the amount of refined product by month and by product type that Monroe has transported to terminals in Pennsylvania by either a non-Buckeye pipeline or by barge from January 1, 2012 to February 1, 2017.

11. Section 5.361(a)(2) of the Commission's regulations only prohibits discovery into matters that would impose an unreasonable burden on a party. 52 Pa. Code § 5.361(a)(2) (emphasis added). Likewise, Section 5.361(a)(4) only prohibits discovery into matters that would require a party to make an unreasonable investigation. 52 Pa. Code § 5.361(a)(4) (emphasis added).

12. Monroe objects to Request No. 1 on the grounds that the request is overbroad and burdensome. Monroe states that the requests seeks information that would require Monroe to perform a "time consuming analysis." Monroe also objects to Request No. 1 on the grounds that it did not purchase the Trainer refinery until "June of 2012" and did not begin production until "September of 2012." Monroe states that it will provide data in its possession that is response

from January 1, 2015 through February 1, 2017. Contrary to Monroe's claims, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess readily- available, easily-produced information about products lifted from its terminals, in the area where it operates. Such data is an essential business metric that refiners monitor and record, and it is exceedingly likely that Monroe records, analyzes and retains the requested information as part of its routine business records. On its website, Monroe describes its pipeline affiliate's throughput capacity at its G Street terminal in barrels/day, and the utilization of that truck rack capacity will be a matter keenly recorded, analyzed and stored by Monroe.¹ Monroe also concedes in its Objections that it began production at the Trainer refinery in September 2012. *See* Monroe Objections, at p. 4. As such, it is reasonable to expect that Monroe, at a minimum, possesses information related to the products lifted from its terminals starting on the date it began production.

13. Notwithstanding the foregoing, other parties in this proceeding have requested Laurel to provide data and/or documents going back five years from the date of the request. For example, Gulf requested data regarding volumes by product, by origin and destination, and by shipper on Laurel's system to Western PA destinations from January 2012 to the present in Gulf Set I, Question No. 32; and Laurel did not object to this request. As such, five years is a reasonably limited period for Laurel to use in its interrogatories and requests for production. Monroe should not be permitted to restrict the period for which it is required to produce responses, data, or documents to two years, when other parties are generally limiting the historical period to five years. Therefore, Monroe's objection on these grounds should be denied.

¹ *See* <http://www.monroepipeline.com/mipc/about-mipc/>.

14. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 1 of Set I discovery.

C. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 2 OF THE SET I DISCOVERY.

15. Laurel – Set I, Request No. 2 provides as follows:

2. With reference to Monroe’s claim in paragraph 16 of its protest that there exist a “lack of service alternatives for Laurel’s current shippers”

- a. Please provide records showing by month and by product type, the quantity of refined petroleum produced by Monroe and delivered to a terminal in Pennsylvania from January 1, 2012 to February 1, 2017.
- b. Please ensure that all information provided in response to subpart (a) identifies the terminal to which the product was delivered, and method of transportation used for the shipment.
- c. Please ensure that the information provided in response to subpart (a) provides the price at which product was sold and the methodology used to calculate the price.
- d. Please identify the amount of refined product by month and by product type that Monroe has sold to other parties at the refinery gate who shipped this refined product on Laurel from January, 1 2012 to February 1, 2017.
- e. Please ensure that all information provided in response to subpart (d) identifies the terminal to which the product was sold and the party to whom the product was sold.
- f. Please ensure that the information provided in response to subpart (d) provides the price at which product was sold and the methodology used to calculate the price.
- g. Please identify the amount of refined product by month and by product type that Monroe has sold to

other parties at the refinery gate who shipped this refined product using some means other than Laurel from January, 1 2012 to February 1, 2017.

- h. Please ensure that all information provided in response to subpart (g) identifies the terminal to which the product was sold and the party to whom the product was sold.
- i. Please ensure that the information provided in response to subpart (g) provides the price at which product was sold and the methodology used to calculate the price.

16. Monroe specifically objects to subparts (a), (d), and (g) of Request No. 2 on the grounds that the requests are overly broad, unduly burdensome and beyond the scope of this proceeding.

17. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Discovery is permitted when the information sought relates to the claim or defense of the party seeking discovery or to the claim or defense of another party. *Id.*

18. In addition, Section 5.361(a)(2) of the Commission's regulations only prohibits discovery into matters that would impose an unreasonable burden on a party. 52 Pa. Code § 5.361(a)(2) (emphasis added). Likewise, Section 5.361(a)(4) only prohibits discovery into matters that would require a party to make an unreasonable investigation. 52 Pa. Code § 5.361(a)(4) (emphasis added).

19. Contrary to Monroe's claims, the information sought in subparts (a), (d), and (g) of Request No. 2 is directly relevant to this proceeding. Information regarding the movements of petroleum products shipped by Monroe over Laurel's pipeline system, or any other mode of transport, are directly related to Monroe's claims regarding the hardship that Monroe alleges it

will suffer as a result of the proposal,² as well as alternatives that Monroe alleges are inadequate.³ Monroe cannot claim in its Protest that it would be harmed and lack viable alternatives if Laurel's proposal is approved, and then argue information underlying these claims is outside the scope of discovery. Therefore, Monroe's objection on these grounds should be denied.

20. In addition, Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraph 11-14, Monroe's objections to subparts (a), (d), and (g) of Request No. 2 on the ground that the requests are overly broad, and unduly burdensome should be denied.

21. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 2 of Set I discovery.

D. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 3 OF THE SET I DISCOVERY.

22. Laurel – Set I, Request No. 3 provides as follows:

3. Regarding Monroe's reference in paragraph 17 to injury to Monroe's Trainer refinery:

- a. Please provide records showing by month, type and quantity the refined products sold from the Trainer refinery from January 1, 2012 to February 1, 2017.
- b. Please provide records showing by month, type and quantity the destination of refined products sold from the Trainer refinery from January 1, 2012 to February 1, 2017.
- c. Please provide financial records showing the total sales revenue generated by product sold from the

² See, e.g., Protest of Monroe Energy, LLC, Docket No. A-2016-2575829, at pp. 10-13 (filed Feb. 1, 2017).

³ See *id.*, at pp. 13-15.

Trainer refinery on a monthly basis, broken down by product type and destination, if available, from January 1, 2012 to February 1, 2017.

- d. Please provide financial records showing the breakdown of total sales revenue on a monthly basis for product (1) lifted by Laurel pipeline, (2) lifted by other pipelines, (3) moved by trucks, (4) moved by barge, and (5) moved by other methods for the period from January 1, 2012 to February 1, 2017.
- e. Please provide financial records showing the breakdown of total sales revenue by dollars for each product and as a percentage of total monthly sales revenue for all products sold at Trainer refinery gate, on a monthly basis for the period from January 1, 2012 to February 1, 2017.

23. Monroe objects to Request No. 3 on the grounds that the question contains a vague reference to paragraph 17, which merely adopts the Affidavit of Daniel S. Arthur and the statements made therein. Paragraph 17 of Monroe's Protest specifically states:

In support of its Protest, Monroe adopts the Affidavit of Daniel S. Arthur of the Brattle Group ("Affidavit") attached to the protest of Gulf Operating, LLC in this docket. Dr. Arthur provides a comprehensive analysis of the negative effects of the reversal proposed in the Laurel Application to consumers and wholesalers in the Pittsburgh area, as well as injury the proposed reversal would have on Pennsylvania refineries, including Monroe's Trainer refinery.

