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August 21, 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 Sunoco 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).

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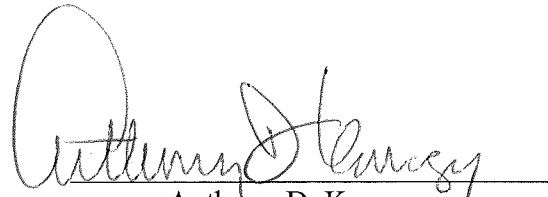
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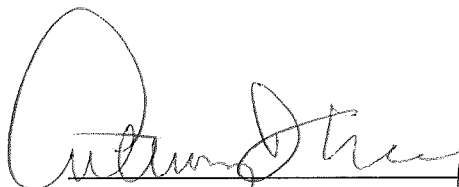

Anthony D. Kanagy

**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.



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Date: August 21, 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 SUNOCO, LLC, SET I**

TO ADMINISTRATIVE LAW JUDGE ERANDA VERO:

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 Sunoco, LLC (“Sunoco”). The Motion to Compel requests that Administrative Law Judge Eranda Vero (the “ALJ”) direct the Indicated Parties to provide full and complete responses to Request Nos. 2(b), 3(b),(c)(i),(c)(iv), 4, 5(a),(b)(i)-(iii), and 7(a) 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 July 14, 2017, the Sunoco served Sunoco Statement No. 1, the Direct Testimony of David J. Kistler.

3. On July 25, 2017, Laurel served Set I Discovery on Sunoco. A copy of Laurel Set I Discovery to the Sunoco is provided as Appendix A hereto.

4. Sunoco objected to Set I Discovery on August 9, 2017.¹ Sunoco objected to Set I Request Nos. 2(b), 3(b),(c)(i),(c)(iv), 4, 5(a),(b)(i)-(iii), and 7(a). A copy of Sunoco's Objections is provided as Appendix B hereto.

5. Counsel for Sunoco contacted Laurel on August 9, 2017 to determine whether the parties could resolve any of Sunoco's Objections. Counsel for Laurel and the Indicated Parties discussed the objections by telephone on August 14, 2017. However, the parties were not able to resolve their issues with respect to objections to the objections.

6. Laurel hereby files its Motion to Compel Sunoco to respond to Set I, objections to Request Nos. 2(b), 3(b),(c)(i),(c)(iv), 4, 5(a),(b)(i)-(iii), and 7(a).

II. ARGUMENT

A. SUNOCO'S OBJECTIONS SHOULD BE DENIED AS UNTIMELY.

7. Laurel notes that Sunoco failed to timely file its objections to the Set I Discovery. As noted above, Laurel electronically served Set I Discovery on July 25, 2017, and Sunoco did not serve its objections until August 9, 2017. Section 5.342(e) of the Commission's regulations states that, "The objecting party shall serve objections within 10 days of service of the interrogatories." 52 Pa Code § 5.342(e). Sunoco, however, served its objections fifteen (15)

¹ Pursuant to Section 5.342(e) of the Commission's regulations, "The objecting party shall serve objections within 10 days of service of the interrogatories." 52 Pa Code § 5.342(e).

days after it was served with the Set I Discovery. Therefore, Sunoco's objections to the Set I Discovery should be denied as untimely and Sunoco should be compelled to provide full and complete responses to the Set I Discovery.

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

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

2. Regarding Mr. Kistler's testimony at p. 1, where he discusses his current responsibilities, answer the following questions:

(a) Please explain in detail the scope and nature of his responsibilities for arranging, negotiating or analyzing the cost, availability and/or competitiveness of transportation modes and specific transportation companies and alternatives, for the movement of refined petroleum products, and provide illustrative examples of his involvement.

(b) Please provide a list and explanation of each of the "market initiatives and opportunities in the fuel supply industry" on which Mr. Kistler has worked in the period 2012 through July 2017.

(c) Please list the members of his referenced "team," including name, business title and address.

(d) Please describe in detail the specific commodities that the team monitors, and the markets in which it does so.

9. Sunoco objects to Request No. 2(b) on the ground that it would impose an unreasonable burden or require an unreasonable investigation. Sunoco argues that nearly every project that Mr. Kistler works on touches upon the issues of market initiatives and opportunities in the fuel supply industry, and that providing a list of these projects would require Mr. Kistler to analyze nearly every project he has worked on for the past 5 years.

10. Sunoco's objection to Request No. 2(b) should be denied. 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).

11. Inquiring as to the background and experience of a witness is a reasonable and regular inquiry in proceedings before the Commission. To the extent that Sunoco argues that every trade and transaction undertaken by and on behalf of Mr. Kistler would be responsive to this question, Laurel would be willing to limit the inquiry to a summary overview of the market initiatives and opportunities that Mr. Kistler has engaged in since 2012. Moreover, Sunoco's arguments that Request No. 2(b) would require Mr. Kistler to provide similar lists of projects for each of his team members reads far too much into the question. Indeed, Request No. 2(b) is only directed at Mr. Kistler and does not reference any of his team members. Therefore, Sunoco's objection should be denied.

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

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

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

3. Regarding Mr. Kistler's testimony at p. 2, regarding Sunoco's "primary concerns" with the proposed reversal based on "documented pricing disadvantages" relating to Midwestern refinery-sourced gasoline, please answer the following questions:

(a) Please define the geographic area that Mr. Kistler means to encompass with the term "Pittsburgh market," defined by counties or similar specific limits.

(b) Please provide the following information regarding Sunoco's refined petroleum products marketing activities in the Pittsburgh market (as defined in subpart (a)) and for deliveries into the Eldorado terminals.

(i) for the period 2012 through July 2017, by month, please provide a list of wholesale counterparties for the sale or purchase by Sunoco of refined petroleum products;

(ii) for each counterparty and month identified in response to subpart (b)(i) immediately above, please provide the volume of the monthly sale or purchase, in gallons or barrels, broken down by product type, *e.g.*, including without limitation, winter conventional gasoline, summer conventional 9 lb. or 7.8 lb. gasoline, RBOB gasoline, diesel, home heating oil, etc.;

(iii) for each monthly volume of each product identified in response to subpart (b)(ii) immediately above, please provide the price of the sale or purchase;

(iv) for each monthly volume of each product identified in response to subpart (b)(ii), please specify where the sale or purchase took place—*i.e.* refinery gate, upstream pipeline terminal or Pittsburgh market/Eldorado terminal on Laurel or Sunoco Pipeline L.P. ("Sunoco Pipeline") and/or Energy Transfer Partners, barge-supplied terminal, whether at the truck rack or in the terminal tankage);

(v) for each monthly volume of each product identified in response to subpart (b)(ii) above, please specify the refinery from which the product was supplied, if known, and if the refinery is not known, the general refinery market from which the product was supplied (*i.e.* East Coast, Midwestern, Gulf Coast, imported from abroad, etc.);

(vi) for each monthly volume of each product identified in response to subpart (b)(ii) above, which was purchased by Sunoco, please identify:

a. the price at which that product was sold by Sunoco;

b. the price at which Sunoco had purchased it.

