



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, Esquire

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

June 8, 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 Answer of Laurel Pipe Line Company, L.P. to the Indicated Parties' Motion for Modification and Extension of the Procedural Schedule in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Anthony D. Kanagy, Esquire

ADK/skr
Enclosure

cc: Certificate of Service
Honorable Eranda Vero

ALLENTOWN HARRISBURG LANCASTER PHILADELPHIA PITTSBURGH PRINCETON WASHINGTON, D.C.

A PENNSYLVANIA PROFESSIONAL CORPORATION

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

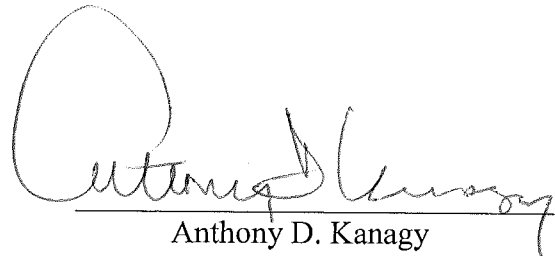
Christopher A. Ruggiero, Esquire
Vice President, General Counsel &
Secretary
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
Counsel for Monroe Energy, LLC

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: June 8, 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	:	
	:	
Pipeline Capacity Agreement Between	:	
Laurel Pipe Line Company, L.P. and	:	Docket No. G-2017-2587567
Buckeye Pipe Line Company, L.P.	:	

**ANSWER OF LAUREL PIPE LINE COMPANY, L.P.
TO THE INDICATED PARTIES' MOTION FOR MODIFICATION AND EXTENSION
OF THE PROCEDURAL SCHEDULE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE ERANDA VERO:

Laurel Pipe Line Company, L.P. (“Laurel” or the “Company”) hereby files this Answer, pursuant to 52 Pa. Code § 5.103(c) and Administrative Law Judge Eranda Vero’s Order issued on June 2, 2017, to the Motion for Modification and Extension of the Procedural Schedule (“Motion”) filed by Gulf Operating, LLC (“Gulf”), Philadelphia Energy Solutions Refining & Marketing, LLC (“PESRM”), Sheetz, Inc. (“Sheetz”), Monroe Energy, Inc. (“Monroe”), and Giant Eagle, Inc. (“Giant Eagle”) (collectively the “Indicated Parties”) on June 1, 2017. As explained below, the Indicated Parties’ Motion grievously misrepresents the factual circumstances surrounding the discovery process involved in this proceeding. In particular, it mischaracterizes the delays that have occurred in this proceeding, which were primarily the result of one or more of the Indicated Parties’ actions. Taken together, this Motion and the Indicated Parties’ actions during this proceeding are indicative of a pattern of delay, which has

frustrated the efficient and prompt resolution of Laurel's Application. If the Indicated Parties' request is granted, they will have had two-hundred and seventy-two (272) days since the date of Laurel's initial filing to prepare and submit their direct testimony. The Indicated Parties' have failed to demonstrate that good cause for modification and extension of the procedural schedule exists, and their Motion should be denied.

However, in an effort to compromise, Laurel proposes a revised procedural schedule that allows the other parties twelve (12) additional days to file Direct Testimony and still maintains the hearing dates of October 2 through October 6, 2017. In support thereof, Laurel states as follows:

I. INTRODUCTION AND BACKGROUND

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 November 16, 2016, the Commission issued a Secretarial Letter requiring Laurel to publish notice of the Application in a newspaper of general circulation in the area involved and to file proof of publication with the Commission on or before December 19, 2016. The November 16, 2016 Secretarial Letter also scheduled publication of the notice in the *Pennsylvania Bulletin* in the December 3, 2016 issue, and set the deadline to file formal protests

and petitions to intervene on December 19, 2016, *i.e.* sixteen (16) days from the date notice of Laurel's application was published in the *Bulletin*.

3. On November 22, 2016, Gulf Operating, LLC ("Gulf") filed a Petition to Intervene and Motion to Extend the Deadline for Protests.¹ On November 28, 2016, Laurel filed an Answer to Gulf's Petition to Intervene and Motion to Extend the Deadline for Protests.

4. On December 6, 2016, the Commission issued a Secretarial Letter supplementing its prior November 16, 2016 Secretarial Letter and the Notice published in the December 3, 2016 edition of the *Pennsylvania Bulletin*. Therein, the Commission granted Gulf's Petition to Intervene, and granted, in part, Gulf's Motion to Extend the Deadline for Protests and set the new deadline for formal protests and petitions to intervene in the proceeding at 4:30 p.m. on February 1, 2017. The Commission's December 6, 2016 Secretarial Letter provided an additional forty-four (44) days to develop and file protests and/or petitions to intervene. The February 1, 2017 deadline occurred sixty (60) days after notice of Laurel's Application was published in the *Pennsylvania Bulletin*.

5. On February 1, 2017, Gulf, PESRM, and Monroe, filed formal Protests in the proceeding. Also on February 1, 2017, Sheetz, and Giant Eagle each filed a Petition to Intervene and Protest in the proceeding.

6. Laurel served its Direct Testimony and associated exhibits on the Indicated Parties, the Administrative Law Judge and the other intervenors and protestants, on February 7, 2017.

¹ On December 8, 2016, Philadelphia Energy Solutions Refining and Marketing LLC ("PESRM") filed a Petition to Intervene and Answer in Support of Gulf Operating, LLC's Motion to Extend Deadline for Protests. However, the Commission's December 6, 2016 Secretarial Letter mooted PESRM's Answer in Support.

7. Additionally, Laurel filed a Capacity Agreement at Docket No. G-2017-2857567 on February 6, 2017, and a Motion to Consolidate the Capacity Agreement with the Application pending at Docket No. A-2016-2575829 on February 7, 2017. The Indicated Parties filed an Answer Opposing Laurel's Motion to Consolidate on February 13, 2017.² As a part of their Answer, the Indicated Parties argued that it would be inappropriate to consolidate Laurel's Application with the inherently related Capacity Agreement. In addition, the Indicated Parties also argued that, even if consolidation was appropriate, it was inappropriate for the presiding Administrative Law Judge to rule on this issue and requested that the Commission rule on Laurel's Motion to Consolidate—which likewise would have needlessly delayed consideration of a threshold procedural issue in this proceeding. On March 2, 2017, the ALJ granted Laurel's Motion to Consolidate.