Protest of Monroe Energy, LLC, Docket No. A-2016-2575829, at p. 5 (filed Feb. 1, 2017).

There is nothing vague about the references to Monroe's statements; Laurel's request specifically seeks information relevant the "injury the proposed reversal would have on Pennsylvania refineries, including Monroe's Trainer refinery" that Monroe claims will occur by its adoption of Mr. Arthur's Affidavit. Therefore, Monroe's objection on this ground should be denied.

24. In addition, Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, and Request No. 2 of the Set I discovery,

in paragraphs 16-20 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 3 on the grounds that it is over broad, or unduly burdensome should be denied. By way of further explanation, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding. Relatedly, for the reasons more fully explained in paragraphs 16-20, Monroe's objection to Request No. 3 on the grounds that it is outside the scope of this proceeding should be denied.

25. Monroe further objects to Request No. 3 to the extent it seeks confidential or competitive information, and to the extent this information can be obtained using available pricing and volume information. The parties have been negotiating a Protective Order that would appropriately limit the disclosure Proprietary Information, as defined by 52 Pa. Code § 5.365, and competitively sensitive information concerning interstate shipments subject to the restrictions contained in the Interstate Commerce Act ("ICA"), 49 U.S.C.A. App. Section 15(13). To the extent that such an appropriate order is entered, Monroe's objection on this ground should be denied.

26. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 3 of Set I discovery.

E. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 4 OF THE SET I DISCOVERY.

27. Laurel – Set I, Request No. 4 provides as follows:

4. Regarding Monroe's reference in paragraph 17 to injury to Monroe's Trainer refinery:

- a. Please identify and describe in detail all modes by which product is transported to market from the Trainer refinery (e.g., by pipeline, including

Monroe's affiliated liquids pipeline, by barge, by truck rack and by exchange)

- b. Please quantify for each month since January 1, 2012, the volumes, identified by product type of product, transported by means of each of the transportation modes identified in the response to subpart (a).
- c. Please identify any and all internal reviews, analyses, reports, or discussions undertaken or caused to be undertaken by Monroe regarding competitive threats to Trainer refinery, including but not limited to loss of transportation options and competition from other sources of supply since January 1, 2012.

28. Laurel adopts and incorporates its arguments with respect to Request No. 3 of the Set I discovery, in paragraph 23 *supra*. For the reasons more fully explained in paragraph 23, Monroe's objection to Request No. 4, on the grounds that it makes a vague reference to Monroe's Protest and Monroe's claims therein, should be denied.⁴

29. In addition, Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, and Request No. 2 of the Set I discovery, in paragraphs 16-20 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 4 on the grounds that it is over broad, or unduly burdensome should be denied. By way of further explanation, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding. Relatedly, for the reasons more fully

⁴ Laurel also notes that in the Delta Airlines SEC 10-K report filed in 2016 ("Delta 2015 10-K") reports separate data for the Trainer refinery, including in its financial reporting separate revenue figures for 2015, 2014 and 2013, of "Exchanged products," in addition to revenues from "Sales to airline segment" and "Sales of refined products to third parties." The revenue value attributed to "exchanged products" were by far the highest value transactions reported for the refinery. See <https://www.sec.gov/Archives/edgar/data/27904/000002790416000018/dal1231201510k.html>.

explained in paragraphs 16-20, Monroe's objection to Request No. 4 on the grounds that it is outside the scope of this proceeding should be denied.

30. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 4 of Set I discovery.

F. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 5 OF THE SET I DISCOVERY.

31. Laurel – Set I, Request No. 5 provides as follows:

5. Regarding its claims that Monroe will be negatively economically affected by the proposed partial reversal of Laurel:

- a. Has Monroe performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically if Laurel's Application is approved? If so, provide a copy of all analyses and/or studies.
- b. Please provide all documents, including emails, memoranda, letters, notes of phone calls, etc., which in any way address or relate to how Monroe be affected economically if Laurel's Application is approved, whether or not such documents constitute analyses or studies.

32. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 5 on the grounds that it is over broad and unduly burdensome should be denied. By way of further explanation, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess information regarding the economic effects it might experience as the result of changes to a specific method of transportation.

33. In addition, Monroe's statement that it will provide "formal studies or analyses in its possession that are responsive to the request" does not properly respond to Request No. 5. Request No. 5 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses." Therefore, Monroe should be compelled to provide a full and complete response to Request No. 5 of Set I discovery.

G. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 6 OF THE SET I DISCOVERY.

34. Laurel – Set I, Request No. 6 provides as follows:

6. Regarding Monroe's claims on the impact of additional Midwestern supply as a result of the proposed partial reversal of Laurel on the consumers of Pennsylvania:

- a. Has Monroe performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically by competition from Midwestern refineries? If so, provide a copy of all analyses and/or studies.
- b. Please provide all documents, including emails, memoranda, letters, notes of phone calls, etc., which in any way address or relate to how Monroe be affected economically by competition from Midwestern refineries, whether or not such documents constitute analyses or studies.

35. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 6 on the grounds that it is over broad and unduly burdensome should be denied. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation

market would possess information regarding the economic effects it might experience as the result of additional competition from other sources. Moreover, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

36. In addition, Monroe's statement that it will provide "formal studies or analyses in its possession that are responsive to the request" does not properly respond to Request No. 6. Request No. 6 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses." Therefore, Monroe should be compelled to provide a full and complete response to Request No. 6 of Set I discovery.

H. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 7 OF THE SET I DISCOVERY.

37. Laurel – Set I, Request No. 7 provides as follows:

7. With reference to the statement in paragraph 31 that the proposal would "exacerbate the already serious problem of an oversupply of petroleum products":

- a. Please provide all studies conducted by Monroe since January 1, 2012 discussing the referenced oversupply problem in the Philadelphia market.
- b. Please provide all studies conducted by Monroe in the past five years discussing competition from foreign imports.
- c. Please provide the approximate date at which East Coast market participants entered an oversupply status.
- d. Please provide all business plans showing how Monroe has responded or attempted to respond to

the oversupply situation as of the date identified in response (c).

- e. Please provide all business plans addressing Monroe's planned response to the ongoing and future oversupply situation.

38. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 7 on the grounds that it is over broad and unduly burdensome should be denied. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess information and/or studies regarding any exacerbation of an existing problem, *i.e.* petroleum products over supply, that claims it would occur as the result of changes to a specific method of transportation. Moreover, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

39. In addition, Monroe's statement that it will provide "formal studies or analyses in its possession that are responsive to the request" does not properly respond to Request No. 7. Request No. 7 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses." Therefore, Monroe should be compelled to provide a full and complete response to Request No. 7 of Set I discovery.

I. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 8 OF THE SET I DISCOVERY.

40. Laurel – Set I, Request No. 8 provides as follows:

8. In Paragraph 31, please define the meaning of “drastically reduced price.”

41. Monroe objects to Request No. 8 on the grounds that it is overbroad and ambiguous, as it is based on a statement by Dr. Arthur. Monroe is objecting to a request to define a statement that it expressly makes in its Protest at paragraph 31, and that was made by Dr. Arthur and adopted by Monroe. Monroe conceded in its Protest that it adopted and relied upon the Affidavit of Dr. Arthur as a part of its Protest. Protest of Monroe Energy, LLC, Docket No. A-2016-2575829, at p. 5 (filed Feb. 1, 2017) (“In support of its Protest, Monroe adopts the Affidavit of Daniel S. Arthur of the Brattle Group (“Affidavit”) attached to the protest of Gulf Operating, LLC in this docket.”). To the extent that this statement is based on a statement by Dr. Arthur, it is reasonable to expect that Monroe, having adopted Dr. Arthur’s affidavit, understands Dr. Arthur’s use of the term “drastically reduced price” and that Monroe can define this term. Moreover, Monroe expressly makes this statement in its Protest. Therefore, Monroe’s objection should be denied, and Monroe should be compelled to provide a full and complete response to Request No. 8 of Set I discovery.

J. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 9 OF THE SET I DISCOVERY.

42. Laurel – Set I, Request No. 9 provides as follows:

9. With reference to Monroe’s statements in paragraph 32 that “Pittsburgh consumers will lose reliability and pricing benefits currently provided by access to western and eastern supply sources”:

- a. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing the benefit of supply alternatives.
- b. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing the benefit

of reliability redundancies for the Pittsburgh market caused by Laurel's east to west direction of flow.

- c. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing how or to what extent that Pittsburgh might lose reliability benefits if Laurel did not flow in an east to west direction.
- d. Please provide all studies conducted by Monroe since January 1, 2012 discussing pricing benefits to Pittsburgh customers.

43. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 9 on the grounds that it is over broad and unduly burdensome should be denied. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess information and/or studies regarding the current reliability and pricing benefits to consumers in a market where it participates, that claims it would be lost as the result of changes to a specific method of transportation. Moreover, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

44. In addition, Monroe's statement that it will provide "formal studies or analyses in its possession that are responsive to the request" does not properly respond to Request No. 9. Request No. 9 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses." Therefore, Monroe should be compelled to provide a full and complete response to Request No. 9 of Set I discovery.

K. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 10 OF THE SET I DISCOVERY.

45. Laurel – Set I, Request No. 10 provides as follows:

10. With reference to Monroe’s claim in paragraph 32 that the reversal could increase delivery costs to Pittsburgh consumers by \$68 million annually

- a. Please provide all internal studies, analyses or other materials in which Monroe estimated how the proposed reversal would or could increase delivered costs to Pittsburgh consumers.
- b. Please provide all documents relied upon by management showing the margin or any other measure of profit Monroe has earned from refined products delivered to the Pittsburgh market from January 1, 2012 to the present.

46. Monroe objects to Request No. 10 on the basis that the reference to paragraph 32 is incomplete, misleading, argumentative, and would tend to mislead the reader as to what the referred-to document actually stated. Laurel disagrees with these assertions. Moreover, these are not valid grounds for objection to the discovery of information or materials under the Commission’s regulations, and Monroe is incorrect in its assertion that Request No. 10 is an incomplete and misleading reference to paragraph 32 of Monroe’s Protest. Request No. 10 states that Monroe claims in paragraph 32 that “the reversal could increase delivery costs to Pittsburgh consumers by \$68 million annually.” *See* paragraph 40 *supra*. Monroe states that paragraph 32 actually states that fuel costs “could increase ‘potentially in the range of \$34 million to \$68 million a year.’” Monroe Objections, at p. 10. Both request 10 and paragraph 32 state what Monroe claims could happen as a result of the reversal. Therefore, Monroe’s objection on this ground should be denied.

47. In addition, Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 10 on the grounds that it is over broad and unduly burdensome should also be denied. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess information and/or studies regarding the current reliability and pricing benefits to consumers in a market where it participates, that claims it would be lost as the result of changes to a specific method of transportation. Moreover, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

48. Furthermore, Monroe's statement that it will provide "formal studies or analyses in its possession that satisfy the request" does not properly respond to Request No. 10. Request No. 10 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses."

49. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 10 of Set I discovery.

L. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 11 OF THE SET I DISCOVERY.

50. Laurel – Set I, Request No. 11 provides as follows:

11. Regarding Monroe's discussion of infrastructure and environmental concerns in paragraph 33:

- a. Please provide all internal studies, analyses, or other materials in which Monroe considered the

infrastructure and/or environmental impacts of the transportation of any and all types of movements of petroleum products, or of proposed changes to the transportation of all types of movements of petroleum products.

51. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 11 on the grounds that it is over broad, or unduly burdensome should be denied. By way of further response, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

52. In addition, Laurel adopts and incorporates its arguments with respect to Request No. 2 of the Set I discovery, in paragraphs 16-20 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 16-20, Monroe's objection to Request No. 11 on the grounds that it is outside the scope of this proceeding should be denied.

53. By way of further response to Monroe's additional relevancy argument that the information sought by Request No. 10 is not related Laurel's Application, Laurel notes that discovery is permitted when the information sought relates to the claim or defense of the party seeking discovery or to the claim or defense of another party. 52 Pa. Code § 5.321(c) (emphasis added). Monroe has claimed Laurel's Application is not in the public interest, specifically claiming that the proposal would degrade Pennsylvania's environment and infrastructure. *See* Monroe Protest, at pp. 10, 13. As such, the information sought by Request No. 11 is directly related to a claim made by Monroe in the course of this proceeding. Therefore, Monroe's objection on the grounds of relevance should be denied.

54. Furthermore, Monroe's statement that it will provide "formal studies or analyses in its possession that satisfy the request" does not properly respond to Request No. 11. Request

No. 11 seeks information that is broader than “formal studies or analyses” in Monroe’s possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not “formal studies or analyses.”

55. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 11 of Set I discovery.

M. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 12 OF THE SET I DISCOVERY.

56. Laurel – Set I, Request No. 12 provides as follows:

12. Regarding Monroe’s claims in Paragraph 36 that it would be required to “take a loss compared to the prices they are currently receiving for petroleum products”:

- a. Please provide all internal cost analysis undertaken by Monroe regarding potential alternative markets to the markets served by the destinations on Laurel located west of Altoona, including pricing information for selling petroleum products to those markets.
- b. Please provide all internal cost analysis and data regarding the current profit margin Monroe receives from shipments on Laurel, by destination.
- c. Please provide all internal cost analysis and data regarding the current profit margin Monroe receives from sales of product at the refinery gate.

57. Monroe objects to Request No. 12 on the basis that the reference to paragraph 36 is argumentative, and suggests Monroe made a claim it did not make. Monroe is incorrect in its assertion that Request No. 12 is not an accurate quote of paragraph 36. Paragraph 36 of Monroe’s protest states:

Contrary to Laurel’s claims, the proposed reversal will eliminate pipeline outlets for Philadelphia refineries and other shippers,

leaving petroleum products stranded or forcing transportation to smaller, less-established markets, causing Philadelphia refiners and shippers to take a loss when compared to the prices they are currently receiving from petroleum products.

Protest of Monroe Energy, LLC, Docket No. A-2016-2575829, at p. 14 (filed Feb. 1, 2017) (emphasis added). Unless Monroe now contends that it is not a Philadelphia refiner or shipper, Request No. 12 accurately quotes Monroe's Protest. Therefore, Monroe's objection on this ground should be denied.

58. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 11 on the grounds that it is over broad, or unduly burdensome should be denied. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess information and/or studies regarding costs and pricing information of markets that it currently does, or could, participate in. Moreover, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

59. Furthermore, Monroe's statement that it will provide "formal studies or analyses in its possession that are responsive to the request" does not properly respond to Request No. 12. Request No. 12 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses."