(c) Please provide all documents created by or on behalf of Sunoco during the period 2012 through July 2017 that analyze, reference, discuss, relate to or address, directly or indirectly, the following topics:

(i) Laurel;

(ii) the potential reversal of Laurel, whether regarding the reversal proposal being considered in this proceeding or any other potential reversal;

(iii) alternatives to Laurel of transporting product to markets in Pennsylvania, including the Pittsburgh market (as defined in subpart (a) and Eldorado (including without limitation, pipeline, truck, barge, exchange or other means of transportation);

(iv) sales or transportation of product to customers or terminals located west of Eldorado, Pennsylvania; and

(v) the alleged disadvantages of “Summer Gas from Midwestern refiners” as well as arbitrage between in the Pittsburgh market (as defined in subpart (a) involving Midwestern and East Coast or other prices;

(vi) the alleged difficult of securing supplies of refined petroleum products from Midwestern refineries in the Pittsburgh market (as defined in subpart (a);

(vii) the alleged logistical difficulties of storing low-RVP gasoline in terminals in the Pittsburgh market (as defined in subpart (a);

(viii) the alleged status of low-RVP gasoline as a “boutique fuel”; and

(ix) the alleged risk of supply disruption in the Pittsburgh market (as defined in subpart (a) if

Laurel were not transporting products from the East Coast west of Eldorado.

14. Sunoco objects to Request No. 3(b) and (c)(iv) on the grounds that each subpart would impose an unreasonable burden or require an unreasonable investigation. With respect to Request No. 3(b), Sunoco argues that the request seeks customer or transaction specific information that bears little relationship to the general pricing trends discussed in Mr. Kistler's testimony. In addition, Sunoco argues that Request No. 3(c)(i) seeks any document that references Laurel, which would also impose an unreasonable burden. Finally, Sunoco argues that Request No. 3(c)(iv) is unduly burdensome because it seeks documents related to each and every Sunoco customer to the west of Eldorado.

15. Sunoco's objection to Request No. 3(b), (c)(i) and (c)(iv) should be denied. 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).

16. With respect to Sunoco's objections to Request No. 3(b) and (c)(iv), the customer and transaction specific information that is the subject of these requests is necessary to evaluate Sunoco's broader claims about the effects of the proposed reversal on the market. This information could demonstrate that Sunoco's current actions in the market and sales do not align with Mr. Kistler's general observations, which would implicate the weight that should be given to Mr. Kistler's opinion. In addition, the data requested in Request No. 3(b)—volumes and types of petroleum products, and the source(s) of such products, being sold by Sunoco—are essential business records for an entity that specializes in sales of petroleum products to consumers. Given the nature of its business operations, it is reasonable to expect Sunoco maintains,

possesses, or otherwise has access to, such information. Furthermore, as explained above, the requested information is essential to Laurel's analysis of Sunoco's claims in its testimony. Therefore, the necessity of this information to Laurel substantially outweighs any burden associated with its production.² However, in order to attempt to mitigate the burden to Sunoco and to still provide the information necessary for Laurel to evaluate Sunoco's claims and present Laurel's defenses, Laurel would agree to allow Sunoco to provide aggregated data by zip code or county by month.

17. With respect to Request No. 3(c)(i), Laurel agrees to withdraw this subpart of Request No. 3.

18. For the reasons more fully explained above, Sunoco should be compelled to provide a full and complete response to Request No. 3(b), (c)(i) and (c)(iv) of Set I discovery.

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

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

4. Regarding Mr. Kistler's statements at p. 2 regarding Sunoco's "large retail gasoline operation," please answer the following questions:

(a) Please provide a list showing the locations of each of the retail service stations in Pennsylvania that Sunoco supplies with gasoline and/or diesel, showing the following information for each:

(i) address, street, town/local governmental unit and ZIP code;

² 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).

(ii) volume of products delivered to such location for the period 2012 through July 2017, broken down by the following categories: gasoline (specifying whether winter conventional, summer conventional 9 lb. or 7.8 lb., or RBOB), and diesel; and

(iii) the source(s) for the period 2012 through July 2017 from which Sunoco or others supply each station (i.e., the refined products terminal from which tanker trucks transport gasoline or diesel to the service station), specifying the street address, town/local governmental unit and ZIP code for each such terminal.

(b) Please provide:

(i) Sunoco's estimate or assessment, whether formal or informally derived, regarding its market share in both the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) and for the central Pennsylvania market, for the sale of gasoline and/or diesel; and

(ii) all Documents analyzing, referencing, discussing or addressing Sunoco's market share in Pennsylvania or any market within Pennsylvania, whether such market has been defined by Sunoco or by another entity.

(c) Please provide a list showing the locations of each of the retail service stations located in either West Virginia or eastern Ohio that Sunoco has supplied with gasoline and/or diesel from refined products terminals located in Pennsylvania, showing the following information for each:

(i) address, street, town/local governmental unit and ZIP code;

(ii) the monthly volume of products delivered to such location for the period 2012 through July 2017, broken down by the following categories: gasoline (specifying whether winter conventional, summer conventional 9 lb. or 7.8 lb., or RBOB), and diesel, further broken down by:

(iii) volumes supplied from terminals located in Pennsylvania;

(iv) volumes supplied from terminals located in states other than Pennsylvania; and

(v) for each terminal whose supply is used to provide the information specified in subpart (a) and (b) above, please state), please specify the street address, town/local governmental unit, county, state and ZIP code for each such terminal.

20. Sunoco objects to Request No. 4 on the grounds that it would impose an unreasonable burden or require an unreasonable investigation. Sunoco specifically objects to Request No. 4(a) and argues that the level of granular detail sought would require an immense investigation that is disproportionate to the point at issue: whether it has a large retail gasoline operation. Sunoco agrees to provide annual reports and other publically available information in response to Request No. 4(a). Sunoco also objects to Request No. 4(b) and argues that responding to the request would require it to requisition a study to determine its market share in Western and Central Pennsylvania. Sunoco finally argues Request No. 4(c) is even more burdensome because it seeks information related to non-Pennsylvania sales.

21. Sunoco's objection to Request No. 4(a)-(b) should be denied. 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).

22. Sunoco objects to Request No. 4(a) and (c) on the same grounds as its objection to Request No. 3(b) and (c)(iv). As such, Laurel adopts and fully incorporates its arguments with respect to Request No. 3(b) and (c)(iv), in paragraphs 15-16 *supra*, as if fully stated herein. By way of further response, the information sought by Request No. 4(a) and (c) is necessary to evaluate whether products lifted from Pennsylvania terminals by Sunoco are being delivered to

Pennsylvania retail stations, or retail stations outside the state, which is relevant to evaluate Mr. Kistler's claims of broader market impacts to Pittsburgh. As above, to attempt to mitigate the burden to Sunoco and to still provide the information necessary for Laurel to evaluate Sunoco's claims and present Laurel's defenses, Laurel would agree to allow Sunoco to provide aggregated data by zip code or county by month in Response to Request No. 4(a) and (c).

