



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

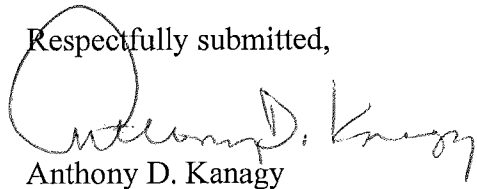
**Re: Application of Laurel Pipe Line Company, L.P. for All Necessary Authority, Approvals, and Certificates of Public Convenience To Change the Direction of Petroleum Products Transportation Service to Delivery Points West of Eldorado, Pennsylvania
Docket No. A-2016-2575829**

**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 Philadelphia Energy Solutions Refining and Marketing 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

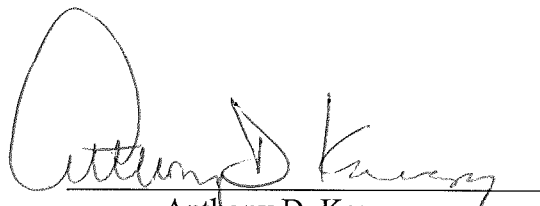
Christopher A. Ruggiero, Esquire
Vice President, General Counsel &
Secretary
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
Counsel for Monroe Energy, LLC

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



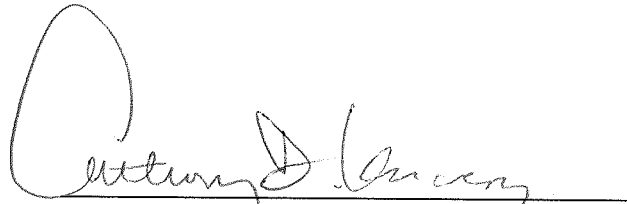
Anthony D. Kanagy

**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 PHILADELPHIA ENERGY SOLUTIONS REFINING AND MARKETING
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 Philadelphia Energy Solutions Refining and Marketing, LLC (“PESRM”). The Motion to Compel requests that Administrative Law Judge Eranda Vero (the “ALJ”) direct PESRM to provide full and complete responses to Request Nos. 1 through 7, 9, and 10 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, PESRM filed a formal Protest containing specific factual allegations regarding the effects of Laurel’s proposal on PESRM and other entities in Pennsylvania.

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

4. PESRM objected to Set I Discovery on March 13, 2017. PESRM objected to Request Nos. 1, 2, 3, 4, 5, 6, 7, 9, and 10. A copy of PESRM’s Objections is provided as Appendix B hereto.

5. Laurel contacted counsel for PESRM 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. PESRM 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 PESRM to Laurel’s requests for basic information.

6. Laurel hereby files its Motion to Compel PESRM to respond to Set I, Request Nos. 1, 2, 3, 4, 5, 6, 7, 9, and 10.

II. ARGUMENT

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

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

1. With reference to PESRM's claim in paragraph 30 of its protest that there exist a lack of viable alternatives for Laurel's current shippers:

- a. Please provide records showing by the month quantity of refined petroleum products lifted by PESRM out of each terminal in Pennsylvania used by PESRM 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 that PESRM has purchased from other parties who shipped this refined product on Laurel from January, 2011 to the Present.
- d. Please identify the amount of refined product by month that PESRM has transported to terminals in Pennsylvania by either a non-Buckeye pipeline or by barge from January 1, 2012 to February 1, 2017.

8. 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.*

9. 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).

10. PESRM first objects to subparts (a), (b) and (d) of Request No. 1 on the grounds that they are overbroad and are not relevant to the subject matter involved in the pending action to the extent they seek information on all terminals associated with PESRM products in Pennsylvania. Contrary to PESRM's argument, the information in subparts (a), (b) and (d) for all terminals associated with PESRM products in Pennsylvania is directly relevant to this proceeding. Information regarding the movements of petroleum products shipped by PESRM over Laurel's pipeline system, or any other mode of transport, are directly related to the hardship that PESRM alleges it will suffer as a result of the proposal,¹ as well as alternatives that PESRM alleges are inadequate.² PESRM cannot claim that it will be negatively impacted by Laurel's proposal and that certain alternatives are not adequate, but refuse to provide the basic shipment information that is necessary to evaluate these claims. Furthermore, Section 5.361 only prohibits requests that are *unreasonably* burdensome. The degree of this information's relevance to PESRM's claims that Laurel's proposal will have negative impacts and that certain alternatives are inadequate substantially outweighs any burden associated with its production, and demonstrates the absolute necessity of this information to evaluate PESRM's claims.³ Producing information that is within PESRM's possession and directly relates to issues raised in PESRM's Protest would not create an undue burden on PESRM. Therefore, PESRM's objection on this ground should be denied.

¹ See, e.g., Protest of Philadelphia Energy Solutions Refining and Marketing, LLC, Docket No. A-2016-2575829, at pp. 10-13 (filed Feb. 1, 2017).

² See *id.*

³ Section 5.361 of Commission's regulations is substantially similar to Pennsylvania Rule of Civil Procedure Number 4011. See 52 Pa. Code § 5.361; see also Pa. R.C.P. 4011. Pennsylvania courts regulatory interpret Rule 4011 to require a court to balance the relevance and need for the request information with the burden to produce it, when evaluating an objection that production is unreasonably burdensome or would require an unreasonable investigation. See, e.g., *Braham v. Rohm & Haas Co.*, 19 A.3d 1094, 1110-11 (Pa. Super. Ct. 2011); *Shedlock v. UPMC Presbyterian*, 2004 Pa. Dist. & Cnty. Dec. LEXIS 121, at *7-8 (Pa. C.C.P. Nov. 17, 2004).

11. PESRM also objects to subpart (d) on the grounds that providing information in accordance with this subpart, prior to the previous eleven months, would be unreasonably burdensome. PESRM argues that requesting information regarding PESRM's pipeline movements, which are managed by the Transport 4 system, is only available for a rolling 11-month period only and can only be obtained for prior period by request and for a fee that will be costly and burdensome. The costs and burdens associated with retrieving this information do not rise to the level of unreasonable burden that is required by Sections 5.361(a)(2) or 5.361(a)(4). 52 Pa. Code §§ 5.361(a)(2) and (4). While Laurel may have access to the requested information for movements that occurred over Laurel's system, Laurel is not similarly situated with respect to information for other movements. It is reasonable to expect a party to expend time and resources to provide relevant information to a requesting party, when the requesting party does not have access to that information. The information requested—primarily volumes and types of refined petroleum products moved from its refineries, by terminal and mode of transportation—is also very basic business data that a refinery will have readily available and will retain for historical analytic purposes. No study is being required, and the data is of the type that a business such as PESRM will keep electronically, even if not specifically in the exact manner requested. Moreover, it is reasonable to expect PESRM to provide the requested shipment information for the applicable five-year period where other parties, including PESRM, have requested that Laurel provide shipment data for a five-year period and Laurel has not objected to providing that data. For example, PESRM Set III, Request 8 sought information regarding shipments between specific points on Laurel's system within the last five years. Laurel did not object to this request. Therefore, PESRM's objection on this ground should be denied.