60. For the reasons more fully explained above, Monroe should be compelled to provide a full and complete response to Request No. 12 of Set I discovery.

N. MONROE SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 13 OF THE SET I DISCOVERY.

61. Laurel – Set I, Request No. 13 provides as follows:

13. With reference to Monroe's discussion of alternative markets in New York City, Upstate New York and Central Pennsylvania in paragraph 36:

- a. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to the New York City market from January 1, 2012 to the present.
- b. With regard to material provided in response to subpart (a) please ensure that each supply source and/or transportation route is listed separately (e.g. if a certain amount of gasoline was shipped to the New York City market using Colonial and a different amount was shipped to the New York City market via Harbor pipeline, via barge, or via exchange, please so state).
- c. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to Upstate New York from January 1, 2012 to the present.
- d. With regard to material provided in response to subpart (c) please ensure that each supply source and/or transportation route is listed separately.
- e. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to Central Pennsylvania from January 1, 2012 to the present.
- f. With regard to material provided in response to subpart (e) please ensure that each supply source and/or transportation route is listed separately.

62. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 11-14 *supra*, as if they were fully stated herein. For the reasons more fully explained in paragraphs 11-14, Monroe's objection to Request No. 13 on the grounds

that it is over broad, vague, or unduly burdensome should be denied. By way of further response, it is reasonable to expect that an entity that participates in the petroleum products transportation market would possess information and/or studies regarding product shipments to any markets that it currently participates in or claims it has knowledge of that is sufficient to determine that participation in these markets would lead to decreased revenues. *See* Protest of Monroe Energy, LLC, Docket No. A-2016-2575829, at p. 14 (filed Feb. 1, 2017). Moreover, the five-year period over which the requested information is sought is reasonable, and is the generally applicable period used by other parties in this proceeding.

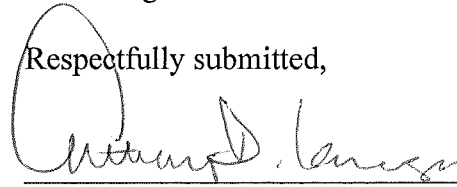
63. Furthermore, Monroe's statement that it will provide "formal studies or analyses in its possession that are responsive to the request" does not properly respond to Request No. 13. Request No. 13 seeks information that is broader than "formal studies or analyses" in Monroe's possession. Monroe cannot arbitrarily attempt to limit the information sought by this request to include only formal studies or analyses because there may be relevant information included in documents that are not "formal studies or analyses."

64. Therefore, Monroe should be compelled to provide a full and complete response to Request No. 13 of Set I discovery.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, Laurel Pipe Line Company, L.P. respectfully requests that Administrative Law Judge Eranda Vero grant this Motion to Compel and order Monroe Energy, LLC to fully answer Request Nos. 1 through 13 of the Set I Discovery.

Respectfully submitted,



Christopher J. Barr, Esquire (DC ID #375372)
Jessica R. Rogers, Esquire (PA ID #309842)
Post & Schell, P.C.
607 14th Street, N.W., Suite 600
Washington, DC 20005-2000
Phone: (202) 347-1000
Fax: (202) 661-6970
E-mail: cbarr@postschell.com
E-mail: jrogers@postschell.com

David B. MacGregor, Esquire (PA ID #28804)
Anthony D. Kanagy, Esquire (PA ID #85522)
Garrett P. Lent, Esquire (PA ID #321566)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: (717) 731-1970
Fax: (717) 731-1985
E-mail: dmacgregor@postschell.com
E-mail: akanagy@postschell.com
E-mail: glent@postschell.com

Date: March 23, 2017

Counsel for Laurel Pipe Line Company, L.P.

Appendix

A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company, :
L.P. for All Necessary Authority, Approvals, :
and Certificates of Public Convenience To : Docket No. A-2016-2575829
Change the Direction of Petroleum Products :
Transportation Service to Delivery Points :
West of Eldorado, Pennsylvania :

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED
BY LAUREL PIPE LINE COMPANY, L.P.
ON MONROE ENERGY, LLC – SET 1**

Pursuant to 66 Pa.C.S. § 333 and 52 Pa. Code §§ 5.341 *et seq.*, Laurel Pipe Line Company, L.P. (“Laurel”) propounds the following Interrogatories and Requests for Production of Documents (hereinafter, “discovery requests”) on Monroe Energy, LLC (“Monroe”) – Set 1.

INSTRUCTIONS AND DEFINITIONS

1. The “Responding Party,” “you,” or “your” means the party to which these discovery requests are propounded and/or all attorneys, agents, affiliates, subsidiaries, employees, consultants, members, constituents, and representatives acting on behalf of the Responding Party.
2. “Commission” means the Pennsylvania Public Utility Commission.
3. To “identify” a natural person means to state that person’s full name, title or position, employer, last known address, and last known telephone number.
4. To “identify” a business entity means to state the full name of such business, the form of the business, and its location or address.

5. To “identify” a “document” means to provide all of the following information irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- a. The title or other means of identification of each such document;
- b. The date of each such document;
- c. The author, preparer or signer of each such document; and
- d. A description of the subject matter of such document sufficient to permit an understanding of its contents and importance to the testimony or position being examined and the present or last known location of the document. The specific nature of the document should also be stated (*e.g.*, letter, business record, memorandum, computer print-out, etc.).

In lieu of “identifying” any document, it shall be deemed a sufficient compliance with these discovery requests to attach a copy of each such document to the answers hereto and reference said document in the particular interrogatory to which the document is responsive.

6. “Document” means the original and all drafts of all written and graphic matter, however produced or reproduced, of any kind or description, whether or not sent or received, and all copies thereof which are different in any way from the original (whether by interlineation, date-stamp, notarization, indication of copies sent or received, or otherwise), including without limitation, any paper, book, account, photograph, blueprint, drawing, sketch, schematic, agreement, contract, memorandum, press release, circular, advertising material, correspondence, letter, telegram, telex, object, report, opinion, investigation, record, transcript, hearing, meeting, study, notation, working paper, summary, intra-office communication, diary, chart, minutes, index sheet, computer software, computer-generated records or files, however stored, check, check stub, delivery ticket, bill of lading, invoice, record or recording or summary of any telephone or other conversation, or of any interview or of any conference, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter of which the

Responding Party has or has had possession, custody or control, or of which the Responding Party has knowledge.

7. “Communication” means any manner or form of information or message transmission, however produced or reproduced, whether as a document as herein defined, or orally or otherwise, which is made, distributed, or circulated between or among persons, or data storage or processing units.

8. “Date” means the exact day, month, and year, if ascertainable, or if not, the best approximation thereof.

9. Items referred to in the singular include those in the plural, and items referred to in the plural include those in the singular.

10. Items referred to in the masculine include those in the feminine, and items referred to in the feminine include those in the masculine.

11. The answers provided to these discovery requests should first restate the question asked and identify the person(s) supplying the information.

12. In answering these discovery requests, the Responding Party is requested to furnish all information that is available to the Responding Party, including information in the possession of the Responding Party’s attorneys, agents, consultants, or investigators, and not merely such information of the Responding Party’s own knowledge. If any of the discovery requests cannot be answered in full after exercising due diligence to secure the requested information, please so state and answer to the extent possible, specifying the Responding Party’s inability to answer the remainder, and stating whatever information the Responding Party has concerning the unanswered portions. If the Responding Party’s answer is qualified in any particular, please set forth the details of such qualification.