23. With respect to Sunoco's objection to Request No. 4(b), Sunoco's objection on burdensomeness grounds is unsupported. The data requested in Request No. 4(b)—information related to Sunoco's market share in the areas that are the subject of Laurel's Application—are essential business records for an entity that specializes in sales of petroleum products to consumers. Given the nature of its business operations, it is reasonable to expect Sunoco maintains, possesses, or otherwise has access to, such information, and would not have to requisition a study for the sole purpose of responding to this request. Furthermore, the requested information is essential to Laurel's analysis of Sunoco's claims in its testimony. Information regarding Sunoco's market share is relevant to assess the credibility of its claims, and motivation for participating in this proceeding. For example, this information could reveal that Sunoco's motivation for participating in the proceeding is not related to concerns about restricting market choice for purchasing wholesale gasoline, but is instead to leverage this proceeding to protect itself from increased competition. Therefore, Sunoco's objection should be denied.

24. For the reasons more fully explained above, Sunoco should be compelled to provide a full and complete response to Request No. 4(a)-(c) of Set I discovery.

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

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

5. Regarding Mr. Kistler's allegation at p. 2 that following reversal, Sunoco would "lose its ability to obtain fuel at the most advantageous price, using a variety of pipelines flowing both east and west to obtain the best price for the consumer," please answer the following questions:

(a) Provide a list of all time periods from 2012 through July 2017 in which either (i) the price of each type of refined petroleum product marketed by Sunoco in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) was favorable to (i.e. cheaper in) East Coast supplies; and (ii) the price of each type of refined petroleum product marketed by Sunoco in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) was favorable to (i.e. cheaper in) the Midwest.

(b) With respect to the time periods identified in subpart (a), immediately above:

(i) during each period of favorable prices for East Coast originated arbitrage, quantify the margin that Sunoco acquired due to its use of the advantaged supply of refined products to sell in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a));

(ii) during each period of favorable pricing for either source of refined petroleum products, quantify the value of the price advantage passed through by Sunoco to its wholesale or retail customers;

(iii) provide all Documents during the period 2012 through July 2017 that analyze, relate to, reference or address arbitrage in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) between East Coast and Midwest prices, and/or the margin derived by Sunoco, directly or indirectly; and

(iv) please explain whether it is the policy of Sunoco to pass through to its wholesale and retail customers the potential savings made available due to the Midwest/East Coast arbitrage that he describes, or to retain as much of the arbitrage benefits as possible for the owners, and please provide all documents created by Sunoco that

discuss, relate to, reference or analyze this policy directly or indirectly.

26. Sunoco objects to Request No. 5(a) and (b)(i)-(iii) on the ground that it would impose an unreasonable burden or require an unreasonable investigation.

27. To the extent that Sunoco objects to Request No. 5(a) on the same grounds that it objects to Request No. 3(b) and (c)(iv). As such, As Laurel adopts and incorporates its arguments with respect to Request No. 3(b) and (c)(iv) of the Set I discovery, in paragraphs 15-16 *supra*, as if they were fully stated herein. By way of further response, it is reasonable to expect that Sunoco collects and maintains data related to commodity prices and the prices charged to customers in a given area that it serves. This information is necessary to adequately evaluate Sunoco's claims regarding the loss of arbitrage opportunities in the Pittsburgh market, because this information will reveal whether and to what extent any benefits associated with the Chicago and NYC pricing differentials discussed in Mr. Kistler's testimony are passed through to consumers. Therefore, Sunoco's objection to Request No. 5(a) should be denied.

28. In addition, Sunoco objects to Request No. 5(a) on the grounds that the additional three years of information sought by this request is publically available via Argus, and that Laurel is also able to access this information. At no point does Sunoco state that it would be unreasonably burdensome for Sunoco to produce information from Argus for the additional time period and it does not state that it cannot access this information. Moreover, it is uncertain whether Sunoco's arbitrage opportunities were based solely on the Argus prices. Therefore, Sunoco's additional arguments regarding burdensomeness should also be denied.

29. Sunoco's objection to Request No. 5 (b)(i)-(iii) should also be denied. 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).

30. Sunoco's arguments regarding Request No. 5(b)(i)-(ii) again miss the mark. Information related to Sunoco's margins is necessary to determine whether and to what extent any of the arbitrage benefit that it claims is currently enjoyed by consumers/the market in Pittsburgh is actually being passed-through to consumers. It is reasonable to expect that this information would reveal that the arbitrage benefit is not passed-through to consumers, but is instead retained by Sunoco. Such information is highly relevant to assessing the credibility of Sunoco's claims about the impacts of the proposed reversal. In addition, Request No. 5(b)(iii) would not impose an unreasonable burden or require an unreasonable investigation. Given the nature of its business operations, it is reasonable to expect that Sunoco collects and maintains data related to commodity prices in New York and Chicago in a readily accessible format because such information would be necessary for it "to take advantage of downward shifts in pricing" by trading on a spot market basis. *See* Sunoco Statement No. 1, page 3. Therefore, Sunoco's objection to Request No. (b)(i)-(iii) should be denied.

31. For the reasons more fully explained above, Sunoco should be compelled to provide a full and complete response to Request No. 5(a) and (b)(i)-(iii) of Set I discovery.

F. SUNOCO SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 7(A) OF THE SET I DISCOVERY.

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

7. Regarding Mr. Kistler's testimony at p. 3, regarding Sunoco's ability to take advantage of price fluctuations in the market, please answer the following questions:

(a) Please explain in detail Mr. Kistler's statement that "the wholesale price of gasoline is reflected in the price a customer pays at the gas pump," and please provide all

Documents that relate to, reflect, discuss, or otherwise address, directly or indirectly, the relationship between Sunoco's purchase of refined petroleum products, including gasoline, and the price paid by consumers at the pump.

(b) Regarding Mr. Kistler's statement that "in the event the Midwest region provides a price advantage, it can take capacity on the Allegheny Access Pipeline, which Energy Transfer Partners operates to deliver gasoline from Midwestern refineries":

(i) please provide the volume of refined petroleum products transported by Sunoco on the Allegheny Access pipeline by month, by product type and by delivery point, whether in Ohio or Pennsylvania, since the commencement of service on the Allegheny Access system;

(ii) please provide the volume of refined petroleum products purchased by Sunoco from other parties at terminals on the Allegheny Access pipeline for distribution or sale, by month, by product type and by delivery point, since the commencement of service on the Allegheny Access system;

(iii) please provide the volume of refined petroleum products transported by Sunoco via barge and delivered to terminals located in or near the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) for distribution to consumers in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) by month, by product type and by terminal (identified by name and street address, town/local governmental entity and ZIP code) since January 2012;

(iv) please identify the volume of refined petroleum products purchased by Sunoco from another party that were delivered by barge to terminals in or near the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) for distribution to consumers in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)), by month, by product type, and by terminal (identified by name and street address, town/local governmental entity and ZIP code) since January 2012; and

(v) please identify the volume of refined petroleum products transported by Sunoco or by others on behalf of Sunoco (e.g., jobbers, other marketers, etc.) lifted from terminals in eastern Ohio for distribution to retail locations in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)).

