



ATTORNEYS AT LAW

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com
August 10, 2017

Kevin J. McKeon
717 703-0801
kjmckeon@hmslegal.com

Todd S. Stewart
717 703-0806
tssstewart@hmslegal.com

Whitney E. Snyder
717 703-0807
wesnyder@hmslegal.com

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

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

Affiliated Interest Agreement between Laurel Pipe Line Company, L.P. and Buckeye Pipe Line Company, L.P.; Docket No. G-2017-2587567; **LETTER REGARDING OBJECTIONS OF MONROE ENERGY, LLC TO LAUREL PIPE LINE COMPANY, L.P. NOTICE OF DEPOSITION AND REQUEST FOR PRODUCTION OF DOCUMENTS**

Dear Secretary Chiavetta:

On August 9, 2017, we electronically filed with the Commission a Letter regarding Objections to Laurel Pipe Line Company, L.P. Notice of Deposition and Request for Production of Documents in the above-referenced matter. We neglected to attach the Objections, which are attached hereto to be attached to the Letter of August 9, 2017 regarding same.

Thank you for your attention to this matter. If you have any questions related to this filing, please contact our office.

Respectfully submitted,


Kevin J. McKeon
Todd S. Stewart
Whitney E. Snyder
Attorneys for Monroe Energy, LLC

TSS/jld
Enclosure

cc: Honorable Eranda Vero (via email only)
Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in the manner indicated below, and in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL ONLY

David B. MacGregor, Esquire
Anthony D. Kanagy, Esquire
Garrett P. Lent, Esquire
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.

Christopher J. Barr, Esquire
Jessica R. Rogers, Esquire
Post & Schell, P.C.
607 14th Street, N.W., Suite 600
Washington, DC 20005-2000
cbarr@postschell.com
jrogers@postschell.com
Counsel for Laurel Pipe Line Company, L.P.

John R. Evans
Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
jorevan@pa.gov

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

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

Karen O. Moury, Esquire
Carl R. Shultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
kmoury@eckertseamans.com
cshultz@eckertseamans.com
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
jmarcus@marcus-shapira.com
stuart@marcus-shapira.com
Counsel for Giant Eagle, Inc.

Heidi, Wushinske 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
hwushinske@pa.gov
mwindler@pa.gov


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

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

Adeolu A. Bakare, Esquire
Kenneth R. Stark, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
sbruce@mcneeslaw.com
abakare@mcneeslaw.com
kstark@mcneeslaw.com
*Counsel for Gulf Operating, LLC and Sheetz,
Inc.*

EMAIL ONLY

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



Todd S. Stewart

Dated: August 10, 2017



Kevin J. McKeon
717 703-0801
kjmckcon@hmslegal.com

Todd S. Stewart
717 703-0806
tsstewart@hmslegal.com

Whitney E. Snyder
717 703-0807
wcsnyder@hmslegal.com

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com
August 3, 2017

VIA EMAIL AND REGULAR MAIL

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

RE: Application of Laurel Pipe Line Company, L.P.; Docket No. A-2016-2575829;
**OBJECTIONS OF MONROE ENERGY, LLC TO LAUREL PIPE LINE
COMPANY, L.P. NOTICE OF DEPOSITION AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

Dear Counsel:

Please find enclosed the Objections of Monroe Energy, LLC to Laurel Pipe Line Company, L.P. Notice of Deposition and Request for Production of Documents in the above-referenced matter. Copies of the Objections are being served according to the Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please contact our office.

Very truly yours,

Kevin J. McKeon
Todd S. Stewart
Whitney E. Snyder
Counsel for Monroe Energy, LLC

TSS/jld
Enclosure

cc: Rosemary Chiavette, Secretary (Efile Letter and COS only)
Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in the manner indicated below, and in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL

David B. MacGregor, Esquire
Anthony D. Kanagy, Esquire
Garrett P. Lent, Esquire
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.