13. If the Responding Party objects to providing any document requested on any ground, identify such document by describing it as set forth in Instruction 5 and state the basis of the objection.

14. If the Responding Party objects to part of a discovery request and refuses to answer that part, state the Responding Party's objection and answer the remaining portion of that discovery request. If the Responding Party objects to the scope or time period of a discovery request and refuses to answer for that scope or time period, state the Responding Party's objection and answer the discovery request for the scope or time period that the Responding Party believes is appropriate.

15. If, in connection with a discovery request, the Responding Party contends that any information, otherwise subject to discovery, is covered by either the attorney-client privilege, the so-called "attorneys' work product doctrine," or any other privilege or doctrine, then specify the general subject matter of the information and the basis to support each such objection.

16. If any information is withheld on grounds of privilege or other protection from disclosure, provide the following information: (a) every person to whom such information has been communicated and from whom such information was learned; (b) the nature and subject matter of the information; and (c) the basis on which the privilege or other protection from disclosure is claimed.

17. As set forth in 52 Pa. Code § 5.342(g), these discovery requests are continuing and the Responding Party is obliged to change, supplement, and correct all answers given to conform to new or changing information.

18. “Application” means the filing and all supporting data and testimony filed by Laurel on November 14, 2016, at Docket No. A-2016-2575829.

**INTERROGATORIES, REQUESTS FOR PRODUCTION OF
DOCUMENTS AND REQUESTS FOR ADMISSION
ON MONROE – SET 1**

1. With reference to Monroe's claim in paragraph 16 of its protest that there exist a "lack of service alternatives for Laurel's current shippers"
 - a. Please provide records showing by month and by product type, the quantity of refined petroleum products lifted by Monroe out of terminals in Pennsylvania from January 1, 2012 to February 1, 2017.
 - b. Please ensure that all information provided in response to subpart (a) identifies the terminal the product originated from, and method of transportation used for the shipment.
 - c. Please identify the amount of refined product by month and by product type that Monroe has purchased from other parties who shipped this refined product on Laurel from January 1, 2012 to the Present.
 - d. Please identify the amount of refined product by month and by product type that Monroe has transported to terminals in Pennsylvania by either a non-Buckeye pipeline or by barge from January 1, 2012 to February 1, 2017.

2. With reference to Monroe's claim in paragraph 16 of its protest that there exist a "lack of service alternatives for Laurel's current shippers"
 - a. Please provide records showing by month and by product type, the quantity of refined petroleum produced by Monroe and delivered to a terminal in Pennsylvania from January 1, 2012 to February 1, 2017.
 - b. Please ensure that all information provided in response to subpart (a) identifies the terminal to which the product was delivered, and method of transportation used for the shipment.
 - c. Please ensure that the information provided in response to subpart (a) provides the price at which product was sold and the methodology used to calculate the price.
 - d. Please identify the amount of refined product by month and by product type that Monroe has sold to other parties at the refinery gate who shipped this refined product on Laurel from January, 1 2012 to February 1, 2017.
 - e. Please ensure that all information provided in response to subpart (d) identifies the terminal to which the product was sold and the party to whom the product was sold.
 - f. Please ensure that the information provided in response to subpart (d) provides the price at which product was sold and the methodology used to calculate the price.

- g. Please identify the amount of refined product by month and by product type that Monroe has sold to other parties at the refinery gate who shipped this refined product using some means other than Laurel from January, 1 2012 to February 1, 2017.
 - h. Please ensure that all information provided in response to subpart (g) identifies the terminal to which the product was sold and the party to whom the product was sold.
 - i. Please ensure that the information provided in response to subpart (g) provides the price at which product was sold and the methodology used to calculate the price.
3. Regarding Monroe's reference in paragraph 17 to injury to Monroe's Trainer refinery:
- a. Please provide records showing by month, type and quantity the refined products sold from the Trainer refinery from January 1, 2012 to February 1, 2017.
 - b. Please provide records showing by month, type and quantity the destination of refined products sold from the Trainer refinery from January 1, 2012 to February 1, 2017.
 - c. Please provide financial records showing the total sales revenue generated by product sold from the Trainer refinery on a monthly basis, broken down by product type and destination, if available, from January 1, 2012 to February 1, 2017.
 - d. Please provide financial records showing the breakdown of total sales revenue on a monthly basis for product (1) lifted by Laurel pipeline, (2) lifted by other pipelines, (3) moved by trucks, (4) moved by barge, and (5) moved by other methods for the period from January 1, 2012 to February 1, 2017.
 - e. Please provide financial records showing the breakdown of total sales revenue by dollars for each product and as a percentage of total monthly sales revenue for all products sold at Trainer refinery gate, on a monthly basis for the period from January 1, 2012 to February 1, 2017.
4. Regarding Monroe's reference in paragraph 17 to injury to Monroe's Trainer refinery:
- a. Please identify and describe in detail all modes by which product is transported to market from the Trainer refinery (e.g., by pipeline, including Monroe's affiliated liquids pipeline, by barge, by truck rack and by exchange)
 - b. Please quantify for each month since January 1, 2012, the volumes, identified by product type of product, transported by means of each of the transportation modes identified in the response to subpart (a).

- c. Please identify any and all internal reviews, analyses, reports, or discussions undertaken or caused to be undertaken by Monroe regarding competitive threats to Trainer refinery, including but not limited to loss of transportation options and competition from other sources of supply since January 1, 2012.
5. Regarding its claims that Monroe will be negatively economically affected by the proposed partial reversal of Laurel:
 - a. Has Monroe performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically if Laurel's Application is approved? If so, provide a copy of all analyses and/or studies.
 - b. Please provide all documents, including emails, memoranda, letters, notes of phone calls, etc., which in any way address or relate to how Monroe be affected economically if Laurel's Application is approved, whether or not such documents constitute analyses or studies.
6. Regarding Monroe's claims on the impact of additional Midwestern supply as a result of the proposed partial reversal of Laurel on the consumers of Pennsylvania:
 - a. Has Monroe performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically by competition from Midwestern refineries? If so, provide a copy of all analyses and/or studies.
 - b. Please provide all documents, including emails, memoranda, letters, notes of phone calls, etc., which in any way address or relate to how Monroe be affected economically by competition from Midwestern refineries, whether or not such documents constitute analyses or studies.
7. With reference to the statement in paragraph 31 that the proposal would "exacerbate the already serious problem of an oversupply of petroleum products":
 - a. Please provide all studies conducted by Monroe since January 1, 2012 discussing the referenced oversupply problem in the Philadelphia market.
 - b. Please provide all studies conducted by Monroe in the past five years discussing competition from foreign imports.
 - c. Please provide the approximate date at which East Coast market participants entered an oversupply status.
 - d. Please provide all business plans showing how Monroe has responded or attempted to respond to the oversupply situation as of the date identified in response (c).
 - e. Please provide all business plans addressing Monroe's planned response to the ongoing and future oversupply situation.
8. In Paragraph 31, please define the meaning of "drastically reduced price."