(c) Please provide a copy of all agreements between Sunoco Pipeline and/or Energy Transfer Partners and Sunoco for transportation on the Allegheny Access system, either currently in effect or regarding potential future service, including but not limited to the agreement referenced at p. 4 of Mr. Kistler's testimony.

(d) Please state whether any Sunoco employee or representative has received from Sunoco Pipeline and/or Energy Transfer Partners or sent to Sunoco Pipeline and/or Energy Transfer Partners any communications, whether written, electronic or via telephone, regarding the potential transportation of refined petroleum products on the so-called Mariner 2 or Mariner 2X project, or any other similar project planned to bring additional refined petroleum products supplies from the Midwest to Pennsylvania, and unless the answer is an unqualified negative, please provide the following:

(i) a copy of all electronic or paper communications of the type described above;

(ii) a list of all phone calls relating to the topic described above, including the date and time and the identity of the Sunoco and Sunoco Pipeline and/or Energy Transfer Partners participating in the call; and

(iii) all Documents created by or on behalf of Sunoco relating to the potential use of the Mariner 2 or Mariner 2X or similar pipeline project planned to bring Midwest refined products to Pennsylvania.

(e) Please explain whether Sunoco has engaged in any exchanges of refined petroleum products to serve the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) since January 2012, and if so, please provide a list of all such exchanges, including the following information:

- (i) date and time period for the exchange;
- (ii) identity of the counterparty;
- (iii) volume of each type of refined petroleum product involved in the exchange; and
- (iv) pricing terms.

(f) Please provide a copy of all exchange agreements that Sunoco has entered into that have been in effect during the period 2012 through July 2017 involving delivery in Pennsylvania.

33. Sunoco objects to Request No. 7(a) on the ground that it would impose an unreasonable burden or require an unreasonable investigation. Sunoco argues that it does not maintain the information sought by this request on any regular basis.

34. Sunoco's objection to Request No. 7(a) should be denied. 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).

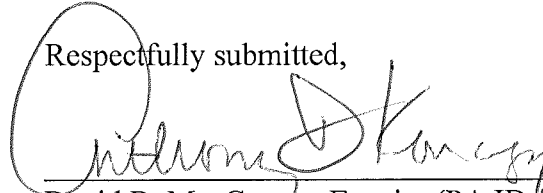
35. The information sought by Request No. 7(a) is necessary to adequately evaluate Sunoco's claims regarding the effects of the proposed reversal on wholesale and at-the-pump gasoline prices. To the extent that Sunoco does not possess or maintain the information necessary to provide a response to this request, a statement that it does not possess or maintain this information would be responsive and relevant. As such, responding to this request would not impose an unreasonable burden or require an unreasonable investigation. Sunoco has also made the claim that the "wholesale price of gasoline is reflected in the price a customer pays at the gas pump and should be required to provide documents in its possession that support or do not support this claim. Therefore, Sunoco's objection should be denied.

36. For the reasons more fully explained above, Sunoco should be compelled to provide a full and complete response to Request No. 7(a) 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 Sunoco, LLC to fully respond to Request Nos. 2(b), 3(b),(c)(i),(c)(iv), 4, 5(a),(b)(i)-(iii), and 7(a) of the Set I Discovery.

Respectfully submitted,



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Date: August 21, 2017

Counsel for Laurel Pipe Line Company, L.P.

Appendix A



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www.postschell.com

Anthony D. Kanagy

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

July 25, 2017

VIA E-MAIL & REGULAR MAIL

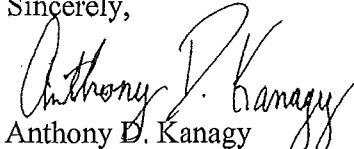
Andrew S. Levine, Esquire
Stradley Ronon Stevens & Young, LLP
2600 One Commerce Square
Philadelphia, PA 19103

**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**

Dear Counsel:

Enclosed please find Interrogatories and Requests for Production of Documents Propounded by Laurel Pipe Line Company, L.P. on Sunoco, LLC – Set I in the above-referenced proceeding. Copies will be provided as indicated.

Sincerely,


Anthony D. Kanagy

ADK/skr
Enclosure

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

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).

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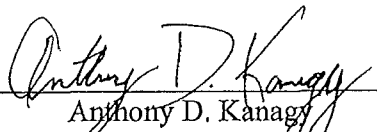
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VIA E-MAIL ONLY:

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Ernest Logan Welde, Esquire
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Philadelphia, PA 19103
Counsel for Clean Air Council

Date: July 25, 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.	:	

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

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

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, at Docket Nos. A-2016-2575829.

**INTERROGATORIES, REQUESTS FOR PRODUCTION OF
DOCUMENTS AND REQUESTS FOR ADMISSION ON SUNOCO – SET I**

LAU-SUN-I-1

Regarding Mr. Kistler's Direct Testimony ("testimony") at p. 1, where he addresses his work history at Sunoco L.P. ("Sunoco"), please state the approximate date on which he first began a position in commercial trading, and the approximate date on which he obtained his current position.

LAU-SUN-I-2

Regarding Mr. Kistler's testimony at p. 1, where he discusses his current responsibilities, answer the following questions:

- (a) Please explain in detail the scope and nature of his responsibilities for arranging, negotiating or analyzing the cost, availability and/or competitiveness of transportation modes and specific transportation companies and alternatives, for the movement of refined petroleum products, and provide illustrative examples of his involvement.
- (b) Please provide a list and explanation of each of the "market initiatives and opportunities in the fuel supply industry" on which Mr. Kistler has worked in the period 2012 through July 2017.
- (c) Please list the members of his referenced "team," including name, business title and address.
- (d) Please describe in detail the specific commodities that the team monitors, and the markets in which it does so.

LAU-SUN-I-3

Regarding Mr. Kistler's testimony at p. 2, regarding Sunoco's "primary concerns" with the proposed reversal based on "documented pricing disadvantages" relating to Midwestern refinery-sourced gasoline, please answer the following questions:

- (a) Please define the geographic area that Mr. Kistler means to encompass with the term "Pittsburgh market," defined by counties or similar specific limits.
- (b) Please provide the following information regarding Sunoco's refined petroleum products marketing activities in the Pittsburgh market (as defined in subpart (a)) and for deliveries into the Eldorado terminals.