8. On February 10, 2017, Laurel provided the Indicated Parties with an initial draft of a proposed Motion for Protective Order. Counsel for Gulf and Sheetz did not circulate proposed edits to the Motion for Protective Order until February 23, 2017, thirteen (13) days later. The parties conducted several additional rounds of negotiations. It often took the Indicated Parties a week, or longer, to respond to subsequent proposals. The parties did not conclude negotiations surrounding the proposed Motion for Protective Order until April 25, 2017, at which time it was submitted to Your Honor.

9. On February 14, 2017, a Prehearing Conference was held. At the prehearing conference, the parties addressed various procedural matters, provided oral argument on Laurel's Motion to Consolidate, and advised Your Honor that they would continue to negotiate and

² See Answer of Indicated Parties Opposing Laurel's Motion to Consolidate, Docket Nos. A-2016-2575829; G-2017-2857567 (filed Feb. 13, 2017).

jointly submit a procedural schedule. The Indicated Parties' initial proposals regarding a procedural schedule essentially set a "schedule to schedule" (*i.e.* a schedule that established no dates for submission of testimony, and scheduling of hearings and briefs, but instead proposed a second prehearing conference be held in May of 2017 to set these dates).³ The parties submitted an agreed upon procedural schedule to Your Honor on February 21, 2017.⁴

10. On February 3, 2017, prior to the February 14, 2017 Prehearing Conference, the Indicated Parties initiated discovery when Gulf served Gulf Set I interrogatories and PESRM served PESRM Set I Interrogatories, and the parties have been engaged in discovery since that date. The parties have issued approximately fifteen (15) sets of interrogatories and one (1) set of requests for admission.

11. During the discovery process, numerous objections and related motions to compel have been filed by the parties. In particular, Laurel filed timely objections to PESRM Set I Interrogatory No. 1 and Gulf Set I Interrogatory No. 28 on February 13, 2017. Both interrogatories requested the following information:

Provide all internal or external studies, analyses, reports, etc. prepared by or for Laurel within the last 5 years addressing in any way the possibility of extending the reversal of flow along the

³ See Prehearing Conference Memorandum of Philadelphia Energy Solutions Refining and Marketing LLC, Docket No. A-2016-2575289, at pp. 6-7 (filed Feb. 13, 2017); Prehearing Memorandum of Gulf Operating, LLC, and Sheetz, Inc., Docket No. A-2016-2575829, at p. 6 (filed Feb. 13, 2017); Prehearing Memorandum of Monroe Energy LLC, Docket No. A-2016-2575829, at Appendix A (filed Feb. 13, 2017); Prehearing Memorandum of Giant Eagle, Inc., Docket No. A-2016-2575829, at Exhibit A (filed Feb. 13, 2017).

⁴ Your Honor notified the parties that the submitted procedural schedule omitted public input hearing dates via email on February 21, 2017. See Attachment 1. The parties attempted to negotiate agreed upon date, time and procedures for any public input hearings, but were unable to submit a joint proposal. Your Honor took the parties' positions under advisement, and notified the parties via email that public input hearings would be conducted from Harrisburg, PA as "smart hearings" on May 16, 2016, at 1:00 p.m. and 6:00 p.m. See Attachment 2.

Laurel pipeline to any points further east of those described in the Application.

12. Laurel timely filed Answers in response to the substantially similar Motions to Compel filed by Gulf and PESRM on February 28, 2017.

13. On March 8, 2017, the ALJ issued an Order Regarding Motions to Compel, and denied the Motions to Compel filed by Gulf and PESRM.

14. On March 13, 2017, Gulf and PESRM filed a Petition for Certification of a Material Question, requesting that the ALJ certify the following material question for review by the Commission:

Should Laurel Pipe Line Company (“Laurel”), which asserts in its Application that Commission approval for changes in flow direction is not required and seeks Commission confirmation that it may reinstate the direction of flow at its discretion in the future, be required to furnish the information intended to determine whether the proposal to reverse flow on its PUC-jurisdictional pipeline for points west of Altoona/Eldorado is a stand-alone proposal or an initial phase of a documents plan to reverse flows easterly to Philadelphia as requested by Gulf’s Set I Interrogatory No. 28 and PESRM’s Set I Interrogatory No. 1?

Petition for Certification of Material Question ¶ 2. The parties filed briefs regarding the Petition for Certification of a Material Question on March 20, 2017. On March 27, 2017, the ALJ issued an Order Denying Certification.

15. On April 20, 2017, the Indicated Parties filed a Petition for Interlocutory Review of a material question that does not substantially differ from the material question raised in the prior petition for certification filed by Gulf and PESRM. The Petition’s material question asks:

In reviewing the Application of Laurel Pipe Line Company (“Laurel”) filed on November 14, 2016 (“Application”), which avers that Commission approval for changes in flow direction of an

intrastate petroleum pipeline certificated previously by the Commission as a public utility, is not required and seeks Commission confirmation that Laurel may reinstate the initial direction of flow at Laurel's discretion in the future, is data and information about any plans to further reverse flows easterly beyond the point referenced in the Application (*i.e.*, Eldorado) relevant to the Commission's determination that the relief requested in the Application is in the public interest?

Petition for Interlocutory Review ¶ 2. The parties filed briefs on the Petition for Interlocutory Review with the Commission on May 1, 2017.

16. On May 15, 2017, the Commission issued a letter extending the standard 30-day period for review of the Petition for Interlocutory Review.

17. On May 4, 2017, the Indicated Parties served a Notice of Deposition. Laurel filed a letter with the Commission on May 15, 2017, that identified Mr. David W. Arnold as the deponent and advised the Commission that it was continuing to work with the parties to set a date and time for the deposition. The parties reached an agreement to hold the deposition on June 7, 2017. On June 5, 2017, the Indicated Parties advised Laurel that they may request to postpone the deposition until June 13, 2017. On June 6, 2017, the Indicated Parties confirmed their request to postpone the deposition to June 13, 2017, and Laurel agreed to this request.

18. On June 2, 2016, the Indicated Parties submitted the instant Motion for Modification and Extension of the Procedural Schedule.