12. In addition, PESRM objects to Request No. 1 on the grounds that the time frames over which information is sought are unreasonably burdensome because until October 7, 2014, PESRM did not have direct interface with its customers pursuant to a financial intermediation agreement with J.P. Morgan Ventures Energy Corporation that was in effect until October 6, 2014. While Laurel recognizes that PESRM was neither the seller nor shipper of finished products during this period, PESRM is in a better position to access this information over the requested time period, as a party to the financial intermediation agreement, than Laurel. Importantly, PESRM does not allege that it had no access to this information while the financial intermediation agreement was in effect; rather, the agreement limited PESRM's access to this information. Further, PESRM's access "increased" when the agreement was amended. *See* PESRM Objections, at p. 3. As such, PESRM is better positioned than Laurel to access this relevant information. Therefore, PESRM's objection on this ground should be denied.

13. PESRM also objects to subpart (c) of this request on the ground that the information sought is not relevant to this proceeding and that responding to the request would be unreasonably burdensome, to the extent it seeks information on incidental purchases of product not refined by PESRM. For the reasons more fully explained in paragraph 10 *supra*, the information requested is relevant for purposes of discovery, and its production does not create an undue burden for PESRM. PESRM's claim of harm must be evaluated in light of its shipment and marketing not merely of its own production, but any other products that it purchases for transportation on Laurel or on other alternative outlets to its various markets. Therefore, PESRM's objections to subpart (c) on these grounds should be denied.

14. Finally, PESRM also generally objects to Request No. 1 on the grounds that it is unreasonably burdensome to the extent "it seeks information on product sold by PESRM Freight

on Board (“FOB”) to third parties who may elect to ship on the Laurel[pipeline].” PESRM Objections, at p. 3. To the extent that PESRM sells products to others at its refinery, and the other parties transport the product on Laurel or other modes of transportation or other pipelines, PESRM has that data and can provide what data it has, even if it does not possess data as to the ultimate destination of such products.

15. It is important to note that Request No. 1 also seeks information about products used by PESRM, purchased by PESRM, and transported by PESRM. It is reasonable to expect that PESRM either possesses this information or has control of this information. Therefore, it is reasonable for PESRM to provide it. Alternatively, should PESRM continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, it should be barred from continuing to assert or attempting to prove its claims as a part of this proceeding. For the reasons more fully explained above, PESRM should be compelled to provide a full and complete response to Request No. 1 of Set I discovery.

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

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

2. With reference to PESRM’s claim in paragraph 30 of its protest that there exist a lack of viable alternatives for Laurel’s current shippers:

- a. Please provide records showing by the month quantity of refined petroleum products produced by PESRM and delivered to each terminal in Pennsylvania used by PESRM 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 that PESRM 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 that PESRM 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.

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. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 10-15 *supra*, as if they were fully stated herein.

20. PESRM objects to subparts (a), (b), (e) and (h) of Request No. 2 for the same reasons it objected to subparts (a), (b) and (d) of Request No. 1. For the reasons more fully explained in paragraphs 10-11 *supra*, the information requested is relevant for purposes of discovery, and its production does not create an undue burden for PESRM.

21. PESRM also objects to Request No. 2 and its subparts to the extent they request information on pipeline movements that occurred prior to the previous eleven-month period for the same reasons it objects to Request No. 1, subpart (d). For the reasons more fully explained in paragraph 11 *supra*, Request No. 2 does not create an unreasonable burden with respect to movements that occurred prior to the previous eleven-month period.

22. PESRM further objects to Request No. 2 and its subparts on the same grounds as it objects to Request No. 1, *i.e.* the time frames over which information is sought are unreasonably burdensome. For the reasons more fully explained in paragraph 12 *supra*, Request No. 2 does not create an unreasonable burden with respect to the time frame over which the information is sought.

23. And finally, PESRM also objects to Request No. 2 and its subparts on the same grounds as it objects to Request No. 1 with request to information regarding product sold by

PESRM FOB. For the reasons more fully explained in paragraph 14 *supra*, Request No. 2 does not create an unreasonable burden with respect to product sold by PESRM FOB.

24. PESRM's objections to Request No. 2 on the stated grounds should be denied. Alternatively, should PESRM continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, it should be barred from continuing to assert or attempting to prove its claims as a part of this proceeding. Therefore, for the reasons more fully explained above, PESRM should be compelled to provide a full and complete response to Request No. 2 of Set I discovery.

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

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

3. Regarding PESRM's reference in paragraph 30 to limiting PESRM's access to markets:

- a. Please identify all transportation methods by which product leaves PESRM's refinery (e.g., pipeline, truck rack at the refinery, barge, etc.), and provide for each the location and capacity (in barrels per day) of each such transportation method.
- b. Please identify any and all internal reviews, analyses, reports, or discussions undertaken or caused to be undertaken by PESRM regarding competitive threats to Philadelphia refineries, including but not limited to loss of transportation options and competition from other sources of supply.

26. PESRM objects to Request No. 3 on the grounds that is overbroad and burdensome, because it is not bounded by any timeframe or limited to a type of competitive threat. However, PESRM agrees to provide "written statements of position it has provided to

forums with respect to the time period over which the Company has existed where it considers issues affecting its ability to compete were being address.” PESRM Objections, at p. 6.

27. 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).

28. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 10-15 *supra*, as if they were fully stated herein. By way of further explanation, Request No. 3 is not over broad. It is reasonable to expect that PESRM, as a participant in the highly competitive petroleum products market, regularly conducts analyses of *any* competitive threats to its business in the markets that it operates. Moreover, PESRM cannot arbitrarily limit the documents to be provided to written statements it has provided to forums. The question seeks more than just written documents provided to forums, and PESRM should not be permitted to arbitrarily decided that it will only provide a specific category of the requested documents and/or information. PESRM’s public statements and its private market assessments and analyses may differ, and Laurel needs access to both sets of documents in order to have a meaningful opportunity to evaluate PESRM’s claims as to its alternatives and the impact of the proposal in the Application. Therefore, PESRM’s objections on this ground should be denied. Alternatively, should PESRM continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, it should be barred from continuing to assert or attempting to prove its claims as a part of this proceeding.

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

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

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

4. Regarding its claims that PESRM will be negatively affected by the Application:

- a. Has PESRM 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 PESRM will or may be affected economically if Laurel’s Application is approved, whether or not such documents constitute analyses or studies.

31. PESRM objects to Request No. 4 to the extent it seeks information that is subject to privilege under Sections 5.323 and 5.361(a)(3) of the Commission’s regulations. 52 Pa. Code §§ 5.323 and 5.361(a)(3). PESRM states that it will provide a privilege log with respect to any withheld materials.

32. However, Request No. 4 does not seek privileged information. Request No. 4 seeks information and materials related to how PESRM will or may be affected economically by Laurel’s proposal. It is reasonable to expect that PESRM may have performed the requested analyses or studies prior to engaging counsel, or outside of the preparation of litigation over Laurel’s Application, in the normal course of business. Such information and materials would not be exempt from discovery under Sections 5.323 and 5.361(a)(3). Therefore, to the extent that PESRM possesses responsive information or materials that are not subject to privilege, it

should be compelled to provide a full and complete response to Request No. 4. Alternatively, should PESRM continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, it should be barred from continuing to assert or attempting to prove its claims as a part of this proceeding.

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

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

5. Regarding PESRM’s claims on the impact of additional Midwestern refined petroleum products supply on the consumers of Pennsylvania:

- a. Has PESRM performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically by competition from supply from the Midwest? 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 PESRM will or may be affected economically by competition from supply from the Midwest, whether or not such documents constitute analyses or studies.

34. PESRM objects to Request No. 5 to the extent it seeks information that is subject to privilege under Sections 5.323 and 5.361(a)(3) of the Commission’s regulations. 52 Pa. Code §§ 5.323 and 5.361(a)(3). PESRM states that it will provide a privilege log with respect to any withheld materials.

35. However, Request No. 5 does not seek privileged information. Request No. 5 seeks information and materials related to how PESRM will or may be affected economically by additional competition from Midwest petroleum products supplies. It is reasonable to expect that PESRM may have performed the requested analyses or studies prior to engaging counsel, or

outside of the preparation of litigation over Laurel's Application, in the normal course of business. Such information and materials would not be exempt from discovery under Sections 5.323 and 5.361(a)(3). Therefore, to the extent that PESRM possesses responsive information or materials that are not subject to privilege, its objection should be denied.

36. PESRM also objects to this interrogatory on the grounds that it provides no time frame for the material sought. Notwithstanding this objection, PESRM states it will provide responsive information with respect to the time period over which the Company has existed, *i.e.* September 8, 2012. Laurel can agree to reduce the time period for response to this date.

37. For the reasons more fully explained above, PESRM should be compelled to provide a full and complete response to Request No. 5 of Set I discovery. Alternatively, should PESRM continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, it should be barred from continuing to assert or attempting to prove its claims as a part of this proceeding.

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

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

6. With reference to the statement in paragraph 30 that the proposal would “increase the cost of gasoline and diesel in Pittsburgh, Altoona, and other Pennsylvania markets”:

- a. Please provide all studies or analyses conducted by or on behalf of PESRM, or reviewed by PESRM, since January 1, 2012 discussing the cost of gasoline and diesel in the Pittsburgh market (at wholesale or retail).
- b. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the cost of gasoline and diesel in the Altoona market (at wholesale or retail).

- c. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the cost of gasoline and diesel in any other Pennsylvania markets (at wholesale or retail).

39. PESRM objects to Request No. 6 to the extent it seeks information that is subject to privilege under Sections 5.323 and 5.361(a)(3) of the Commission's regulations. 52 Pa. Code §§ 5.323 and 5.361(a)(3). PESRM states that it will provide a privilege log with respect to any withheld materials.

40. However, Request No. 6 does not seek privileged information. Request No. 6 seeks information and materials related to how Laurel's proposal may increase the cost of gasoline and/or diesel in Pennsylvania markets. It is reasonable to expect that PESRM may have performed the requested analyses or studies prior to engaging counsel, or outside of the preparation of litigation over Laurel's Application, in the normal course of business. Such information and materials would not be exempt from discovery under Sections 5.323 and 5.361(a)(3). Therefore, to the extent that PESRM possesses responsive information or materials that are not subject to privilege, it should be compelled to provide a full and complete response to Request No. 6.

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

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

7. With reference to PESRM's statements in paragraph 30 that consumers will lose reliability benefits, which will lead to price spikes and shortages:

- a. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the benefit of supply alternatives.
- b. Please provide all studies or analyses conducted by or on behalf of PESRM 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 conducted by or on behalf of PESRM since January 1, 2012 discussing or showing that Pittsburgh would lose reliability benefits if Laurel did not flow in an east to west direction.
- d. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing pricing benefits to Pittsburgh customers resulting from having access to deliveries from the east by Laurel.
- e. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing price spikes to Pittsburgh customers.
- f. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing actual or potential supply shortages to Pittsburgh customers.

42. PESRM objects to Request No. 5 to the extent it seeks information that is subject to privilege under Sections 5.323 and 5.361(a)(3) of the Commission's regulations. 52 Pa. Code §§ 5.323 and 5.361(a)(3). PESRM states that it will provide a privilege log with respect to any withheld materials.

43. However, Request No. 7 does not seek privileged information. Request No. 7 seeks information and materials related to how Laurel's proposal may decrease reliability benefits, and lead to prices spikes and/or supply shortages. It is reasonable to expect that PESRM may have performed the requested analyses or studies prior to engaging counsel, or outside of the preparation of litigation over Laurel's Application, in the normal course of business. Such information and materials would not be exempt from discovery under Sections 5.323 and 5.361(a)(3). Therefore, to the extent that PESRM possesses responsive information or

materials that are not subject to privilege, it should be compelled to provide a full and complete response to Request No. 7.