- (i) for the period 2012 through July 2017, by month, please provide a list of wholesale counterparties for the sale or purchase by Sunoco of refined petroleum products;
 - (ii) for each counterparty and month identified in response to subpart (b)(i) immediately above, please provide the volume of the monthly sale or purchase, in gallons or barrels, broken down by product type, *e.g.*, including without limitation, winter conventional gasoline, summer conventional 9 lb. or 7.8 lb. gasoline, RBOB gasoline, diesel, home heating oil, etc.;
 - (iii) for each monthly volume of each product identified in response to subpart (b)(ii) immediately above, please provide the price of the sale or purchase;
 - (iv) for each monthly volume of each product identified in response to subpart (b)(ii), please specify where the sale or purchase took place—*i.e.* refinery gate, upstream pipeline terminal or Pittsburgh market/Eldorado terminal on Laurel or Sunoco Pipeline L.P. (“Sunoco Pipeline”) and/or Energy Transfer Partners, barge-supplied terminal, whether at the truck rack or in the terminal tankage);
 - (v) for each monthly volume of each product identified in response to subpart (b)(ii) above, please specify the refinery from which the product was supplied, if known, and if the refinery is not known, the general refinery market from which the product was supplied (*i.e.* East Coast, Midwestern, Gulf Coast, imported from abroad, etc.);
 - (vi) for each monthly volume of each product identified in response to subpart (b)(ii) above, which was purchased by Sunoco, please identify:
 - a. the price at which that product was sold by Sunoco;
 - b. the price at which Sunoco had purchased it.
- (c) Please provide all documents created by or on behalf of Sunoco during the period 2012 through July 2017 that analyze, reference, discuss, relate to or address, directly or indirectly, the following topics:
- (i) Laurel;
 - (ii) the potential reversal of Laurel, whether regarding the reversal proposal being considered in this proceeding or any other potential reversal;

- (iii) alternatives to Laurel of transporting product to markets in Pennsylvania, including the Pittsburgh market (as defined in subpart (a) and Eldorado (including without limitation, pipeline, truck, barge, exchange or other means of transportation);
- (iv) sales or transportation of product to customers or terminals located west of Eldorado, Pennsylvania; and
- (v) the alleged disadvantages of “Summer Gas from Midwestern refiners” as well as arbitrage between in the Pittsburgh market (as defined in subpart (a) involving Midwestern and East Coast or other prices;
- (vi) the alleged difficult of securing supplies of refined petroleum products from Midwestern refineries in the Pittsburgh market (as defined in subpart (a));
- (vii) the alleged logistical difficulties of storing low-RVP gasoline in terminals in the Pittsburgh market (as defined in subpart (a));
- (viii) the alleged status of low-RVP gasoline as a “boutique fuel”; and
- (ix) the alleged risk of supply disruption in the Pittsburgh market (as defined in subpart (a) if Laurel were not transporting products from the East Coast west of Eldorado.

LAU-SUN-I-4

Regarding Mr. Kistler’s statements at p. 2 regarding Sunoco’s “large retail gasoline operation,” please answer the following questions:

- (a) Please provide a list showing the locations of each of the retail service stations in Pennsylvania that Sunoco supplies with gasoline and/or diesel, showing the following information for each:
 - (i) address, street, town/local governmental unit and ZIP code;
 - (ii) volume of products delivered to such location for the period 2012 through July 2017, broken down by the following categories: gasoline (specifying whether winter conventional, summer conventional 9 lb. or 7.8 lb., or RBOB), and diesel; and
 - (iii) the source(s) for the period 2012 through July 2017 from which Sunoco or others supply each station (i.e., the refined products terminal from which tanker trucks transport gasoline or diesel to the service station), specifying the street address, town/local governmental unit and ZIP code for each such terminal.

- (b) Please provide:
 - (i) Sunoco's estimate or assessment, whether formal or informally derived, regarding its market share in both the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) and for the central Pennsylvania market, for the sale of gasoline and/or diesel; and
 - (ii) all Documents analyzing, referencing, discussing or addressing Sunoco's market share in Pennsylvania or any market within Pennsylvania, whether such market has been defined by Sunoco or by another entity.
- (c) Please provide a list showing the locations of each of the retail service stations located in either West Virginia or eastern Ohio that Sunoco has supplied with gasoline and/or diesel from refined products terminals located in Pennsylvania, showing the following information for each:
 - (i) address, street, town/local governmental unit and ZIP code;
 - (ii) the monthly volume of products delivered to such location for the period 2012 through July 2017, broken down by the following categories: gasoline (specifying whether winter conventional, summer conventional 9 lb. or 7.8 lb., or RBOB), and diesel, further broken down by:
 - a. volumes supplied from terminals located in Pennsylvania;
 - b. volumes supplied from terminals located in states other than Pennsylvania; and
 - (iii) for each terminal whose supply is used to provide the information specified in subpart (a) and (b) above, please state), please specify the street address, town/local governmental unit, county, state and ZIP code for each such terminal.

LAU-SUN-I-5

Regarding Mr. Kistler's allegation at p. 2 that following reversal, Sunoco would "lose its ability to obtain fuel at the most advantageous price, using a variety of pipelines flowing both east and west to obtain the best price for the consumer," please answer the following questions:

- (a) Provide a list of all time periods from 2012 through July 2017 in which either (i) the price of each type of refined petroleum product marketed by Sunoco in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) was favorable to (*i.e.* cheaper in) East Coast supplies; and (ii) the price of each type of refined petroleum product marketed by Sunoco in the Pittsburgh

market (as defined in LAU-SUN-I-(3)(a)) was favorable to (*i.e.* cheaper in) the Midwest.

- (b) With respect to the time periods identified in subpart (a), immediately above:
 - (i) during each period of favorable prices for East Coast originated arbitrage, quantify the margin that Sunoco acquired due to its use of the advantaged supply of refined products to sell in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a));
 - (ii) during each period of favorable pricing for either source of refined petroleum products, quantify the value of the price advantage passed through by Sunoco to its wholesale or retail customers;
 - (iii) provide all Documents during the period 2012 through July 2017 that analyze, relate to, reference or address arbitrage in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) between East Coast and Midwest prices, and/or the margin derived by Sunoco, directly or indirectly; and
 - (iv) please explain whether it is the policy of Sunoco to pass through to its wholesale and retail customers the potential savings made available due to the Midwest/East Coast arbitrage that he describes, or to retain as much of the arbitrage benefits as possible for the owners, and please provide all documents created by Sunoco that discuss, relate to, reference or analyze this policy directly or indirectly.

LAU-SUN-I-6

Regarding Mr. Kistler's discussion and analysis of "pricing days" at pp. 2-3 of his testimony, please answer the following questions:

- (a) Please explain and provide a detailed account of the reasons for Mr. Kistler's selection of:
 - (i) the time period March 2015 through March 2017; and
 - (ii) the specific 497 days in his sample.
- (b) Please provide all Documents relating to, analyzing, referencing or used in the development of Mr. Kistler's "pricing days" analysis referenced above.
- (c) In developing his testimony, did Mr. Kistler perform any other analyses of pricing days using other assumptions, time periods or data sources, whether partially or completely? If so, please:

- (i) describe such other analyses in detail, and provide Mr. Kistler's reasons for not using such analysis in his testimony; and
- (ii) provide all Documents reflecting, incorporating, referencing, relating to or discussing such alternative analyses.