9. With reference to Monroe's statements in paragraph 32 that "Pittsburgh consumers will lose reliability and pricing benefits currently provided by access to western and eastern supply sources":
 - a. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing the benefit of supply alternatives.
 - b. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing the benefit of reliability redundancies for the Pittsburgh market caused by Laurel's east to west direction of flow.
 - c. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing how or to what extent that Pittsburgh might lose reliability benefits if Laurel did not flow in an east to west direction.
 - d. Please provide all studies conducted by Monroe since January 1, 2012 discussing pricing benefits to Pittsburgh customers.
10. With reference to Monroe's claim in paragraph 32 that the reversal could increase delivery costs to Pittsburgh consumers by \$68 million annually
 - a. Please provide all internal studies, analyses or other materials in which Monroe estimated how the proposed reversal would or could increase delivered costs to Pittsburgh consumers.
 - b. Please provide all documents relied upon by management showing the margin or any other measure of profit Monroe has earned from refined products delivered to the Pittsburgh market from January 1, 2012 to the present.
11. Regarding Monroe's discussion of infrastructure and environmental concerns in paragraph 33:
 - a. Please provide all internal studies, analyses, or other materials in which Monroe considered the infrastructure and/or environmental impacts of the transportation of any and all types of movements of petroleum products, or of proposed changes to the transportation of all types of movements of petroleum products.
12. Regarding Monroe's claims in Paragraph 36 that it would be required to "take a loss compared to the prices they are currently receiving for petroleum products":
 - a. Please provide all internal cost analysis undertaken by Monroe regarding potential alternative markets to the markets served by the destinations on Laurel located west of Altoona, including pricing information for selling petroleum products to those markets.
 - b. Please provide all internal cost analysis and data regarding the current profit margin Monroe receives from shipments on Laurel, by destination.

- c. Please provide all internal cost analysis and data regarding the current profit margin Monroe receives from sales of product at the refinery gate.
13. With reference to Monroe's discussion of alternative markets in New York City, Upstate New York and Central Pennsylvania in paragraph 36:
- a. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to the New York City market from January 1, 2012 to the present.
 - b. With regard to material provided in response to subpart (a) please ensure that each supply source and/or transportation route is listed separately (e.g. if a certain amount of gasoline was shipped to the New York City market using Colonial and a different amount was shipped to the New York City market via Harbor pipeline, via barge, or via exchange, please so state).
 - c. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to Upstate New York from January 1, 2012 to the present.
 - d. With regard to material provided in response to subpart (c) please ensure that each supply source and/or transportation route is listed separately.
 - e. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to Central Pennsylvania from January 1, 2012 to the present.
 - f. With regard to material provided in response to subpart (e) please ensure that each supply source and/or transportation route is listed separately.

Appendix

B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company, :
L.P. for All Necessary Authority, :
Approvals, and Certificates of Public : Docket No. A-2016-2575829
Convenience To Change the Direction of :
Petroleum Products Transportation Service :
to Delivery Points West of Eldorado, :
Pennsylvania :

**OBJECTIONS OF MONROE ENERGY, LLC
TO INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED
BY LAUREL PIPE LINE COMPANY, L.P. – SET 1**

Monroe Energy Company, LLC (“Monroe”), hereby objects to Set I Interrogatories propounded by Laurel Pipe Line Company, L.P. (“Laurel”) as follows:

I. GENERAL OBJECTIONS

1. Monroe objects to any request to the extent that it seeks information already in the possession of Laurel and/or as easily available to Laurel as to Monroe.

2. Monroe objects to any request to the extent that it seeks data that is beyond the scope of this proceeding, is irrelevant or is not reasonably calculated to lead to the discovery of admissible evidence.

3. Monroe objects to the extent the requests seek data, information or documents protected from disclosure by the attorney-client privilege, attorney work product doctrine or other applicable privilege.

4. Monroe objects to the extent that individual requests seek production and disclosure of trade secrets, proprietary or confidential information, competitively-sensitive information

and/or information protected from disclosure pursuant to Section 15(13) of the Interstate Commerce Act. Subject to, and without waiving, this objection, Monroe will produce confidential information, not otherwise subject to objection, pursuant to the terms of the Protective Order issued in this proceeding by the Presiding Administrative Law Judge.

5. Monroe objects to the extent the requests call for information or documents not in Monroe's possession, custody, or control.

6. Monroe objects to the requests to the extent that they are overbroad, not reasonably limited to the relevant time period, or that a response would otherwise subject Monroe to an undue burden by, *inter alia*, requiring Monroe to perform studies, analyses or calculations, create documents or data not currently in existence, or undertake unreasonable efforts to locate or produce information.

7. Monroe objects to the requests to the extent that they are vague, ambiguous, fail to state with specificity the information sought, or require Monroe to speculate.

8. Monroe objects to the requests to the extent they seek the production of data, information or documents that are within Respondents' possession, custody or control, have already been produced by other parties in this proceeding, are publicly available, or are otherwise reasonably available to Respondents from alternative sources without undue cost or inconvenience.

9. Monroe objects to the requests to the extent they seek production of data, information or documents that are unreasonably cumulative or duplicative.

10. Monroe objects to the requests, including its Instructions and Definitions, to the extent to which they purport to impose upon Monroe obligations other than those required by the Commission's Rules of Practice and Procedure.

11. Monroe objects to all discovery requests that seek “any” and/or “all documents” and similarly worded requests on the grounds that such requests are unreasonably cumulative and duplicative, fail to identify with specificity the information or material sought, and create an unreasonable burden compared to the likelihood of such requests leading to the discovery of admissible or probative evidence. Notwithstanding this objection, Monroe will produce all relevant, non-privileged information not otherwise objectionable that it is able to locate after a reasonable inquiry of persons expected to have knowledge of the requested information.

12. Monroe objects to any request to the extent that the request seeks “any” and/or “all” since that it is overly broad, and not reasonably tailored to avoid imposing an undue burden upon Monroe.

13. Monroe objects to any request to the extent the request seeks “any documents or workpapers supporting any analysis” as being overly broad and not reasonably tailored to avoid imposing an undue burden upon Monroe.

14. Monroe objects to Instruction No. 12 to the extent it calls for or requires the production of information and/or documents protected by the attorney-client privilege, the work product doctrine, the privilege accorded settlement materials, or other applicable privileges. Moreover, Monroe objects to the extent this instruction calls for or requires the production of information from non-parties to this proceeding and/or the production of information not within the possession, custody, and control of Monroe.

II. OBJECTIONS TO SPECIFIC REQUESTS

Set I, No 1.

With reference to Monroe's claim in paragraph 16 of its protest that there exist a "lack of service alternatives for Laurel's current shippers"

- a. Please provide records showing by month and by product type, the quantity of refined petroleum products lifted by Monroe out of terminals in Pennsylvania from January 1, 2012 to February 1, 2017.
- b. Please ensure that all information provided in response to subpart (a) identifies the terminal the product originated from, and method of transportation used for the shipment.
- c. Please identify the amount of refined product by month and by product type that Monroe has purchased from other parties who shipped this refined product on Laurel from January 1, 2012 to the Present.
- d. Please identify the amount of refined product by month and by product type that Monroe has transported to terminals in Pennsylvania by either a non-Buckeye pipeline or by barge from January 1, 2012 to February 1, 2017.

OBJECTION:

Monroe objects to the question as phrased in that it does not accurately quote Paragraph 16 of Monroe's protest, which stated that there is a lack of "viable" alternatives for Laurel's current shippers. With regard to 1.a., 1.c. and 1.d., Monroe objects on the basis that the requests seek information beginning from January 1, 2002 to February 1, 2017, which is overly broad and burdensome and will require that Monroe perform a time-consuming analysis. By way of further objection, Monroe states that it did not purchase the Trainer refinery until June of 2012 and it did not begin production until September of 2012. Without waiving the foregoing, however, Monroe will provide data in its possession that it is responsive to these requests from January 1, 2015 through February 1, 2017.