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

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

9. Regarding PESRM’s claims in Paragraph 30 that it would lose markets that cannot be replaced at a similar margin:

- a. Please provide all internal cost analysis undertaken by PESRM 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 PESRM receives from shipments on Laurel, by destination.
- c. Please provide all internal cost analysis and data regarding the current profit margin PESRM receives from sales of product at the refinery gate.

45. 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.*

46. 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).

47. PESRM first objects to Request No. 9 and its subparts to the extent they provide no specific timeframe for the information requested. Notwithstanding this objection, PESRM states it will provide responsive information with respect to the time period over which the Company has existed, *i.e.* September 8, 2012. Laurel can agree to reduce the time period for response to this date.

48. PESRM also objects to subparts (b) and (c) of Request No. 9 on the grounds of relevance and burdensomeness to the extent they seek information on a per-shipment or per-sale basis. PESRM states it will provide the requested information on an aggregated basis. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 10-15 *supra*, as if they were fully stated herein. By way of further explanation, the information in subparts (b) and (c) for all shipments associated with PESRM products in Pennsylvania is directly relevant to this proceeding. Information regarding margin on a per-shipment or per-sale basis offered by the Pittsburgh and any other market that PESRM is directly relevant to the evaluation of alternatives that PESRM alleges are inadequate.⁴

49. Furthermore, Section 5.361 only prohibits requests that are *unreasonably* burdensome. It is reasonable to expect that PESRM would possess this information, and producing information that is within PESRM's possession and direct relates to issues raised in PESRM's Protest would not create an undue burden on PESRM. Moreover, it is reasonable to expect PESRM to provide the requested information for the applicable five-year period where other parties, including PESRM, have requested that Laurel provide similar data for a five-year period and Laurel has not objected to providing that data. For example, Gulf requested data regarding volumes by product, by origin and destination, and by shipper on Laurel's system to

⁴ See Protest of Philadelphia Energy Solutions Refining and Marketing, LLC, Docket No. A-2016-2575829, at pp. 10-13 (filed Feb. 1, 2017).

Western PA destinations from January 2012 to the present in Gulf Set I, Question No. 32; and Laurel did not object to this request. Should PESRM continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, it should be barred from continuing to assert or attempting to prove its claims as a part of this proceeding. Therefore, PESRM's objection to subparts (b) and (c) on these grounds should be denied.

50. For the reasons more fully explained above, PESRM should be compelled to provide a full and complete response to Request No. 9 of Set I discovery.

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

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

10. With reference to PESRM's discussion of alternative markets in New York and New Jersey:

- a. Please provide by month and product type the amount of product that PESRM has delivered to New York 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 and product type the amount of product that PESRM has delivered to New Jersey 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 and product type the amount of product that PESRM 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.

52. Laurel adopts and incorporates its arguments with respect to Request No. 1 of the Set I discovery, in paragraphs 10-15 *supra*, as if they were fully stated herein.

53. PESRM objects to Request No. 10 and its subparts to the extent they request information on pipeline movements that occurred prior to the previous eleven-month period for the same reasons it objects to Request No. 1, subpart (d). For the reasons more fully explained in paragraph 11 *supra*, Request No. 10 does not create an unreasonable burden with respect to movements that occurred prior to the previous eleven-month period.

54. PESRM further objects to Request No. 10 and its subparts on the same grounds as it objects to Request No. 1, *i.e.* the time frames over which information is sought are unreasonably burdensome. For the reasons more fully explained in paragraph 12 *supra*, Request No. 10 does not create an unreasonable burden with respect to the time frame over which the information is sought.

55. In addition, PESRM objects to Request No. 10 and its subparts on the same grounds as it objects to Request No. 1 with request to information regarding product sold by PESRM FOB. For the reasons more fully explained in paragraph 14 *supra*, Request No. 10 does not create an unreasonable burden with respect to product sold by PESRM FOB.

56. Finally, PESRM objects to Request No. 10 to the extent it seeks information that is subject to privilege under Sections 5.323 and 5.361(a)(3) of the Commission's regulations. 52 Pa. Code §§ 5.323 and 5.361(a)(3). PESRM states that it will provide a privilege log with respect to any withheld materials.

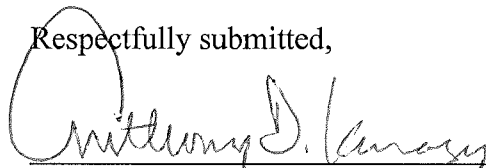
57. However, Request No. 10 does not seek privileged information. Request No. 10 seeks information and materials related to PESRM's claims about alternative markets in New York and Jersey. It is reasonable to expect that PESRM may have performed the requested analyses or studies prior to engaging counsel, or outside of the preparation of litigation over Laurel's Application, in the normal course of business. Such information and materials would not be exempt from discovery under Sections 5.323 and 5.361(a)(3). Therefore, to the extent that PESRM possesses responsive information or materials that are not subject to privilege, its objection should be denied.

58. For the reasons more fully explained above, PESRM should be compelled to provide a full and complete response to Request No. 10 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 Philadelphia Energy Solutions Refining and Marketing, LLC to fully answer Request Nos. 1, 2, 3, 4, 5, 6, 7, 9, and 10 of the Set I Discovery. Alternatively, should Philadelphia Energy Solutions Refining and Marketing, LLC continue to refuse to provide relevant information that is necessary to evaluate its claims in its Protest, Laurel Pipe Line Company, L.P. respectfully requests that Philadelphia Energy Solutions Refining and Marketing, LLC be barred from asserting or proving its claims as a part of this proceeding.