LAU-SUN-I-7

Regarding Mr. Kistler's testimony at p. 3, regarding Sunoco's ability to take advantage of price fluctuations in the market, please answer the following questions:

- (a) Please explain in detail Mr. Kistler's statement that "the wholesale price of gasoline is reflected in the price a customer pays at the gas pump," and please provide all Documents that relate to, reflect, discuss, or otherwise address, directly or indirectly, the relationship between Sunoco's purchase of refined petroleum products, including gasoline, and the price paid by consumers at the pump.
- (b) Regarding Mr. Kistler's statement that "in the event the Midwest region provides a price advantage, it can take capacity on the Allegheny Access Pipeline, which Energy Transfer Partners operates to deliver gasoline from Midwestern refineries":
 - (i) please provide the volume of refined petroleum products transported by Sunoco on the Allegheny Access pipeline by month, by product type and by delivery point, whether in Ohio or Pennsylvania, since the commencement of service on the Allegheny Access system;
 - (ii) please provide the volume of refined petroleum products purchased by Sunoco from other parties at terminals on the Allegheny Access pipeline for distribution or sale, by month, by product type and by delivery point, since the commencement of service on the Allegheny Access system;
 - (iii) please provide the volume of refined petroleum products transported by Sunoco via barge and delivered to terminals located in or near the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) for distribution to consumers in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) by month, by product type and by terminal (identified by name and street address, town/local governmental entity and ZIP code) since January 2012;
 - (iv) please identify the volume of refined petroleum products purchased by Sunoco from another party that were delivered by barge to terminals in or near the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) for distribution to consumers in the Pittsburgh

market(as defined in LAU-SUN-I-(3)(a)), by month, by product type, and by terminal (identified by name and street address, town/local governmental entity and ZIP code) since January 2012; and

- (v) please identify the volume of refined petroleum products transported by Sunoco or by others on behalf of Sunoco (e.g., jobbers, other marketers, etc.) lifted from terminals in eastern Ohio for distribution to retail locations in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)).
- (c) Please provide a copy of all agreements between Sunoco Pipeline and/or Energy Transfer Partners and Sunoco for transportation on the Allegheny Access system, either currently in effect or regarding potential future service, including but not limited to the agreement referenced at p. 4 of Mr. Kistler's testimony.
- (d) Please state whether any Sunoco employee or representative has received from Sunoco Pipeline and/or Energy Transfer Partners or sent to Sunoco Pipeline and/or Energy Transfer Partners any communications, whether written, electronic or via telephone, regarding the potential transportation of refined petroleum products on the so-called Mariner 2 or Mariner 2X project, or any other similar project planned to bring additional refined petroleum products supplies from the Midwest to Pennsylvania, and unless the answer is an unqualified negative, please provide the following:
 - (i) a copy of all electronic or paper communications of the type described above;
 - (ii) a list of all phone calls relating to the topic described above, including the date and time and the identity of the Sunoco and Sunoco Pipeline and/or Energy Transfer Partners participating in the call; and
 - (iii) all Documents created by or on behalf of Sunoco relating to the potential use of the Mariner 2 or Mariner 2X or similar pipeline project planned to bring Midwest refined products to Pennsylvania.
- (e) Please explain whether Sunoco has engaged in any exchanges of refined petroleum products to serve the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) since January 2012, and if so, please provide a list of all such exchanges, including the following information:
 - (i) date and time period for the exchange;
 - (ii) identity of the counterparty;

- (iii) volume of each type of refined petroleum product involved in the exchange; and
- (iv) pricing terms.
- (f) Please provide a copy of all exchange agreements that Sunoco has entered into that have been in effect during the period 2012 through July 2017 involving delivery in Pennsylvania.

LAU-SUN-I-8

Regarding security of supply from the Midwest, please answer the following questions:

- (a) Please explain whether since January 2012, Sunoco has experienced or observed supply disruptions or pricing effects from pipeline or refinery-related shut-downs affecting East Coast supplies, including natural disasters such as Hurricane Sandy;
- (b) Please explain whether Sunoco regards the potential closure of any or all of the East Coast refineries to be a source of potential disruption to supply security.
- (c) Please provide all Documents created by or on behalf of Sunoco since January 2012 that discuss, relate to, reference or address the topics discussed in subparts (a) and (b) immediately above.

LAU-SUN-I-9

Regarding Mr. Kistler's statements regarding its agreement with Allegheny Access and the related allegations regarding the significance of Allegheny Access:

- (a) Please explain the exact manner in which the construction of the Allegheny Access system "demonstrates that there is no lack of pipeline outlets for Midwestern refineries," and provide answers to the following related questions:
 - (i) please provide all information in Sunoco's possession regarding utilization of the Allegheny Access system, including Documents from Sunoco Pipeline and internal Sunoco Documents relating to, referencing or analyzing this issue directly or indirectly;
 - (ii) please provide all Documents created by or on behalf of Sunoco relating to, analyzing, referencing or addressing the potential need for additional pipeline capacity from the Midwestern refineries to the East Coast or any other refined petroleum products markets;

- (iii) please describe in full Mr. Kistler's analysis of Midwestern refinery output and the outlets for it, both at present and in the near future, that support the statement above in subpart (a).
- (b) Please explain in detail Mr. Kistler's statement that "Laurel too could construct a new pipeline from the Midwestern refineries," and please provide the following:
 - (i) his understanding of whether the Laurel reversal includes, or does not include, the creation of new pipeline capacity from the Midwestern refineries; and
 - (ii) whether Mr. Kistler has performed any calculations regarding the economics and commercial feasibility, including timing of construction, of Laurel's building a new pipeline in lieu of reversing the segment between Coraopolis and Eldorado, and if so, please provide such calculations and accompanying analysis.

LAU-SUN-I-10

Regarding Mr. Kistler's testimony at p. 4 regarding the alleged lack of pricing benefits from the proposed reversal, please answer the following questions:

- (a) Please provide all analyses, sources, and projections which Mr. Kistler believes support his implicit conclusion that his claimed past summertime pricing advantages of East Coast gasoline will continue in the future, including the period 2018 and later years; and
- (b) Please define the area included in "Altoona" as it is used in Mr. Kistler's testimony.
- (c) Please provide in detail the basis for Mr. Kistler's contentions regarding the relative size of the "small market" of Altoona and the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)).

Appendix B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**OBJECTIONS OF SUNOCO, LLC TO INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
PROPOUNDED BY LAUREL PIPE LINE COMPANY, L.P. - SET I**

Pursuant to 52 Pa. Code §§ 5.342(c) and (e), the Indicated Parties¹ hereby object to Interrogatories and Requests for Production of Documents Propounded by Laurel Pipe Line Company, L.P. (“Laurel”) on Sunoco - Set I on July 25, 2017 (“Discovery Requests”) in connection with the 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 (“Application”). The Discovery Requests are directed at the Direct Testimony of David J. Kistler, which was produced by Sunoco, LLC on July 14, 2017.