Set I, No. 2.

With reference to Monroe's claim in paragraph 16 of its protest that there exist a "lack of service alternatives for Laurel's current shippers"

- a. Please provide records showing by month and by product type, the quantity of refined petroleum produced by Monroe and delivered to a terminal in Pennsylvania from January 1, 2012 to February 1, 2017.

- b. Please ensure that all information provided in response to subpart (a) identifies the terminal to which the product was delivered, and method of transportation used for the shipment.
- c. Please ensure that the information provided in response to subpart (a) provides the price at which product was sold and the methodology used to calculate the price.
- d. Please identify the amount of refined product by month and by product type that Monroe has sold to other parties at the refinery gate who shipped this refined product on Laurel from January, 1 2012 to February 1, 2017.
- e. Please ensure that all information provided in response to subpart (d) identifies the terminal to which the product was sold and the party to whom the product was sold.
- f. Please ensure that the information provided in response to subpart (d) provides the price at which product was sold and the methodology used to calculate the price.
- g. Please identify the amount of refined product by month and by product type that Monroe has sold to other parties at the refinery gate who shipped this refined product using some means other than Laurel from January, 1 2012 to February 1, 2017.
- h. Please ensure that all information provided in response to subpart (g) identifies the terminal to which the product was sold and the party to whom the product was sold.
- i. Please ensure that the information provided in response to subpart (g) provides the price at which product was sold and the methodology used to calculate the price.

OBJECTION:

Monroe objects to the question as phrased in that it does not accurately quote Paragraph 16 of Monroe's protest, which stated that there is a lack of "viable" alternatives for Laurel's current shippers.

Monroe specifically objects to 2.a., 2.d. and 2.g. which request that it produce records dating from January 1, 2012 to February 1, 2017, as being overly broad, unduly burdensome and beyond the scope of this proceeding. Moreover, Monroe did not purchase the Trainer refinery until June 2012 and did not begin to move production out of the facility until September of 2012. Without waiving the forgoing objections or the general objections, Monroe will provide information responsive to this request from January 1, 2015, though February 1, 2017.

Set I, No 3.

Regarding Monroe's reference in paragraph 17 to injury to Monroe's Trainer refinery:

- a. Please provide records showing by month, type and quantity the refined products sold from the Trainer refinery from January 1, 2012 to February 1, 2017.
- b. Please provide records showing by month, type and quantity the destination of refined products sold from the Trainer refinery from January 1, 2012 to February 1, 2017.
- c. Please provide financial records showing the total sales revenue generated by product sold from the Trainer refinery on a monthly basis, broken down by product type and destination, if available, from January 1, 2012 to February 1, 2017.
- d. Please provide financial records showing the breakdown of total sales revenue on a monthly basis for product (1) lifted by Laurel pipeline, (2) lifted by other pipelines, (3) moved by trucks, (4) moved by barge, and (5) moved by other methods for the period from January 1, 2012 to February 1, 2017.
- e. Please provide financial records showing the breakdown of total sales revenue by dollars for each product and as a percentage of total monthly sales revenue for all products sold at Trainer refinery gate, on a monthly basis for the period from January 1, 2012 to February 1, 2017.

OBJECTION:

Monroe objects to the question as phrased because it makes a vague reference to Paragraph 17 of Monroe's Protest: "injury to Monroe's Trainer refinery." Paragraph 17 merely adopts the Affidavit of Daniel S. Arthur and the statements made therein. Accordingly, the referenced suggestion of harm was that discussed by Mr. Arthur and the question is misleading and incorrectly premised. Monroe also objects to the request that it produce records dating from January 1, 2012 to February 1, 2017 as being overly broad, unduly burdensome and beyond the scope of this proceeding. Monroe also objects to this request to the extent it seeks confidential or competitive sensitive information and to the extent this information can be obtained by using available pricing and volume information. Monroe further objects to this request as overly broad and burdensome to the extent it requires Monroe to perform any studies, analysis or calculations and create documents not in existence. Moreover, Monroe did not purchase the Trainer refinery until June 2012 and did not begin to move production out of the facility until September of 2012. Without waiving the forgoing objections or the general objections, Monroe will provide information responsive to this request from January 1, 2015, though February 1, 2017.

Set I, No. 4.

Regarding Monroe's reference in paragraph 17 to injury to Monroe's Trainer refinery:

- a. Please identify and describe in detail all modes by which product is transported to market from the Trainer refinery (e.g., by pipeline, including Monroe's affiliated liquids pipeline, by barge, by truck rack and by exchange)
- b. Please quantify for each month since January 1, 2012, the volumes, identified by product type of product, transported by means of each of the transportation modes identified in the response to subpart (a).
- c. Please identify any and all internal reviews, analyses, reports, or discussions undertaken or caused to be undertaken by Monroe regarding competitive threats to Trainer refinery, including but not limited to loss of transportation options and competition from other sources of supply since January 1, 2012.

OBJECTION:

Monroe objects to the question as phrased because it makes a vague reference to Paragraph 17 of Monroe's Protest: "injury to Monroe's Trainer refinery." Paragraph 17 merely adopts the Affidavit of Daniel S. Arthur and the statements made therein. Accordingly, the referenced suggestion of harm was that discussed by Mr. Arthur and the question is misleading and incorrectly premised. Monroe also objects to the request that it produce records dating from January 1, 2012 to February 1, 2017 as being overly broad, unduly burdensome and beyond the scope of this proceeding. Moreover, Monroe did not purchase the Trainer refinery until June 2012 and did not begin to move production out of the facility until September of 2012. Without waiving the forgoing objections or the general objections, Monroe will provide information responsive to this request from January 1, 2015, though February 1, 2017.

Set I, No. 5

Regarding its claims that Monroe will be negatively economically affected by the proposed partial reversal of Laurel:

- a. Has Monroe performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically if Laurel's Application is approved? If so, provide a copy of all analyses and/or studies.
- b. Please provide all documents, including emails, memoranda, letters, notes of phone calls, etc., which in any way address or relate to how Monroe be affected economically if Laurel's Application is approved, whether or not such documents constitute analyses or studies.

OBJECTION:

Monroe Objects to the request that it provide “any analysis” and “all documents”, as this request is overly broad and as stated would be unduly burdensome. Monroe also objects to the extent this request is not limited in time. Without waiving the foregoing, however, Monroe will provide formal studies or analyses in its possession that are responsive to the request from January 1, 2015, through February 1, 2017.

Set I, No. 6.

Regarding Monroe’s claims on the impact of additional Midwestern supply as a result of the proposed partial reversal of Laurel on the consumers of Pennsylvania:

- a. Has Monroe performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically by competition from Midwestern refineries? If so, provide a copy of all analyses and/or studies.
- b. Please provide all documents, including emails, memoranda, letters, notes of phone calls, etc., which in any way address or relate to how Monroe be affected economically by competition from Midwestern refineries, whether or not such documents constitute analyses or studies.

OBJECTION:

Monroe Objects to the request that it provide “any analysis” and “all documents” as this request is overly broad and as stated would be unduly burdensome. Moreover, Monroe objects to the extent the request is not limited in time. Without waiving the foregoing, however, Monroe will provide formal studies or analyses in its possession that are responsive to the request from January 1, 2015 through February 1, 2017.