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 PHILADELPHIA ENERGY SOLUTIONS REFINING
AND MARKETING 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 Philadelphia Energy Solutions Refining and Marketing, LLC (“PESRM”) – 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 PESRM – SET 1**

1. With reference to PESRM's claim in paragraph 30 of its protest that there exist a lack of viable alternatives for Laurel's current shippers:
 - a. Please provide records showing by the month quantity of refined petroleum products lifted by PESRM out of each terminal in Pennsylvania used by PESRM 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 that PESRM has purchased from other parties who shipped this refined product on Laurel from January, 2011 to the Present.
 - d. Please identify the amount of refined product by month that PESRM 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 PESRM's claim in paragraph 30 of its protest that there exist a lack of viable alternatives for Laurel's current shippers:
 - a. Please provide records showing by the month quantity of refined petroleum products produced by PESRM and delivered to each terminal in Pennsylvania used by PESRM 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 that PESRM 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 that PESRM 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 PESRM's reference in paragraph 30 to limiting PESRM's access to markets:
- a. Please identify all transportation methods by which product leaves PESRM's refinery (e.g., pipeline, truck rack at the refinery, barge, etc.), and provide for each the location and capacity (in barrels per day) of each such transportation method.
 - b. Please identify any and all internal reviews, analyses, reports, or discussions undertaken or caused to be undertaken by PESRM regarding competitive threats to Philadelphia refineries, including but not limited to loss of transportation options and competition from other sources of supply.
4. Regarding its claims that PESRM will be negatively affected by the Application:
- a. Has PESRM 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 PESRM will or may be affected economically if Laurel's Application is approved, whether or not such documents constitute analyses or studies.
5. Regarding PESRM's claims on the impact of additional Midwestern refined petroleum products supply on the consumers of Pennsylvania:
- a. Has PESRM performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically by competition from supply from the Midwest? 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 PESRM will or may be affected economically by competition from supply from the Midwest, whether or not such documents constitute analyses or studies.
6. With reference to the statement in paragraph 30 that the proposal would "increase the cost of gasoline and diesel in Pittsburgh, Altoona, and other Pennsylvania markets":

- a. Please provide all studies or analyses conducted by or on behalf of PESRM, or reviewed by PESRM, since January 1, 2012 discussing the cost of gasoline and diesel in the Pittsburgh market (at wholesale or retail).
 - b. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the cost of gasoline and diesel in the Altoona market (at wholesale or retail).
 - c. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the cost of gasoline and diesel in any other Pennsylvania markets (at wholesale or retail).
7. With reference to PESRM's statements in paragraph 30 that consumers will lose reliability benefits, which will lead to price spikes and shortages:
- a. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the benefit of supply alternatives.
 - b. Please provide all studies or analyses conducted by or on behalf of PESRM 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 conducted by or on behalf of PESRM since January 1, 2012 discussing or showing that Pittsburgh would lose reliability benefits if Laurel did not flow in an east to west direction.
 - d. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing pricing benefits to Pittsburgh customers resulting from having access to deliveries from the east by Laurel.
 - e. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing price spikes to Pittsburgh customers.
 - f. Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing actual or potential supply shortages to Pittsburgh customers.
8. Regarding PESRM's discussion of infrastructure and environmental concerns in paragraph 30:
- a. Please provide all internal studies, analyses, or other materials in which PESRM 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.
9. Regarding PESRM's claims in Paragraph 30 that it would lose markets that cannot be replaced at a similar margin:

- a. Please provide all internal cost analysis undertaken by PESRM 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 PESRM receives from shipments on Laurel, by destination.
 - c. Please provide all internal cost analysis and data regarding the current profit margin PESRM receives from sales of product at the refinery gate.
10. With reference to PESRM's discussion of alternative markets in New York and New Jersey:
- a. Please provide by month and product type the amount of product that PESRM has delivered to New York 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 and product type the amount of product that PESRM has delivered to New Jersey 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 and product type the amount of product that PESRM 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.
11. With reference to the statement of Mr. Schall that the "information the foregoing Protest of Philadelphia Energy Solutions Refining and Market LLC filed at Docket No. A-2016-2575829, is true and correct to the best of my information, knowledge and belief":
- a. Please provide all analyses upon which Mr. Schall relies to make this statement.
 - b. Please provide all workpapers upon which Mr. Schall relies to make this statement.
 - c. Please identify all publicly available documents upon which Mr. Schall relies to make this statement.
 - d. Please provide all documents, studies, analyses or data that Mr. Schall obtained from PESRM in developing the basis of this statement.

- e. Please identify each PESRM employee with whom Mr. Schall had discussions as part of the process of developing the basis of this statement.

Appendix

B

Buchanan Ingersoll & Rooney PC

John F. Povilaitis

717 237 4825
john.povilaitis@bipc.com

409 North Second Street, Suite 500
Harrisburg, PA 17101

T 717 237 4800
F 717 233 0852

www.buchananingersoll.com

March 13, 2017

VIA EMAIL AND FIRST CLASS MAIL

David B. MacGregor
Anthony D. Kanagy
Garrett P. Lent
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Christopher J. Barr
Jessica R. Rogers
Post & Schell, P.C.
607 14th Street NW, Suite 600
Washington, DC 20005-2006

Re: Application of Laurel Pipe Line Company, L.P for Approval to change direction of Petroleum Products Transportation Service to Delivery Points West of Eldorado, Pennsylvania, Docket No. A-2016-2575829

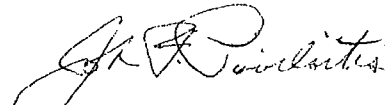
Affiliated Interest Agreement between Laurel Pipe Line Company, L.P. and Buckeye Pipe Line Company, L.P., Docket No. G-2017-2587567

Dear Counsel:

Enclosed please find the Objections of Philadelphia Energy Solutions Refining and Marketing LLC to Laurel Pipe Line Company, L.P. Interrogatories and Requests for Production of Documents – Set I in the above-captioned proceedings.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



John F. Povilaitis

JFP/tlg

Enclosure

cc: Rosemary Chiavetta, Secretary (*letter and Certificate of Service only via e filing*)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company, L.P.	:	
for Approval to Change Direction of Petroleum	:	Docket No. A-2016-2575829
Products Transportation Service to Delivery	:	
Points West of Eldorado, Pennsylvania	:	
Affiliated Interest Agreement between	:	
Laurel Pipe Line Company, L.P. and	:	Docket No. G-2017-2587567
Buckeye Pipe Line Company, L.P.	:	

**OBJECTIONS OF
PHILADELPHIA ENERGY SOLUTIONS REFINING AND MARKETING LLC TO
LAUREL PIPE LINE COMPANY, L.P. INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS – SET I**

Philadelphia Energy Solutions Refining and Marketing LLC (“PESRM”) hereby submits its Objections to the following written interrogatories Set I, propounded March 2, 2017, by Laurel Pipe Line Company, L.P. (“Laurel”), pursuant to Section 5.342(c) of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.342(c).