**SPECIFIC OBJECTIONS TO INTERROGATORIES AND,
REQUESTS FOR PRODUCTION OF DOCUMENTS- SET I**

LAU-SUN-I-2

Regarding Mr. Kistler's testimony at p. 1, where he discusses his current responsibilities, answer the following questions:

- (a) Please explain in detail the scope and nature of his responsibilities for arranging, negotiating or analyzing the cost, availability and/or competitiveness of transportation modes and specific transportation companies and alternatives, for the movement of refined petroleum products, and provide illustrative examples of his involvement.
- (b) Please provide a list and explanation of each of the "market initiatives and opportunities in the fuel supply industry" on which Mr. Kistler has worked in the period 2012 through July 2017.
- (c) Please list the members of his referenced "team," including name, business title and address.
- (d) Please describe in detail the specific commodities that the team monitors, and the markets in which it does so.

Objection to LAU-SUN-I-2

Section 5.361(a)(2) of the Commission's regulations, 52 Pa. Code § 5.361(a)(2), prohibits discovery into matters that would impose an unreasonable burden or expense on a person and Section 5.361(a)(4) prohibits discovery into matters that would require a person to make an unreasonable investigation. Sunoco objects to Interrogatory LAU-SUN-I-2(b) to this Request as stated because it imposes an unreasonable burden and requires an unreasonable investigation. In the first instance, the request for essentially each and every project that Mr. Kistler has worked on for the last 5 years will require an in-depth analysis of all time sheets, calendars, and documents pertaining to much of Mr. Kistler's employment, as well as a similar investigation with respect to each team member with whom Mr. Kistler works, or for whom he is a supervisor. Having stated as such, Sunoco would also respond that most every task that Mr. Kistler undertakes with respect to his position at Sunoco touches upon the issues of "market initiatives and opportunities in the fuel supply industry" simply because the nature of his job, as well as those of his team members, is specifically to purchase and trade fuel supply. In short, every

trade and transaction undertaken by and behalf of Mr. Kistler could constitute an opportunity in the fuel supply industry” thus creating an unreasonable burden with respect to the response. Subject to the foregoing objections, the Indicated Parties will respond to this Request with respect to items (a), (c) and (d).

LAU-SUN-I-3

Regarding Mr. Kistler's testimony at p. 2, regarding Sunoco's "primary concerns" with the proposed reversal based on "documented pricing disadvantages" relating to Midwestern refinery-sourced gasoline, please answer the following questions:

- (a) Please define the geographic area that Mr. Kistler means to encompass with the term "Pittsburgh market," defined by counties or similar specific limits.
- (b) Please provide the following information regarding Sunoco's refined petroleum products marketing activities in the Pittsburgh market (as defined in subpart (a)) and for deliveries into the Eldorado terminals.
 - (i) for the period 2012 through July 2017, by month, please provide a list of wholesale counterparties for the sale or purchase by Sunoco of refined petroleum products;
 - (ii) for each counterparty and month identified in response to subpart (b)(i) immediately above, please provide the volume of the monthly sale or purchase, in gallons or barrels, broken down by product type, *e.g.*, including without limitation, winter conventional gasoline, summer conventional 9 lb. or 7.8 lb. gasoline, RBOB gasoline, diesel, home heating oil, etc.;
 - (iii) for each monthly volume of each product identified in response to subpart (b)(ii) immediately above, please provide the price of the sale or purchase;
 - (iv) for each monthly volume of each product identified in response to subpart (b)(ii), please specify where the sale or purchase took place-i.e. refinery gate, upstream pipeline terminal or Pittsburgh market/Eldorado terminal on Laurel or Sunoco Pipeline L.P. ("Sunoco Pipeline") and/or Energy Transfer Partners, barge-supplied terminal, whether at the truck rack or in the terminal tankage);

- (v) for each monthly volume of each product identified in response to subpart (b)(ii) above, please specify the refinery from which the product was supplied, if known, and if the refinery is not known, the general refinery market from which the product was supplied (*i.e.* East Coast, Midwestern, Gulf Coast, imported from abroad, etc.);
- (vi) for each monthly volume of each product identified in response to subpart (b)(ii) above, which was purchased by Sunoco, please identify:
 - a. the price at which that product was sold by Sunoco;
 - b. the price at which Sunoco had purchased it.
- (c) Please provide all documents created by or on behalf of Sunoco during the period 2012 through July 2017 that analyze, reference, discuss, relate to or address, directly or indirectly, the following topics:
 - (i) Laurel;
 - (ii) the potential reversal of Laurel, whether regarding the reversal proposal being considered in this proceeding or any other potential reversal;
 - (iii) alternatives to Laurel of transporting product to markets in Pennsylvania, including the Pittsburgh market (as defined in subpart (a) and Eldorado (including without limitation, pipeline, truck, barge, exchange or other means of transportation);
 - (iv) sales or transportation of product to customers or terminals located west of Eldorado, Pennsylvania; and
 - (v) the alleged disadvantages of "Summer Gas from Midwestern refiners" as well as arbitrage between in the Pittsburgh market (as defined in subpart (a) involving Midwestern and East Coast or other prices;
 - (vi) the alleged difficulty of securing supplies of refined petroleum products from Midwestern refineries in the Pittsburgh market (as defined in subpart (a));
 - (vii) the alleged logistical difficulties of storing low-RVP gasoline in terminals in the Pittsburgh market (as defined in subpart (a));
 - (viii) the alleged status of low-RVP gasoline as a "boutique fuel"; and

- (ix) the alleged risk of supply disruption in the Pittsburgh market (as defined in subpart (a) if Laurel were not transporting products from the East Coast west of Eldorado.

Objection to LAU-SUN-I-3

Section 5.361(a)(2) of the Commission's regulations, 52 Pa. Code § 5.361(a)(2), prohibits discovery into matters that would impose an unreasonable burden or expense on a person and Section 5.361(a)(4) prohibits discovery into matters that would require a person to make an unreasonable investigation.

The information requested in LAU-SUN-I-3(b) requires extraordinary effort in obtaining information about each and every sale of wholesale gasoline product for a 5 year period within the Pittsburgh market. In the first instance, Mr. Kistler's testimony at no point specifically indicates that any particular counterparty or counterparty transaction is at issue. Mr. Kister was opining that the reduction in supply choices for wholesale gasoline could have a deleterious impact on the overall gasoline market in Pittsburgh attributable to a reduction in market choice. Mr. Kistler did not allege that any specific transaction, customer, or product has been impacted. The scope of the information request is so broad and far-reaching as to require the expenditure of extraordinary resources to construct a 5 year, transaction-by-transaction, facility-by-facility, month-by-month and region-by-region analysis that has precious little relationship to Mr. Kistler's general point about market choices. Lastly, Mr. Kistler assembled his information based upon available data from Argus, a subscription site widely used in the petroleum industry to which any party can refer for pricing information. That pricing data is by no means customer or transaction specific, and merely reflects the general pricing trends in various geographic markets. Consequently the pricing of each individual transaction conducted by Sunoco in

Pittsburgh over a five-year period bears little relationship to the general economic trends to which Mr. Kistler referred in his testimony.