II. ANSWER

19. The Indicated Parties' Motion for Modification and Extension of the Procedural schedule represents the latest entry in an established and improper pattern of delay, which has frustrated the prompt and efficient evaluation of Laurel's Application. Since the filing of Gulf's Petition to Intervene and Motion to Extend the Deadline for Protests, one or more of the

Indicated Parties' have acted in a manner to prolong the litigation of this proceeding, under the guise of seeking a thorough evaluation of Laurel's Application and proposal, and advancing their due process rights.

20. Section 5.223(a) of the Commission's regulations empowers the presiding Administrative Law Judge to modify a previously approved procedural schedule for good cause shown. *See* 52 Pa. Code § 5.223(a) ("The rulings of the presiding officer made at the conference will control the subsequent course of the hearing, unless modified for good cause shown." (emphasis added)). Section 5.223(a) does not define the "good cause shown" requirement, and Commission decisions have not interpreted the "good cause" requirement under this section of the Commission's regulations.

21. However, the Commission has interpreted this requirement under other sections of its regulations and other provisions of the Pennsylvania Public Utility Code.⁵ Instructively, the Commission has previously recognized the Pennsylvania Supreme Court's definition of good cause as "conduct which is reasonable under all of the circumstances, thereby justifying the [c]laimant's actions." *See In re Application of Penn Access Corporation and Digital Direct of Pittsburgh, Inc.*, Docket No. A-310006, 1992 Pa. PUC LEXIS 56, at *9 (1992) (citing *Frumento v. Unemployment Comp. Bd. of Review*, 466 Pa. 81, 351 A.2d 631 (Pa. 1976)).

⁵ *See e.g., Portia Hardy v. PECO Energy Company*, 2016 Pa. PUC LEXIS 205, at *14-15 (Initial Decision issued May 2, 2016) (citing *Eat'N Park Hospitality Group Inc. v. Unemployment Comp. Bd. of Rev.*, 9170 A.2d 492, 494 (Pa. Cmwlth. 2008) ("a party's own negligence is not sufficient good cause as a matter of law for failing to appear at a hearing.")), *affirmed by* Final Order, Docket No. C-2015-2491241 (Order entered July 14, 2016); *Petition of the Office of Small Business Advocate Seeking Intervention by the Pennsylvania Public Utility Commission in Proceedings Before the Federal Energy Regulatory Commission Regarding the Proposed Merger of Exelon Corporation and Constellation Energy Group*, Docket No. P-2011-224796, 2012 Pa. PUC LEXIS 1842 (Recommended Decision issued Dec. 19, 2012) (finding the petitioner had failed to demonstrate good cause under 66 Pa. C.S. § 2811(b) existed to warrant the Commission's intervention in a proceeding before the Federal Energy Regulatory Commission), *affirmed by* Docket No. P-2011-224796 (Opinion and Order entered April 18, 2013).

22. The Indicated Parties seek a modification and extension of the procedural schedule based on insufficient grounds. Specifically, the Indicated Parties state that they have failed to conclude initial discovery because of “delays resulting from contested discovery questions, protracted negotiation of an appropriate Protective Order, inconsistent written responses to discovery questions, delay in scheduling depositions, and a pending request filed by the Indicated Parties seeking Commission direction on the proper scope of the proceeding.” Motion ¶ 6.

23. Notably, four of the five grounds on which the Indicated Parties suggest delays have resulted can be primarily attributed to the Indicated Parties’ own actions or failures to act. *See* Sections II.A., II.B., II.D., and II.E. *infra*. Evaluated separately or together, the grounds advanced by the Indicated Parties fail to demonstrate good cause exists to modify and extend the procedural schedule. Laurel addresses each of these grounds in turn.

A. The Contested Discovery Issues Do Not Present Good Cause to Modify or Extend the Procedural Schedule.

24. The parties have engaged in extensive discovery. Laurel has been served with ten (10) sets of interrogatories and one (1) set of requests for admission, and has served five (5) sets of interrogatories upon the Indicated Parties. In their discovery requests, the Indicated Parties’ have repeatedly sought information outside the scope of and irrelevant to the issues involved in this Application proceeding, which has resulted in discovery disputes requiring substantial negotiations and/or litigation to resolve.

25. Notably, litigation over two such interrogatories, Gulf Set I Interrogatory No. 28 and PESRM Set I Interrogatory No. 1 has been ongoing since February 13, 2017, the date that Laurel timely filed its objections to these interrogatories. Litigation over these requests has

spanned one hundred and fifteen (115) days as of the date of this Answer, and has involved: two separate (yet identical) Motions to Compel, which Your Honor denied;⁶ a Petition for Certification of a Material Question related to the prior discovery ruling, which Your Honor also denied;⁷ and a Petition for Interlocutory Review, which inappropriately seeks to re-litigate a previously resolved discovery issue and remains pending before the Commission.

26. The Indicated Parties' continued improper attempts to re-litigate this discovery issue have substantially delayed the discovery process. Laurel has consistently contended, and Your Honor has consistently affirmed, that the information sought by these requests is irrelevant and outside the scope of this proceeding. Each affirmation, however, has been met with an additional attempt by the Indicated Parties' to re-litigate the issue, and each additional attempt has prevented Laurel from timely responding to certain discovery requests because Laurel has yet been unable to confirm the scope of review that it must conduct to comply with its discovery obligations.

27. Despite the repeated, unnecessary litigation surrounding these discovery issues, Laurel elected to provide the Indicated Parties' access to documents and information responsive to Gulf Set I Interrogatory No. 28 and PESRM Set I Interrogatory No. 1 on June 1, 2017. *See* Attachment 3. Laurel noted in the cover letter attached as Attachment 3 that it did not agree that

⁶ Order Regarding Motions to Compel, Docket Nos. A-2016-2575829; G-2017-2857567 (issued March 8, 2017).

⁷ Order Denying Certification, Docket Nos. A-2016-2575829; G-2017-2857567 (issued March 27, 2017).

the information provided is relevant to this proceeding, and reserved its rights to argue that the information is not relevant.⁸

28. Furthermore, contrary to their assertion that Laurel has severely limited the amount of information Laurel has made available in discovery, the Indicated Parties have lodged a significantly greater proportion of objections, which ultimately led to the majority of the motions to compel filed in this proceeding. Laurel objected to twenty-four (24) of two hundred and sixty-eight (268) interrogatories, six (6) of which were subjects of Motions to Compel. The Indicated Parties, however, objected to fifty-nine (59) of seventy-four (74) interrogatories (exclusive of general objections and/or objections to definitions and instructions), forty-nine (49) of which were subjects of Motions to Compel. Notably, the Indicated Parties' objections to Laurel's discovery requests do not create any basis on which modification or extension of the procedural schedule can be justified. Litigation regarding these discovery requests has not hindered the Indicated Parties' ability to prepare their Direct Testimony in any way. Their testimony does not rely upon the information sought by these requests; Laurel's Rebuttal Testimony, however, does.