Set I, No. 7.

With reference to the statement in paragraph 31 that the proposal would “exacerbate the already serious problem of an oversupply of petroleum products”:

- a. Please provide all studies conducted by Monroe since January 1, 2012 discussing the referenced oversupply problem in the Philadelphia market.
- b. Please provide all studies conducted by Monroe in the past five years discussing competition from foreign imports.
- c. Please provide the approximate date at which East Coast market participants entered an oversupply status.

- d. Please provide all business plans showing how Monroe has responded or attempted to respond to the oversupply situation as of the date identified in response (c).
- e. Please provide all business plans addressing Monroe's planned response to the ongoing and future oversupply situation.

OBJECTION:

Monroe Objects to the request that it provide "all studies" . . . as this request is overly broad and as stated would be unduly burdensome. Monroe also objects to the extent this request goes back to January 1, 2012. Monroe did not purchase the Trainer Refinery until June 2012 and did not begin moving product out of the refinery until September 2012. Without waiving the foregoing, however, Monroe will provide formal studies or analyses in its possession that are responsive to the request.

Set I, No. 8

In Paragraph 31, please define the meaning of "drastically reduced price".

OBJECTION:

Monroe objects to this request to the extent it is overbroad and ambiguous as it is based on the referenced statement by Dr. Arthur.

Set I, No. 9.

With reference to Monroe's statements in paragraph 32 that "Pittsburgh consumers will lose reliability and pricing benefits currently provided by access to western and eastern supply sources":

- a. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing the benefit of supply alternatives.
- b. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing the benefit of reliability redundancies for the Pittsburgh market caused by Laurel's east to west direction of flow.
- c. Please provide all studies or analyses conducted by Monroe since January 1, 2012 discussing how or to what extent that Pittsburgh might lose reliability benefits if Laurel did not flow in an east to west direction.
- d. Please provide all studies conducted by Monroe since January 1, 2012 discussing pricing benefits to Pittsburgh customers.

OBJECTION:

Monroe Objects to the request that it provide “all studies” . . . as this request is overly broad and as stated would be unduly burdensome. Monroe also objects to the extent this request goes back to January 1, 2012. Monroe did not purchase the Trainer Refinery until June 2012 and did not begin moving product out of the refinery until September 2012. Without waiving the foregoing objections, however, Monroe will provide formal studies or analyses in its possession that are responsive to the request from January 1, 2015 through February 2017.

Set I, No. 10.

With reference to Monroe’s claim in paragraph 32 that the reversal could increase delivery costs to Pittsburgh consumers by \$68 million annually

- a. Please provide all internal studies, analyses or other materials in which Monroe estimated how the proposed reversal would or could increase delivered costs to Pittsburgh consumers.
- b. Please provide all documents relied upon by management showing the margin or any other measure of profit Monroe has earned from refined products delivered to the Pittsburgh market from January 1, 2012 to the present.

OBJECTION:

The reference in No. 10 to Paragraph 32 of Monroe’s Objection is incomplete and misleading and Monroe objects to answering it because it is argumentative and would tend to mislead the reader as to what the referred-to document actually stated, which was that fuel costs could increase “potentially in the range of \$34 million to \$68 million per year.” Monroe objects to the request that it provide “all internal studies, analyses or other materials” and “all documents”. Moreover, Monroe objects to the extent the request is not limited in time or goes back to January 2012. Without waiving the foregoing, Monroe will provide any formal studies in its possession that satisfy the request from January 1, 2015 through February 1, 2017.

Set I, No. 11.

Regarding Monroe’s discussion of infrastructure and environmental concerns in paragraph 33:

- a. Please provide all internal studies, analyses, or other materials in which Monroe considered the infrastructure and/or environmental impacts of the transportation of any and all types of movements of petroleum products, or of proposed changes to the transportation of all types of movements of petroleum products.

OBJECTION:

Monroe Objects to the request that it provide “all studies, analysis or other materials . . .” as this request is overly broad, beyond the scope of this proceeding and would visit an unreasonable burden upon Monroe. Monroe objects to the extent this seeks studies, analyses or other materials not related to the Laurel application. Monroe further objects because this request is not limited in time and as such is unduly burdensome. Without waiving foregoing objections, Monroe will provide any formal studies in its possession that are responsive to the request that were completed since January 1, 2015.

Set I, No 12.

Regarding Monroe’s claims in Paragraph 36 that it would be required to “take a loss compared to the prices they are currently receiving for petroleum products”:

- a. Please provide all internal cost analysis undertaken by Monroe regarding potential alternative markets to the markets served by the destinations on Laurel located west of Altoona, including pricing information for selling petroleum products to those markets.
- b. Please provide all internal cost analysis and data regarding the current profit margin Monroe receives from shipments on Laurel, by destination.
- c. Please provide all internal cost analysis and data regarding the current profit margin Monroe receives from sales of product at the refinery gate.

OBJECTION:

Monroe objects to No. 12 on the basis that the question is argumentative in that it suggests that Monroe made a claim in Paragraph 36 of its protest that it did not make. Monroe objects to the request that it provide “all internal cost analysis and data” as this request is overly overbroad and as state would be unduly burdensome. Monroe also objects to the extent the request is not limited in time. Without waiving the foregoing, however, Monroe will provide any formal studies or analyses in its possession that satisfy the request from January 1, 2015 through February 1, 2017.

Set I, No 13.

With reference to Monroe’s discussion of alternative markets in New York City, Upstate New York and Central Pennsylvania in paragraph 36:

- a. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to the New York City market from January 1, 2012 to the present.

- b. With regard to material provided in response to subpart (a) please ensure that each supply source and/or transportation route is listed separately (e.g. if a certain amount of gasoline was shipped to the New York City market using Colonial and a different amount was shipped to the New York City market via Harbor pipeline, via barge, or via exchange, please so state).
- c. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to Upstate New York from January 1, 2012 to the present.
- d. With regard to material provided in response to subpart (c) please ensure that each supply source and/or transportation route is listed separately.
- e. Please provide by month, delivery terminal and product type the amount of product that Monroe has delivered to Central Pennsylvania from January 1, 2012 to the present.
- f. With regard to material provided in response to subpart (e) please ensure that each supply source and/or transportation route is listed separately.

OBJECTION:

Monroe objects to No. 13 on the basis that the question is overly broad, vague and overly burdensome. Monroe objects to this request to the extent it goes back to January 1, 2012. Monroe also objects to this request as overly broad and burdensome to the extent it requires that Monroe perform any studies, analyses or calculation and create documents not in existence. Monroe did not purchase the Trainer Refinery until June 2012 and did not begin moving product out of the refinery until September 2012. Without waiving the foregoing objections, however, Monroe will provide data in its possession that are responsive to the request from January 1, 2015 through February 1, 2017.

Respectfully submitted,



Kevin J. McKeon (PA ID 30428)
Todd S. Stewart (PA ID 75556)
Whitney E. Snyder (PA ID 316625)
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
Phone: (717) 236-1300
Fax: (717) 236-4841

Christopher A. Ruggiero (PA ID 80775)
Vice President, General Counsel &
Secretary
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
Phone: (610) 364-8409
Fax: (610) 364-8404

Richard E. Powers, Jr.
Joseph R. Hicks
Venable LLP
575 7th Street, NW
Washington, D.C. 20004
repowers@Venable.com
(Pro Hac Vice Admission Application
Pending)

Attorneys for Monroe Energy, LLC