The specific interrogatories subject to these Objections and the related grounds therefor are set forth below:

No. 1 - *With reference to PESRM’s claim in paragraph 30 of its protest that there exist a lack of viable alternatives for Laurel’s current shippers:*

- a. *Please provide records showing by the month quantity of refined petroleum products lifted by PESRM out of each terminal in Pennsylvania used by PESRM 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 that PESRM has purchased from other parties who shipped this refined product on Laurel from January, 2011 to the Present.*

d. Please identify the amount of refined product by month that PESRM has transported to terminals in Pennsylvania by either a non-Buckeye pipeline or by barge from January 1, 2012 to February 1, 2017.

Objection: PESRM objects to subparts a., b. and d. of the foregoing written interrogatory on the grounds they are overbroad¹ and lack relevancy² to the issues in this proceeding to the extent they seek information on all terminals associated with PESRM products in Pennsylvania. PESRM's business typically utilizes wholesale terminals which are connected to the Laurel pipeline.

PESRM objects to subpart d. of this interrogatory to the extent it seeks information on pipeline movements that occurred prior to the previous eleven (11) months. Pipeline movements are managed for PESRM by the Transport 4 system, which maintains data on pipeline movements that is readily available to PESRM for a rolling 11 month period only. Information on prior pipeline movements for periods earlier than the prior eleven months can only be obtained by request and for a fee that in the aggregate will be costly and burdensome for PESRM to incur. Moreover, to the extent movements occurred on the Laurel system, that information is already available to Laurel.

PESRM also objects to this interrogatory and its subparts on the grounds of burdensomeness with respect to the time frames over which information is sought. PESRM has only existed since it was formed and became the owner of the refining complex on September 8, 2012. At that time it entered into a financial intermediation agreement with J.P. Morgan Ventures Energy Corporation ("JPMVEC"), which was in effect until October 6, 2014. Under

¹ All references in these Objections to overbroad and/or burdensome interrogatories are intended to address the requirements of 52 Pa. Code Section 5.361 which prohibit discovery that "would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or a party" (a)(2), and "[w]ould require the making of an unreasonable investigation by the deponent, a party or witness." (a)(4).

² All references in these Objections to lack of relevancy specifically incorporate the requirements of 52 Pa. Code Section 5.321 (c), which require, among other things, that discovery be "...relevant to the subject matter involved in the pending action . . ."

the intermediation agreement, JPMVEC held title to blendstocks and refined products that it purchased from PESRM and sold to various third parties. During this period, PESRM was neither the seller nor the shipper of these finished products, which significantly limits PESRM's current ability to access product sales and shipping information. PESRM's access to information on transactions is further limited by JPMVEC's sale to Mercuria Energy Group and the assignment of JPMVEC's rights and obligations under the intermediation agreement to Merrill Lynch Commodities, Inc. ("MLC"). As of October 7, 2014, MLC and PESRM amended and restated the intermediation agreement to permit PESRM's direct interface with customers, which provides PESRM with greater access to transaction sales and shipping information. Notwithstanding this objection, PESRM will provide relevant data relative to transactions that started on October 7, 2014.

PESRM objects to subpart c. of this interrogatory on the grounds of relevancy and burdensomeness to the extent the question seeks information on incidental purchases of product not refined by PESRM and used to supplement its core refining business. Furthermore, to the extent this questions seeks information on shipments made on Laurel, the requestor already has access to this information.

PESRM also generally objects to this interrogatory and its subparts on the grounds of burdensomeness to the extent it seeks information on product sold by PESRM Freight on Board ("FOB") to third parties who may elect to ship on the Laurel. PESRM does not possess shipping information for FOB transactions. Furthermore, this information is already available to Laurel.

No. 2 – With reference to PESRM's claim in paragraph 30 of its protest that there exist a lack of viable alternatives for Laurel's current shippers:

- a. *Please provide records showing by the month quantity of refined petroleum products produced by PESRM and delivered to each terminal in Pennsylvania used by PESRM 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 that PESRM 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 that PESRM 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: PESRM objects to subparts a., b., e. and h. of the foregoing written interrogatory on the grounds that they are overbroad and lack relevancy to issues in this proceeding to the extent they seek information on all terminals used by PESRM in Pennsylvania. PESRM's business typically utilizes wholesale terminals which are connected to the Laurel Pipeline.

PESRM objects to this interrogatory and its subparts to the extent they seek information on pipeline movements that occurred prior to the previous eleven (11) months. Pipeline movements are managed for PESRM by the Transport 4 system which maintains data on pipeline movements that is readily available to PESRM for a rolling 11 month period only. Information on prior pipeline movements for periods earlier than the prior eleven months can only be obtained by request and for a fee that in the aggregate will be costly and burdensome for PESRM to incur. Moreover, to the extent movements occurred on the Laurel system, that information is already available to Laurel.

PESRM also objects to this interrogatory and its subparts on the grounds of burdensomeness with respect to the time frames over which information is sought. PESRM has only existed since it was formed and became the owner of the refining complex on September 8, 2012. At that time it entered into a financial intermediation agreement with JPMVEC, which was in effect until October 6, 2014. Under the intermediation agreement, JPMVEC held title to blendstocks and refined products that it purchased from PESRM and sold to various third parties. During this period, PESRM was neither the seller nor the shipper of these finished products which significantly limits PESRM's current ability to access product sales and shipping information. PESRM's access to information on transactions is further limited by JPMVEC's sale to Mercuria Energy Group and the assignment of JPMVEC's rights and obligations under the intermediation agreement to MLC. As of October 7, 2014, MLC and PESRM amended and restated the intermediation agreement to permit PESRM's direct interface with customers, which provides PESRM with greater access to transaction sales and shipping information. Notwithstanding this objection, PESRM will provide relevant data relative to transactions that started on October 7, 2014.

PESRM also generally objects to this interrogatory and its subparts on the grounds of burdensomeness to the extent they seek information on product sold by PESRM FOB to third parties who may elect to ship on the Laurel. PESRM does not possess shipping information for FOB transactions. Furthermore, this information is already available to Laurel.

No. 3 - *Regarding PESRM's reference in paragraph 30 to limiting PESRM's access to markets:*

- b. Please identify any and all internal reviews, analyses, reports, or discussions undertaken or caused to be undertaken by PESRM regarding competitive threats to Philadelphia refineries, including but not limited to loss of transportation options and competition from other sources of supply.*

Objection: PESRM objects to this interrogatory on the grounds that it is overbroad and burdensome. The question is not bounded by any timeframe or limited to type of competitive threats. Furthermore, competition from sources of supply could be local, regional, national or international. Notwithstanding this objection, PESRM will provide written statements of position it has provided to forums with respect to the time period over which the Company has existed where it considers issues affecting its ability to compete were being addressed. Any reviews, analyses or reports completed as part of PESRM's review of Laurel's Application filing will be provided when they are completed.