29. Importantly, a substantial number of the Indicated Parties' objections were to discovery requests that sought basic information related to the allegations and averments contained in their protests. Despite seeking and being afforded a full sixty (60) days to prepare "meaningful and comprehensive protests,"⁹ which ultimately contained extensive factual

⁸ Following further review of its files, Laurel has provided the Indicated Parties with access to additional documents on June 7, 2017, and today, June 8, 2017, significantly fewer in number; these documents generally provide duplicative or previously disclosed information in differing formats.

⁹ See Petition to Intervene of Gulf Operating, LLC and Motion to Extend the Deadline for Protests, Docket No. A-2016-2575829, at p. 7 (filed Nov. 22, 2016); Petition to Intervene of Philadelphia Energy Solutions Refining and Marketing, LLC, Docket No. A-2016-2575829, at p. 5 (filed Dec. 5, 2016).

allegations, the Indicated Parties lodged numerous objections, ultimately frustrating Laurel's ability to evaluate and test the "meaningful and comprehensive" allegations the parties elected to develop and include in their protests.

30. Laurel has repeatedly attempted to resolve discovery issues and provide responsive information. However, the Indicated Parties have not approached the discovery process in a similar fashion, by objecting to the lion's share of discovery requests that Laurel has propounded. Therefore, for the reasons explained above, the Indicated Parties have failed to demonstrate that the contested discovery issues in this proceeding represent good cause to modify and extend the procedural schedule.

B. The Indicated Parties' Lack of Communication Substantially Protracted Negotiations Surrounding the Proposed Motion for Protective Order.

31. As described above, Laurel provided the Indicated Parties with an initial draft of a proposed Motion for Protective Order on February 10, 2017. Counsel for Gulf and Sheetz did not circulate proposed edits to the Motion for Protective Order until February 23, 2017, thirteen (13) days later. The parties thereafter conducted several additional rounds of negotiations. It often took the Indicated Parties a week, or longer, to respond to subsequent proposals. The parties did not conclude negotiations surrounding the proposed Motion for Protective Order until April 25, 2017, at which time it was submitted to Your Honor.

32. In conducting these negotiations, the Indicated Parties could have responded faster to proposals by Laurel. Instead, negotiations surrounding the proposed Motion for Protective Order were protracted, in substantial part, by the Indicated Parties' delayed responses. Therefore, the Indicated Parties have failed to demonstrate that the negotiations surrounding the

proposed Motion for Protective Order are good cause to justify modification and extension of the procedural schedule.

C. The Indicated Parties Have Misrepresented Laurel's Responses to Discovery And Have Failed to Timely Request Clarification of Allegedly Inconsistent Responses.

33. The Indicated Parties' assertions that Laurel has submitted inconsistent discovery responses are misrepresentative and false. Moreover, even if Laurel had submitted inconsistent discovery responses, the Indicated Parties have failed to demonstrate that good cause exists to modify and extend the procedural schedule, because sufficient time existed for the Indicated Parties to ask clarifying questions—they simply did not do so.

34. The Indicated Parties reference two discovery responses provided by Laurel in their Motion: Laurel's response to PESRM Set I Interrogatory No. 13, and PESRM Requests for Admission Set I, No. 1. *See* Motion ¶ 9. A copy of Laurel's responses to these discovery requests are attached as Attachment 4 and Attachment 5, respectively. As these responses are written documents, they speak for themselves and Laurel denies any characterization of them in the Indicated Parties' Motion.

35. Moreover, Laurel's responses to these questions are not inconsistent. In both responses, Laurel states that it does not expect or believe it is likely that the proposed reversal will result in increased truck traffic. These responses consistently reject the assumption in each question that increased truck traffic will result from the proposal; Laurel neither expects nor believes that such a result will occur.

36. Finally, even if Laurel's responses to these discovery questions could be considered inconsistent, which they are not, the Indicated Parties were provided ample opportunity to issue clarifying discovery upon receipt of the latter response. Laurel served its

response to PESRM Set I Interrogatory No. 13 on February 27, 2017, and thereafter served its response to the PESRM Requests for Admission Set I No. 1 on April 10, 2017. Fifty-two (52) days passed between Laurel's second response and the date the Indicated Parties filed the instant Motion, wherein they suggest for the first time that these responses are inconsistent. During that period, the Indicated Parties could have asked **two rounds** of additional questions to clarify any inconsistencies in Laurel's response; but the Indicated Parties did not do so. Therefore, the Indicated Parties' attempts to mischaracterize Laurel's responses to discovery as inconsistent appear to be nothing more than a diversion from their failure to timely issue additional clarifying discovery requests.

37. For the reasons more fully explained above, the Indicated Parties have failed to demonstrate that any allegedly inconsistent discovery responses represent good cause to modify and extend the procedural schedule, and the Indicated Parties' attempts to mischaracterize Laurel's responses to discovery requests as inconsistent should be disregarded.

D. The Indicated Parties' Failure to Schedule Depositions Earlier And Subsequent Failures to Timely Respond to Laurel's Proposals Do Not Constitute Good Cause To Modify and Extend the Schedule.

38. The Indicated Parties' suggestion that delays in scheduling depositions constitute good cause should also be rejected, because any delay in scheduling depositions is wholly attributable to the Indicated Parties' decision to delay service of its Notice of Deposition until May 4, 2017, and subsequent failure to timely respond to Laurel's proposed dates for depositions.

39. The Indicated Parties made clear in their prehearing conferences memoranda that they planned to conduct depositions in this proceeding.¹⁰ Yet, the Indicated Parties did not serve a Notice of Deposition until May 4, 2017, *i.e.* seventy-nine (79) days after the prehearing conference and eighty-six (86) days after Laurel served its direct testimony. The Indicated Parties' decision to allow almost three months to pass before attempting to notice and schedule depositions cannot be considered good cause for an extension of the procedural schedule.