Christopher J. Barr, Esquire
Jessica R. Rogers, Esquire
Post & Schell, P.C.
607 14th Street, N.W., Suite 600
Washington, DC 20005-2000
cbarr@postschell.com
jrogers@postschell.com
Counsel for Laurel Pipe Line Company, L.P.

John R. Evans
Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
jorevan@pa.gov

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

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

Karen O. Moury, Esquire
Carl R. Shultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
kmoury@eckertseamans.com
cshultz@eckertseamans.com
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
jmarcus@marcus-shapira.com
stuart@marcus-shapira.com
Counsel for Giant Eagle, Inc.

Heidi, Wushinske 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
hwushinske@pa.gov
mwindler@pa.gov


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

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

Adeolu A. Bakare, Esquire
Kenneth R. Stark, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
sbruce@mcneeslaw.com
abakare@mcneeslaw.com
kstark@mcneeslaw.com
*Counsel for Gulf Operating, LLC and Sheetz,
Inc.*

EMAIL ONLY

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



Todd S. Stewart

Dated: August 3, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**OBJECTIONS OF MONROE ENERGY, LLC
TO LAUREL PIPE LINE COMPANY, L.P.
NOTICE OF DEPOSITION AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

Monroe Energy, LLC ("Monroe") hereby submits its Objections to the Notice of Deposition and Request for Production of Documents ("Laurel Notice") served July 27, 2017 by Laurel Pipe Line Company, L.P. ("Laurel"), pursuant to Section 5.343 *et seq.* of the Pennsylvania Public Utility Commission's ("Commission") regulations, 52 Pa. Code § 5.343 *et seq.* Laurel has noticed a deposition specifically for Monroe's witness Tracy Sadowski regarding eight (8) areas of subject matter described in the Laurel Notice. In addition, Laurel has requested: (i) that documents related to the subject matters described in the Laurel Notice be provided at least seven days prior to the deposition; and (ii) that Laurel be granted a waiver of the minimum twenty-day notice period for a deposition provided for in 52 Pa. Code Section 5.343(a), so that Ms. Sadowski's deposition could commence as early as August 14, 2017, at Laurel's counsel's office in Harrisburg, Pennsylvania.

Monroe objects on the following grounds:

Objection No. 1 – The Laurel Notice indicates that it intends to inquire into the following subjects:

5. Laurel intends to inquire into:

- (i) the pricing of petroleum products sold by Monroe, including its margins on sale;*
- (ii) the markets into which Monroe sells petroleum products, and the cost, availability and commercial feasibility of the transportation and/or exchange alternatives that Monroe or its customers have to reach such markets;*
- (iii) how Monroe acquires crude supplies;*
- (iv) crude supplies price volatility;*
- (v) Monroe finances and economics;*
- (vi) how and when Monroe determines to reduce or change refinery output;*
- (vii) how Monroe has analyzed the results of the proposed reversal as well as the results of other projects proposed to bring refined petroleum products from the Midwest to Central or Eastern Pennsylvania;*
- (viii) and other matters, including issues raised by Monroe in its Direct Testimony and/or responses to Laurel's interrogatories and requests for the production of documents.*

Monroe objects to subpart (v) of the subjects of deposition, “Monroe finances and economics,” because it is overbroad, vague, ambiguous, completely unbounded by time frame, and untethered to any relevant issue in this case. These serious deficiencies make it impossible for Ms. Sadowski or Monroe to adequately prepare to answer questions at a deposition or submit requested documents on this subject. The terms “finances” and “economics” are overbroad, particularly in the context of a business as complex and large scale as refining, which has local, regional, national and international financial and economic components. Because the specific questions Laurel intends to ask Monroe’s representative(s) will not be known until the time of the deposition, it is unfair, unduly burdensome, and would require an unreasonable investigation for Monroe to have to prepare for or to gather documents relating to this subject, given its

overbreadth.¹ Moreover, the overbreadth, vagueness, and scope of the phrase “finance and economics” encompasses deposition testimony and/or the production of documents that are neither relevant to the issues in this case nor likely lead to admissible evidence. The Commission’s regulations specifically prohibit discovery that results in an undue burden on a party. 52 Pa. Code § 5.361(a)(1)-(4). The same legal standard and rationale are applicable to discovery conducted via oral deposition and as set forth in a Notice of Deposition. Therefore, Monroe requests that Laurel be prohibited from addressing in the upcoming deposition of Tracy Sadowski and Monroe not be obligated to provide any documents on the topics contained in subject (v) of the Laurel Notice.