No. 4 - *Regarding its claims that PESRM will be negatively affected by the Application:*

- a. Has PESRM 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 PESRM will or may be affected economically if Laurel's Application is approved, whether or not such documents constitute analyses or studies.*

Objection: PESRM objects to this interrogatory to the extent it seeks privileged³ and protected information permitted to be withheld from disclosure by the attorney-client privilege, the attorney work product doctrine or constitutes material from PESRM's attorneys containing their mental impressions, conclusions, memoranda, notes, summaries, legal research or legal theories or other material prohibited from discovery from a party and its representatives under 52 Pa. Code Section 5.323. Notwithstanding this objection, PESRM will provide Laurel a privilege log with respect to any materials withheld from disclosure in accordance with the parties' prior understanding. Any analyses or studies completed as part of PESRM's review of Laurel's Application filing will be provided when they are completed.

No. 5 - *Regarding PESRM's claims on the impact of additional Midwestern refined petroleum products supply on the consumers of Pennsylvania:*

- a. *Has PESRM performed any analysis and/or study (either quantified or qualitative) of how it will or may be affected economically by competition from supply from the Midwest? 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 PESRM will or may be affected economically by competition from supply from the Midwest, whether or not such documents constitute analyses or studies.*

Objection: PESRM objects to this interrogatory to the extent it seeks privileged and protected information permitted to be withheld from disclosure by the attorney-client privilege, the attorney work product doctrine or constitutes material from PESRM's attorneys containing their mental impressions, conclusions, memoranda, notes, summaries, legal research or legal theories or other material prohibited from discovery from a party and its representatives under 52 Pa. Code Section 5.323. Notwithstanding this objection, PESRM will provide Laurel a privilege

³ All references to or claims of "privilege" in these Objections are intended to incorporate the provisions of 52 Pa. Code Section 5.361 that prohibits, among other things, discovery which "relates to matter which is privileged." 52 Pa. Code §5.361(a)(3).

log with respect to any materials withheld from disclosure in accordance with the parties' prior understanding. PESRM also objects to this interrogatory on the grounds that it provides no time frame for the material sought. Notwithstanding this objection, PESRM will provide responsive information it identifies with respect to the time period over which the Company has existed. Any reviews, analyses or reports completed as part of PESRM's review of Laurel's Application filing will be provided when they are completed.

No. 6 - *With reference to the statement in paragraph 30 that the proposal would "increase the cost of gasoline and diesel in Pittsburgh, Altoona, and other Pennsylvania markets":*

- a. *Please provide all studies or analyses conducted by or on behalf of PESRM, or reviewed by PESRM, since January 1, 2012 discussing the cost of gasoline and diesel in the Pittsburgh market (at wholesale or retail).*
- b. *Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the cost of gasoline and diesel in the Altoona market (at wholesale or retail).*
- c. *Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the cost of gasoline and diesel in any other Pennsylvania markets (at wholesale or retail).*

Objection: PESRM objects to this interrogatory to the extent it seeks privileged and protected information permitted to be withheld from disclosure by the attorney-client privilege, the attorney work product doctrine or constitutes material from PESRM's attorneys containing their mental impressions, conclusions, memoranda, notes, summaries, legal research or legal theories or other material prohibited from discovery from a party and its representatives under 52 Pa. Code Section 5.323. Notwithstanding this objection, PESRM will provide Laurel a privilege log with respect to any materials withheld from disclosure in accordance with the parties' prior

understanding. Any reviews, analyses or reports completed as part of PESRM's review of Laurel's Application filing will be provided when they are completed.

No. 7 - *With reference to PESRM's statements in paragraph 30 that consumers will lose reliability benefits, which will lead to price spikes and shortages:*

- a. *Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing the benefit of supply alternatives.*
- b. *Please provide all studies or analyses conducted by or on behalf of PESRM 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 conducted by or on behalf of PESRM since January 1, 2012 discussing or showing that Pittsburgh would lose reliability benefits if Laurel did not flow in an east to west direction.*
- d. *Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing pricing benefits to Pittsburgh customers resulting from having access to deliveries from the east by Laurel.*
- e. *Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing price spikes to Pittsburgh customers.*
- f. *Please provide all studies or analyses conducted by or on behalf of PESRM since January 1, 2012 discussing actual or potential supply shortages to Pittsburgh customers.*

Objection: PESRM objects to this interrogatory to the extent it seeks privileged and protected information permitted to be withheld from disclosure by the attorney-client privilege, the attorney work product doctrine or constitutes or constitutes material from PESRM's attorneys containing their mental impressions, conclusions, memoranda, notes, summaries, legal research or legal theories or other material prohibited from discovery from a party and its representatives under 52 Pa. Code Section 5.323. Notwithstanding this objection, PESRM will provide Laurel a privilege log with respect to any materials withheld from disclosure in accordance with the parties' prior understanding. Any reviews, analyses or reports completed as part of PESRM's review of Laurel's Application filing will be provided when they are completed.

No. 9 - *Regarding PESRM's claims in Paragraph 30 that it would lose markets that cannot be replaced at a similar margin:*

- a. *Please provide all internal cost analysis undertaken by PESRM 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 PESRM receives from shipments on Laurel, by destination.*
- c. *Please provide all internal cost analysis and data regarding the current profit margin PESRM receives from sales of product at the refinery gate.*

Objection: PESRM objects to this interrogatory and its subparts to the extent they provide no specific timeframe for the information requested. Notwithstanding this objection, PESRM will provide a response utilizing the date the interrogatory was served as the relevant timeframe. PESRM also objects to subpart b. and c. on the grounds of relevance and burdensomeness to the extent they seek information on a per shipment or per sale basis. Notwithstanding this objection, PESRM will provide responses relative to profit margin on an aggregated basis.