40. With respect to delays in scheduling a deposition, these delays are also attributable to actions, or rather inaction, by the Indicated Parties. As indicated in the Motion, Laurel informally responded to the Indicated Parties' Notice of Deposition on May 11, 2017—four (4) days in advance of the date by which the Indicated Parties had requested a response. In its response, Laurel identified David Arnold as its representative and indicated its preference to hold the depositions on either May 23, 2017, or May 31, 2017. *See also* Attachment 6 (emphasis added).¹¹ Laurel filed a letter on May 15, 2017, formally notifying the ALJ and all parties that Mr. Arnold had been identified as the deponent, and that Laurel was “working with the Indicated Parties to establish the time for the deposition.” *See* Attachment 7.

41. The Indicated Parties did not promptly respond to Laurel's proposal. On May 16, Laurel's counsel advised counsel for the Indicated Parties that the proposed May 23, 2017 would likely not work because of the short time remaining until May 23, 2017. The Indicated Parties

¹⁰ *See* Prehearing Conference Memorandum of Philadelphia Energy Solutions Refining and Marketing LLC, Docket No. A-2016-2575289, at pp. 4-5 (filed Feb. 13, 2017); Prehearing Memorandum of Gulf Operating, LLC, and Sheetz, Inc., Docket No. A-2016-2575829, at p. 6 (filed Feb. 13, 2017); Prehearing Memorandum of Monroe Energy LLC, Docket No. A-2016-2575829, at Appendix A (filed Feb. 13, 2017); Prehearing Memorandum of Giant Eagle, Inc., Docket No. A-2016-2575829, at Exhibit A (filed Feb. 13, 2017).

¹¹ In this communication, Laurel also stated that “If either of those dates do not work, we will try to set another date that works for everyone.” *Id.* As can be seen in Attachment 6, the assertion in the Indicated Parties' Motion that Laurel “affirmed” the May 23 and May 31, 2017 dates is false. *See* Motion ¶ 11.

had not advised Laurel that the May 23, 2017 date would work and in fact never advised Laurel that the May 23, 2017 date would have worked. On May 18, 2017, Laurel’s counsel sent an email to the Indicated Parties’ counsel confirming that the May 23, 2017 date would no longer work. The Indicated Parties did not respond to Laurel’s proposal—sent on May 11, 2017—until the evening of May 18, 2017, a full week after Laurel advised the Indicated Parties of proposed deposition dates. In the May 18, 2017 correspondence, the Indicated Parties stated that conflicts precluded deposing Mr. Arnold on May 31, 2017, and proposed alternative dates of June 5, 2017, or June 7, 2017. Laurel agreed to hold the deposition on June 7, 2017. However, on June 5, 2017, the Indicated Parties advised Laurel that they may request to postpone the deposition until June 13, 2017. On June 6, 2017, the Indicated Parties confirmed their request to postpone the deposition to June 13, 2017, and Laurel agreed to this request.

42. For the reasons more fully explained above, the Indicated Parties have failed to demonstrate that any delays associated with scheduling the deposition of Mr. Arnold represent good cause justifying modification and extension of the procedural schedule.

E. The Indicated Parties’ Unnecessary Delay in Filing Their Petition for Interlocutory Review is Primarily Responsible for the Complained-of Procedural Overlap.

43. Finally, the Indicated Parties’ assertion that the other parties’ preparation of direct testimony could be impacted by Commission action on the Indicated Parties’ Petition for Interlocutory review similarly disregards the Indicated Parties’ delays in seeking to file this Petition.

44. Importantly, the Indicated Parties admit that the Petition for Interlocutory Review “arose out of a discovery dispute that called into question the scope of issues to be addressed in this proceeding.” Motion ¶ 12. Yet, the Indicated Parties decided to wait twenty-four (24) days

after the last order Your Honor issued that addressed this discovery dispute—the March 27, 2017 Order Denying Certification.¹² The Indicated Parties’ decision to delay their filing created the complained-of procedural overlap.

45. Furthermore, Laurel has provided the information sought by the Petition and indicated that it will allow the Indicated Parties to submit evidence regarding this issue into the record and will not move to strike testimony regarding this issue on the basis that it is irrelevant.¹³ Laurel did, however, reserve its rights to argue in its testimony, briefs and exceptions and/or reply exceptions that this information is not relevant and that Your Honor and the Commission should not consider it when issuing their respective decisions. This proposal moots the Petition for Interlocutory Review and obviates the need for the Commission to address the Petition at this time.

¹² Order Denying Certification, Docket Nos. A-2016-2575829; G-2017-2857567 (issued March 27, 2017). Notably, the Indicated Parties’ new admission in the Motion that the Petition for Interlocutory Review “arises” from a discovery dispute raises a new issue: whether the Petition was timely filed.

Under Section 5.304(c)(1) of the Commission’s regulations, a “petition for interlocutory review of a presiding officer’s ruling on discovery must...[b]e filed within 3 days of the ruling.” 52 Pa. Code § 5.304(c)(1). In the Petition, the Indicated Parties stated that they “do not further contest the ALJ’s resolution of the discovery matters disposed of in” the March 8, 2017 Order Denying Motions to Compel, and March 27, 2017 Order Denying Certification. *See* Petition for Interlocutory Review, Docket Nos. A-2016-2575829; G-2017-2857567, at p. 2 (filed April 20, 2017). Yet, the instant Motion acknowledges that the Petition and its material question “arose out of” this discovery dispute. As such, the Indicated Parties’ representation in the Petition for Interlocutory Review that they are not seeking further review of a discovery issue appears to be misleading. If this is the case, the Indicated Parties should have submitted the pending Petition for Interlocutory Review no later than Thursday, March 30, 2017, *i.e.* three days after the March 27, 2017 Order. Therefore, Laurel submits that the Indicated Parties should not be allowed to rely upon the pendency of the Petition for Interlocutory review to argue good cause exists to modify and extend the procedural schedule.

¹³ *See* Letter of Laurel Pipe Line Company, L.P. to the Secretary, Docket Nos. A-2016-2575829, G-2017-2587567 (filed June 6, 2017).

46. For the reasons more fully explained above, the Indicated Parties have failed to demonstrate that the pendency of the Petition for Interlocutory Review represents good cause justifying modification and extension of the procedural schedule.