Objection No. 2 – Laurel’s Notice fails to exempt from its request for production of documents any documents subject to a claim of privilege. Under the Commission’s regulations at 52 Pa. Code Section 5.321(c), a party may not obtain discovery on matters subject to privilege, and the Laurel Notice should have expressly excluded such documents from the document production request. To the extent Laurel is seeking privileged documents in the Laurel Notice, Monroe objects to the request they be made available in any way, including, without limitation, for use in the proposed deposition. Should Monroe’s review of documents requested in the Laurel Notice that are not otherwise subject to objection, Monroe will identify such privileged documents and add them to the Privilege Log Monroe maintains for purposes of discovery in this proceeding, which has been previously provided to Laurel’s counsel.

Objection No. 3 - Monroe objects to Laurel’s request that it produce all documents related to the subjects of deposition it has identified in the Laurel Notice “prior at least one week,

¹ This objection to the overbroad and/or burdensome nature of this subject of deposition is bolstered by 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” *id* at (a)(2), and “[w]ould require the making of an unreasonable investigation by the deponent, a party or witness.” *Id.* at (a)(4).

i.e. seven (7) calendar days, prior to the deposition.”² In addition to the objection relating to Monroe’s finances and economics, Laurel seeks documents relating to seven other subject areas, which will require significant effort on Monroe’s part to identify and supply. Furthermore, Laurel has posed a large number of interrogatories, including subparts, relating to the Direct Testimony by Monroe or Indicated Party witnesses, which must be answered during the same time frame documents responsive to the Laurel Notice must be located and provided. Under these circumstances, requesting that documents be provided in advance of the twenty (20) days specified by Commission regulations³ is unreasonable and burdensome pursuant to Section 5.361(a)(2) and (a)(4) of the Commission’s regulations. 52 Pa. Code §5.361(a)(2) and (a)(4). Notwithstanding this objection, Monroe is currently conducting a good faith effort to identify the requested documents and will make a reasonable effort to supply any documents not subject to Objection in advance of the due date set by Commission regulations, to the extent it is practical to do so.

Objection No. 4 - Monroe objects to Laurel’s request to commence the noticed deposition on August 14 or 15, 2017, which is in advance of the minimum twenty (20) day notice period provided for in 52 Pa. Code Section 5.343, as well as the proposed location of the deposition, given Laurel’s proposed dates for the deposition. Monroe considers these requests on time frame and location of the deposition to be related. Given the multiple subject areas of inquiry, the broad document request made in the Laurel Notice, and the extensive number of written interrogatories Laurel has posed that must be responded to in the same period relevant to the deposition, circumstances do not support shortening the Commission regulation’s minimum notice period. Notwithstanding this objection, Monroe can make its representative available on

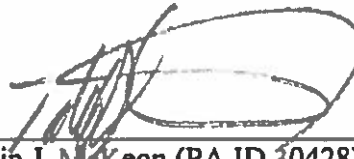
² Laurel Notice ¶ 6, p. 3.

³ See 52 Pa. Code § 5.349(d).

August 16 or 17, 2017, shortly after the days on which Laurel requests that the deposition commence and the same week it proposes for the deposition, provided that Monroe's witness is allowed to appear in counsel for Laurel's Philadelphia office, the vicinity where Monroe's representative lives and works.

With respect to the foregoing objections, Monroe is available to discuss these issues with Laurel or other interested Parties.

Respectfully submitted,



Dated: August 3, 2017

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

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

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

Attorneys for Monroe Energy, LLC