No. 10 - *With reference to PESRM's discussion of alternative markets in New York and New Jersey:*

- a. *Please provide by month and product type the amount of product that PESRM has delivered to New York 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 and product type the amount of product that PESRM has delivered to New Jersey 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 and product type the amount of product that PESRM 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: PESRM objects to this interrogatory and its subparts to the extent they seek information on pipeline movements that occurred prior to the previous eleven (11) months. Pipeline movements are managed for PESRM by the Transport 4 system, which maintains data on pipeline movements that is readily available to PESRM for a rolling 11 month period only. Information on prior pipeline movements for periods earlier than the prior eleven months can only be obtained by request and for a fee that in the aggregate will be costly and burdensome for PESRM to incur. Moreover, to the extent movements occurred on the Laurel system, that information is already available to Laurel.

PESRM also objects to this interrogatory and its subparts on the grounds of burdensomeness with respect to the time frames over which information is sought. PESRM has only existed since it was formed and became the owner of the refining complex on September 8, 2012. At that time it entered into a financial intermediation agreement with JPMVEC, which was in effect until October 6, 2014. Under the intermediation agreement, JPMVEC held title to blendstocks and refined products that it purchased from PESRM and sold to various third parties. During this period, PESRM was neither the seller nor the shipper of these finished products, which significantly limits PESRM's current ability to access product sales and shipping information. PESRM's access to information on transactions is further limited by JPMVEC's sale to Mercuria Energy Group and the assignment of JPMVEC's rights and obligations under the intermediation agreement to MLC. As of October 7, 2014, MLC and PESRM amended and restated the intermediation agreement to permit PESRM's direct interface with customers, which

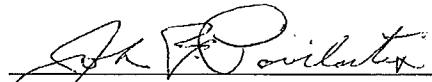
provides PESRM with greater access to transaction sales and shipping information. Notwithstanding this objection, PESRM will provide relevant data relative to transactions that started on October 7, 2014.

PESRM also generally objects to this interrogatory and its subparts on the grounds of burdensomeness to the extent they seek information on product sold by PESRM FOB to third parties who may elect to ship on the Laurel or other pipelines. PESRM does not possess shipping information for FOB transactions.

Finally, PESRM also objects to this interrogatory to the extent it seeks privileged and protected information permitted to be withheld from disclosure by the attorney-client privilege, the attorney work product doctrine or constitutes material from PESRM's attorneys containing their mental impressions, conclusions, memoranda, notes, summaries, legal research or legal theories or other material prohibited from discovery from a party and its representatives under 52 Pa. Code Section 5.323. Notwithstanding this objection, PESRM will provide Laurel a privilege log with respect to any materials withheld from disclosure in accordance with the parties' prior understanding.

Respectfully submitted,

Dated: March 13, 2017



Alan M. Seltzer, Esquire
John F. Povilaitis, Esquire
Buchanan Ingersoll & Rooney PC
409 N. Second Street, Suite 500
Harrisburg, PA 17101
Phone: 717-237-4862
Fax: 717-233-0852
E-mail: alan.seltzer@bipc.com
E-mail: john.povilaitis@bipc.com

*Counsel for Philadelphia Energy Solutions Refining
and Marketing LLC*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Laurel Pipe Line Company, L.P. :
for Approval to Change Direction of Petroleum : Docket No. A-2016-2575829
Products Transportation Service to Delivery :
Points West of Eldorado, Pennsylvania :

Affiliated Interest Agreement between :
Laurel Pipe Line Company, L.P. and : Docket No. G-2017-2587567
Buckeye Pipe Line Company, L.P. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the Objections of Philadelphia Energy Solutions Refining and Marketing LLC to Laurel Pipe Line Company, L.P. Interrogatories and Requests for Production of Documents - Set I upon the parties and in the manner listed below:

Via First Class Mail and Email

David B. MacGregor
Anthony D. Kanagy
Garrett P. Lent
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
dmacgregor@postschell.com
akanagy@postschell.com
glent@postschell.com
Counsel for Laurel Pipe Line Company, L.P.

Adam D. Young
Michael L. Swindler
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
The Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265
adyoung@pa.gov
mswindler@pa.gov

Susan E. Bruce
Adeolu A. Bakare
Kenneth R. Stark
McNees Wallace & Nurick LLC
P.O. Box 1166
Harrisburg, PA 17108-1166

Christopher J. Barr
Jessica R. Rogers
Post & Schell, P.C.
607 14th Street NW, Suite 600
Washington, DC 20005-2006
cbarr@postschell.com
jrogers@postschell.com
Counsel for Laurel Pipe Line Company, L.P.

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

Robert A. Weishaar, Jr.
McNees Wallace & Nurick LLC
777 North Capitol Street, NW, Suite 401
Washington, DC 20002
rweishaar@mcneeslaw.com
*Counsel for Gulf Operating, LLC and
Sheetz, Inc.*

Susan E. Bruce
Adeolu A. Bakare
Kenneth R. Stark
McNees Wallace & Nurick LLC
P.O. Box 1166
Harrisburg, PA 17108-1166
sbruce@mcneeslaw.com
abakare@mcneeslaw.com
kstark@mcneeslaw.com
*Counsel for Gulf Operating, LLC and
Sheetz, Inc.*

Andrew S. Levine
Stadley, Ronon, Stevens & Young, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103
alevine@stadley.com
Counsel for Sunoco, LLC

Kevin L. Barley
Frost Brown Todd LLC
1 PPG Place, Suite 2800
Pittsburgh, PA 15222
kbarley@fbtlaw.com
Counsel for Marathon Petroleum Corporation

Via Email Only

Christopher A. Ruggiero
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
christopher.ruggiero@monroe-energy.com
Counsel for Monroe Energy LLC

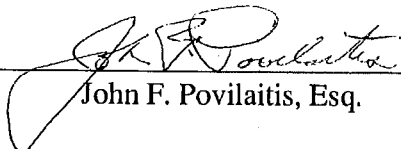
Richard E. Powers, Jr.
Joseph R. Hicks
Venable LLP
575 Seventh Street, N.W.
Washington, DC 20004-1601
repowers@venable.com
jricks@venable.com
Counsel for Monroe Energy LLC

Joseph Otis Minott
Earnest Logan Welde
Clean Air Council
135 S. 19th Street, Suite 300
Philadelphia, PA 19103
joe_minott@cleanair.org
lwelde@cleanair.org

Kevin J. McKeon
Todd S. Stewart
Whitney E. Snyder
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
kjmckeon@hmslegal.com
tsstewart@hmslegal.com
wesnyder@hmslegal.com
Counsel for Monroe Energy, LLC

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

Dated this 13th day of March, 2017.



John F. Povilaitis, Esq.