F. The Indicated Parties Request For An Additional Sixty Days to Submit Direct Testimony Is Extraordinary and Unreasonable.

47. The Indicated Parties' request for sixty (60) additional days to submit their Direct Testimony represents an extraordinary and unreasonable departure from Commission practice. Laurel is unaware of an application proceeding where a party has sought and received an additional sixty (60) days to submit their direct testimony, where the party has already been provided: one hundred and twenty-seven (127) days to submit their direct testimony since the filing of an applicant's direct testimony; one hundred and thirty-three (133) days to submit their direct testimony since the deadline for filing petitions to intervene and protests; and/or two-hundred and twelve (212) days since the date of an initial filing to submit their direct testimony. Indeed, in their Motion the Indicated Parties point to no proceeding before this Commission where such an extraordinary request has been made, let alone granted.

48. By way of comparison, a base rate case, which is statutorily required to be litigated within nine months, *i.e.* approximately two hundred and seventy (270) days, typically provides intervenors and complainants approximately eighty-five (85) to ninety (90) days with which they can prepare and file their direct testimony. *See e.g., Pa. Pub. Util. Comm'n v. UGI Utilities, Inc. – Gas Division*, Docket Nos. R-2015-2518438, et al. (Scheduling Order issued Feb. 19, 2016) (providing the intervenors and statutory parties approx. eighty-five (85) days, from the date the utility submitted its direct case, to prepare and submit direct testimony); *Pa. Pub. Util. Comm'n v. Columbia Gas of Pennsylvania, Inc.*, Docket Nos. R-2016-2529660, et al.

(Prehearing Order issued April 29, 2016) (providing the intervenors and statutory parties ninety (90) days, from the date the utility submitted its direct case, to prepare and submit direct testimony); *Pa. Pub. Util. Comm'n v. PPL Electric Utilities Corp.*, Docket Nos. R-2015-2569275, P-2015-2474714 (Amended Scheduling Order dated May 7, 2015)) (providing the intervenors and statutory parties eight-four (84) days, from the date the utility submitted its direct case, to prepare and submit direct testimony).

49. If Your Honor were to grant the Indicated Parties' request, the Indicated Parties would ultimately be provided one hundred and eighty-seven (187) days, *i.e.* approximately six months, since Laurel submitted its Direct Testimony to prepare and submit their own Direct Testimony. Such a request is unreasonable on its face, and further evidence of an established pattern of delay by the Indicated Parties, which strongly suggests that good cause to grant the Indicated Parties' request does not exist. Therefore, Laurel respectfully requests that Your Honor deny the Indicated Parties' Motion.

G. Laurel's Alternative Proposal Obviates Any Need to Modify the Hearing Dates.

50. In an effort to compromise and expedite the resolution of this matter, Laurel proposes the following revised procedural schedule that allows the other parties twelve (12) additional days to file Direct Testimony and still maintains the hearing dates of October 2 through October 6, 2017:

Other Parties' Direct Testimony June 26, 2017

Rebuttal Testimony August 7, 2017

Surrebutal Testimony	September 8, 2017
Written Rejoinder Testimony	September 25, 2017
Hearings	October 2 – October 6, 2017

51. The additional time provided to the Indicated Parties to prepare and submit direct testimony represents a reasonable compromise that maintains the hearing dates established by the current procedural schedule. Therefore, Laurel respectfully requests that any modification of the procedural be consistent with the above proposal.

52. Laurel has shown a willingness to compromise in this proceeding, and is willing to compromise with respect to the litigation schedule provided that the hearing dates remain intact, and the Company has sufficient time to prepare its testimony. This proposed schedule meets Laurel's goal of keeping the overall schedule intact, while allowing the other parties additional time to submit Direct Testimony.

53. Therefore, and for the reasons explained above, the Indicated Parties request for an additional sixty (60) days to submit Direct Testimony is unreasonable and should be denied.

III. CONCLUSION

WHEREFORE, Laurel Pipe Line Company, L.P. respectfully requests that Administrative Law Judge Eranda Vero deny the Indicated Parties' Motion for Modification and Extension of the Procedural Schedule.

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: June 8, 2017

Counsel for Laurel Pipe Line Company, L.P.

Attachment

1

Lent, Garrett

From: Vero, Eranda <evero@pa.gov>
Sent: Tuesday, February 21, 2017 3:07 PM
To: Kanagy, Anthony; Young, Adam; Adeolu A. Bakare (abakare@mcneeslaw.com); Alan M. Seltzer (alan.seltzer@bipc.com); Andrew S. Levine (alevine@stradley.com); Barr, Christopher; Carl R. Shultz (cshultz@eckertseamans.com); Christopher A. Ruggiero (Christopher.ruggiero@monroe-energy.com); Daniel J. Stuart (stuart@marcus-shapira.com); Ernest Logan Welde (lwelde@cleanair.org); John F. Povilaitis (John.povilaitis@bipc.com); Evans, John; Jonathan D. Marcus (jmarcus@marcus-shapira.com); Joseph Otis Minott (joe_minott@cleanair.org); Joseph R. Hicks (jrhicks@Venable.com); Karen O. Moury (kmoury@eckertseamans.com); Kenneth R. Stark (kstark@mcneeslaw.com); Kevin J. McKeon (kjmckeon@hmslegal.com); Lent, Garrett; MacGregor, David; Swindler, Michael; Richard E. Powers Jr. (repowers@Venable.com); Robert A. Weishaar Esquire (bweishaar@mcneeslaw.com); Rogers, Jessica; Susan E. Bruce Esquire (sbruce@mcneeslaw.com); Tanya J. McCloskey (tmccloskey@paoca.org); Todd S. Stewart (TSSStewart@hmslegal.com); trusso@buckeye.com; Whitney Snyder (wesnyder@hmslegal.com)
Subject: RE: Application of Laurel Pipe Line Company LP (No. A-2016-2575829) - Schedule

This is excellent news Mr. Canagy. Did the parties also happen to discuss public input hearings? I do not see any dates suggested in the litigation schedule.

Eranda Vero
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

From: Kanagy, Anthony [<mailto:akanagy@postschell.com>]
Sent: Tuesday, February 21, 2017 3:05 PM
To: Vero, Eranda; Young, Adam; Adeolu A. Bakare (abakare@mcneeslaw.com); Alan M. Seltzer (alan.seltzer@bipc.com); Andrew S. Levine (alevine@stradley.com); Barr, Christopher; Carl R. Shultz (cshultz@eckertseamans.com); Christopher A. Ruggiero (Christopher.ruggiero@monroe-energy.com); Daniel J. Stuart (stuart@marcus-shapira.com); Ernest Logan Welde (lwelde@cleanair.org); John F. Povilaitis (John.povilaitis@bipc.com); Evans, John; Jonathan D. Marcus (jmarcus@marcus-shapira.com); Joseph Otis Minott (joe_minott@cleanair.org); Joseph R. Hicks (jrhicks@Venable.com); Karen O. Moury (kmoury@eckertseamans.com); Kenneth R. Stark (kstark@mcneeslaw.com); Kevin J. McKeon (kjmckeon@hmslegal.com); Lent, Garrett; MacGregor, David; Swindler, Michael; Richard E. Powers Jr. (repowers@Venable.com); Robert A. Weishaar Esquire (bweishaar@mcneeslaw.com); Rogers, Jessica; Susan E. Bruce Esquire (sbruce@mcneeslaw.com); Tanya J. McCloskey (tmccloskey@paoca.org); Todd S. Stewart (TSSStewart@hmslegal.com); trusso@buckeye.com; Whitney Snyder (wesnyder@hmslegal.com)
Subject: RE: Application of Laurel Pipe Line Company LP (No. A-2016-2575829) - Schedule

Dear Judge Vero,

I am happy to report that the Parties in the above-referenced proceeding all agree to the following litigation schedule:

- Settlement Conference – May 25, 2017
- Other Parties Direct – June 14, 2017

- Rebuttal – August 1, 2017
- Surrebuttal – September 6, 2017
- Written Rejoinder – September 22, 2017
- Hearings – October 2 to October 6, 2017
- Main Brief – October 30, 2017
- Reply Brief – November 20, 2017

The parties also agree that responses to discovery requests sent after June 14, 2017 will be due in 15 calendar days.

Please let us know if this schedule is acceptable to Your Honor or whether you have any questions.

Thank you,

Anthony D. Kanagy
Principal
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101

717-612-6034 (Phone)

717-571-0014 (Cell)

717-731-1985 (Fax)

akanagy@postschell.com

www.postschell.com

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Attachment

2

Lent, Garrett

From: Vero, Eranda <evero@pa.gov>
Sent: Friday, March 17, 2017 2:26 PM
To: MacGregor, David; Kanagy, Anthony; Lent, Garrett; Barr, Christopher; Rogers, Jessica; Young, Adam; Swindler, Michael; 'alan.seltzer@bipc.com'; 'John.povilaitis@bipc.com'; 'bweishaar@mcneeslaw.com'; 'sbruce@mcneeslaw.com'; 'abakare@mcneeslaw.com'; 'kstark@mcneeslaw.com'; 'stuart@marcus-shapira.com'; 'jmarcus@marcus-shapira.com'; 'kjmckeon@hmslegal.com'; 'tsstewart@hmslegal.com'; 'wesnyder@hmslegal.com'; 'jrhicks@Venable.com'; 'repowers@Venable.com'; 'Christopher.ruggiero@monroe-energy.com'; 'kmoury@eckertseamans.com'; 'cshultz@eckertseamans.com'; 'ALevine@stradley.com'; 'lwelde@cleanair.org'; 'joe_minott@cleanair.org'
Subject: Public Input Session A-2016-2575829, G-2017-2587567
Attachments: 717 Smart Hearing press release - 7-13-2016 DRAFT.docx

Dear counsel,

After carefully considering the parties' positions regarding the public input hearings to be held in the above-captioned matter, I have decided that they will be conducted as "Smart Hearings" from Harrisburg, meaning that the procedure will be live streamed on PUC's website. Testimonies and statements will be submitted via telephone. Anyone who wishes to attend the public input hearing in person in Harrisburg is free to do so. There will be no other public input hearing on location; however, the parties are free to explore other organizational tools at their disposal.

The public input hearings will take place on:

Tuesday, May 16, 2016, at 1:00 p.m. and 6:00 p.m.,
Commonwealth Keystone Building
Hearing Room 1
400 North Street
Harrisburg, PA 17120

Individuals wishing to testify at the hearings by telephone must contact the PUC's Office of Administrative Law Judge (OALJ) at 717-787-1399 and provide contact information no later than **Monday, May 8, 2016**. Attendance in person requires no prior action, simply show up and sign in.

The Applicant will publish advertisements in newspapers of general circulation announcing the date, time and location/manner of the public input hearing. Published notice must occur approximately two to three weeks before the hearing date.

I have attached a copy of the press release prepared by the Commission for the **717 Area Code** Smart Hearings held in August of last year in order to give the Applicant a general idea of the

information to be included in the advertisement. In any event, I expect the advertisement to include the content of the text highlighted above.

Do not hesitate to contact me with any questions or concerns.

Have a pleasant weekend.

*Eranda Vero
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107*

Attachment

3



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, Esquire

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

June 1, 2017

VIA HAND DELIVERY & REGULAR MAIL

To: Indicated Parties

**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 Counsel:

Pursuant to the Notice of Deposition and Request for Production of Documents (“Deposition Notice”) filed by Gulf Operating, LLC, Philadelphia Energy Solutions Refining & Marketing, LLC, Sheetz, Inc., Monroe Energy, Inc., and Giant Eagle, Inc. (the “Indicated Parties”) on May 4, 2017, enclosed on behalf of Laurel Pipe Line Company, L.P. (“Laurel”) are documents in response to the seven subjects identified in paragraph 5 of the Deposition Notice. The documents are being provided in searchable PDF format.

Laurel notes that the enclosed documents include information in response to Philadelphia Energy Solutions Refining and Marketing (“PESRM”) Set I, question 1 and Gulf Operating, LLC (“Gulf”) Set I, question 28. Laurel does not agree that the information provided in response to PESRM Set I, question 1 or Gulf Set I, question 28 is relevant to this proceeding, and reserves its rights to argue that this information is not relevant.

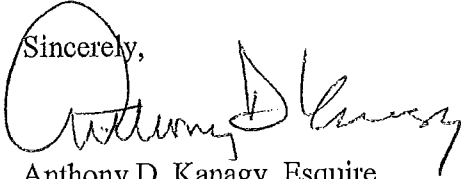
The enclosed documents also include information that is responsive to Gulf Set I, questions 2 and 27, and Giant Eagle Set I, questions 15 and 26.

To: Indicated Parties
June 1, 2017
Page 2

Laurel notes that many of the documents are Highly Confidential or Confidential and that disclosure of these documents is limited by the terms of the Protective Order.

Please direct any questions regarding this matter to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony D. Kanagy". The signature is written in a cursive style with a large initial "A".

Anthony D. Kanagy, Esquire

ADK/skr
Enclosures

cc: Certificate of Service
Rosemary Chiavetta, Secretary (*letter and certificate of service only*)

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 HAND DELIVERY

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

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

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

VIA E-MAIL AND FIRST CLASS MAIL

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.*

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

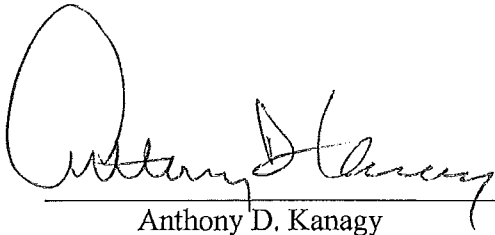
Christopher A. Ruggiero, Esquire
Vice President, General Counsel &
Secretary
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
Counsel for Monroe Energy, LLC

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: June 1, 2017



Anthony D. Kanagy

Attachment

4

Laurel Pipe Line Company, L.P.
Response to Interrogatories of
Philadelphia Energy Solutions Refining and Marketing, Set I
Dated February 26, 2017
Docket No. A-2016-2575829

M.J. Webb
Page 1 of 1

- Q. 13. Did Laurel consider and evaluate environmental impacts, including but not limited to increased emissions resulting from increased truck traffic, as a result of the proposed change in service direction? If yes, please explain. Provide studies and Documents relating thereto.
- A. 13. Laurel does not expect the proposal, if implemented, to result in materially increased truck traffic, and thus the answer is "no."

Attachment

5

Laurel Pipe Line Company, L.P.
Response to Requests for Admission of
Philadelphia Energy Solutions Refining and Marketing, LLC, Set I
Dated April 10, 2017
Docket No. A-2016-2575829

- Q. 1. Prior to filing its Application or Direct Testimony with the Pennsylvania Public Utility Commission ("PaPUC") in this proceeding, Laurel did not consider and evaluate environmental impacts, including but not limited to increased emissions resulting from increased truck traffic, as a result of the proposed change in service direction of the Laurel pipeline being approved.
- A. 1. Laurel denies that it did not consider and evaluate "environmental impacts" that would be "resulting from increased truck traffic" due to the proposed change in service direction, because no such increased traffic is expected or likely to result from the proposed change in direction of service.

Attachment

6

Lent, Garrett

From: Kanagy, Anthony
Sent: Thursday, May 11, 2017 2:49 PM
To: Adeolu A. Bakare (abakare@mcneeslaw.com); Robert A. Weishaar Esquire (bweishaar@mcneeslaw.com); Alan M. Seltzer (alan.seltzer@bipc.com); John F. Povilaitis (John.povilaitis@bipc.com); Todd S. Stewart (TSSStewart@hmslegal.com); Daniel J. Stuart (stuart@marcus-shapira.com)
Cc: MacGregor, David; Barr, Christopher; Rogers, Jessica; Lent, Garrett; Arnold, David (DArnold@buckeye.com); Monaghan, Patrick (PMonaghan@buckeye.com)
Subject: Laurel - depositions

Counsel,

In response to your request to conduct depositions, Laurel designates Dave Arnold as the appropriate person from the Company for you to depose. We prefer to conduct the depositions on either Tuesday, May 23, 2017 or Wednesday, May 31, 2017. If either of those dates do not work, we will try to set another date that works for everyone.

Please let me know if either of those dates work.

Anthony D. Kanagy

Principal

Post & Schell, P.C.

17 North Second Street

12th Floor

Harrisburg, PA 17101

717-612-6034 (Phone)

717-571-0014 (Cell)

717-731-1985 (Fax)

akanagy@postschell.com

www.postschell.com

[Download My Contact Information](#)

Attachment

7



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, Esquire

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

May 15, 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**

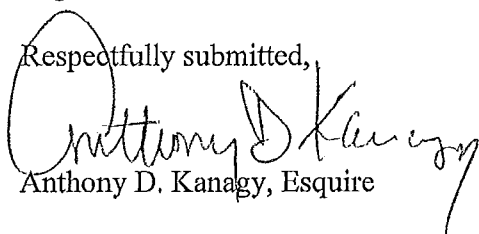
Dear Secretary Chiavetta:

On May 4, 2017, Gulf Operating, LLC, Philadelphia Energy Solutions Refining & Marketing, LLC, Sheetz, Inc., Monroe Energy, Inc., and Giant Eagle, Inc. (the "Indicated Parties") filed a Notice of Deposition and Request for Production of Documents ("Notice of Deposition") to Laurel Pipe Line Company ("Laurel"). In the Notice of Deposition, the Indicated Parties requested that Laurel designate one or more persons for a deposition who is qualified to testify regarding the matters discussed in the Notice of Deposition.

Laurel has advised the Indicated Parties that David W. Arnold, Vice President, Domestic Pipelines, is the appropriate person to depose regarding the matters discussed in the Notice of Deposition. Laurel is working with the Indicated Parties to establish the time for the deposition.

Rosemary Chiavetta, Secretary
May 15, 2017
Page 2

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony D. Kanagy". The signature is written in a cursive style with a large initial "A".

Anthony D. Kanagy, Esquire

ADK/skr

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

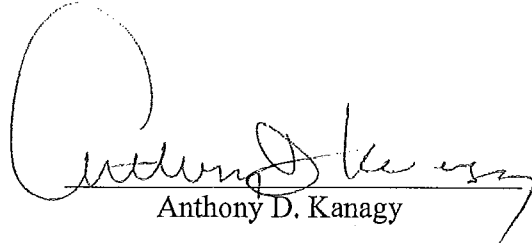
Christopher A. Ruggiero, Esquire
Vice President, General Counsel &
Secretary
Monroe Energy, LLC
4101 Post Road
Trainer, PA 19061
Counsel for Monroe Energy, LLC

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: May 15, 2017



Anthony D. Kanagy