Moreover, the request relating to LAU-SUN-I-3(c) is similarly invasive and burdensome on an extraordinary scale, and would require the tremendous expenditure of resources to provide a comprehensive response. In (c)(i) Laurel is essentially requesting every piece of correspondence or other information in its possession relating to Laurel, which is a contractual relationship Sunoco has had for well over 5 years. This would require amassing every invoice, e-mail, contract agreement, meeting note and other documentation pertaining to one of the largest pipeline relationships that Sunoco has in Pennsylvania. The request also pertains to any documents that indirectly reference Laurel, the scope of which has nearly limitless bounds.

Request (c)(iv) appears to require the detailing of every transactional document or other document that relates to each and every Sunoco customer to the west of the Eldorado area. Even assuming that this could be limited to the customers within the Commonwealth, this request represents an extraordinary burden that likely relates to hundreds if not thousands of individual sales. At no point in his testimony did Mr. Kistler allege that any specific customer or customer relationship has been harmed by the proposed pipeline reversal. Mr. Kistler made certain conclusions based upon general market prices reflected on a commercially available site, Argus that tracks the pricing of a variety of petroleum-related commodities on a regional basis, but not on a customer-specific basis.

LAU-SUN-I-4

Regarding Mr. Kistler's statements at p. 2 regarding Sunoco's "large retail gasoline operation," please answer the following questions:

- (a) Please provide a list showing the locations of each of the retail service stations in Pennsylvania that Sunoco supplies with gasoline and/or diesel, showing the following information for each:

- (i) address, street, town/local governmental unit and ZIP code;
 - (ii) volume of products delivered to such location for the period 2012 through July 2017, broken down by the following categories: gasoline (specifying whether winter conventional, summer conventional 9 lb. or 7.8 lb., or RBOB), and diesel; and
 - (iii) the source(s) for the period 2012 through July 2017 from which Sunoco or others supply each station (i.e., the refined products terminal from which tanker trucks transport gasoline or diesel to the service station), specifying the street address, town/local governmental unit and ZIP code for each such terminal.
- (b) Please provide:
- (i) Sunoco's estimate or assessment, whether formal or informally derived, regarding its market share in both the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) and for the central Pennsylvania market, for the sale of gasoline and/or diesel; and
 - (ii) all Documents analyzing, referencing, discussing or addressing Sunoco's market share in Pennsylvania or any market within Pennsylvania, whether such market has been defined by Sunoco or by another entity.
- (c) Please provide a list showing the locations of each of the retail service stations located in either West Virginia or eastern Ohio that Sunoco has supplied with gasoline and/or diesel from refined products terminals located in Pennsylvania, showing the following information for each:
- (i) address, street, town/local governmental unit and ZIP code;
 - (ii) the monthly volume of products delivered to such location for the period 2012 through July 2017, broken down by the following categories: gasoline (specifying whether winter conventional, summer conventional 9lb. or 7.8lb., or RBOB), and diesel, further broken down by:
 - a. volumes supplied from terminals located in Pennsylvania;
 - b. volumes supplied from terminals located in states other than Pennsylvania; and

(iii) for each terminal whose supply is used to provide the information specified in subpart (a) and (b) above, please state), please specify the street address, town/local governmental unit, county, state and ZIP code for each such terminal.

Objection to LAU-SUN-I-4

Section 5.361(a)(2) of the Commission's regulations, 52 Pa. Code § 5.361(a)(2), prohibits discovery into matters that would impose an unreasonable burden or expense on a person and Section 5.361(a)(4) prohibits discovery into matters that would require a person to make an unreasonable investigation. Sunoco objects to the Request at (a) as stated because it imposes an unreasonable burden and requires an unreasonable investigation. The level of granular detail sought by this Request, requires an immense investigation with respect to each and every wholesale and retail enterprise with which Sunoco conducts business. Moreover, requiring specific supply and delivery information with respect to each such outlet, and each type of fuel, for a five-year period throughout the entire Pittsburgh regional market would require an extraordinary level of effort for information that has precious little relationship to the point at issue: whether or not Sunoco has a large retail gasoline operation. Sunoco will provide materials from its annual reports and other publically available information to demonstrate the size of Sunoco's overall enterprise.

The Request in (b) is also burdensome and gives rise to excessive expense. Sunoco would need to requisition a study to determine its overall market share within two regional markets: Pittsburgh and Central Pennsylvania. Moreover, such an analysis would require not only Sunoco's impressions, but apparently an analysis of markets as they are defined by unidentified third parties. Mr. Kistler's testimony was simply that as a significant market participant, it was expressing the concern that restricting market choices for purchasing wholesale gasoline could be negatively impacted by a reduction in such choice. At no point did

Mr. Kistler refer to any specific customers, nor to Sunoco's ability to influence the overall market based upon its share of that market.

The request in (c) is of even greater burden as it concerns markets and locations that were not a part of or contemplated within Mr. Kistler's testimony. The sale of product in West Virginia and Ohio does not relate to Mr. Kistler's observation that a reduction in market choice could have an adverse impact on product pricing. At no time did Mr. Kistler make any observations with respect to customers in other states, and even within the Commonwealth Mr. Kistler provided no specific information regarding the impact to any given customer. Mr. Kistler's observations were derived from available information on the Argus website, which provides broad market-based information regarding commodity pricing within designated regions, and does not identify impacts to individual customers.

LAU-SUN-I-5

Regarding Mr. Kistler's allegation at p. 2 that following reversal, Sunoco would "lose its ability to obtain fuel at the most advantageous price, using a variety of pipelines flowing both east and west to obtain the best price for the consumer," please answer the following questions:

- (a) Provide a list of all time periods from 2012 through July 2017 in which either (i) the price of each type of refined petroleum product marketed by Sunoco in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) was favorable to (*i.e.* cheaper in) East Coast supplies; and (ii) the price of each type of refined petroleum product marketed by Sunoco in the Pittsburghmarket (as defined in LAU-SUN-I-(3)(a)) was favorable to (*i.e.* cheaper in) the Midwest.
- (b) With respect to the time periods identified in subpart (a), immediately above:
 - (i) during each period of favorable prices for East Coast originated arbitrage, quantify the margin that Sunoco acquired due to its use of the advantaged supply of refined products to sell in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a));
 - (ii) during each period of favorable pricing for either source of refined petroleum products, quantify the value of the price

advantage passed through by Sunoco to its wholesale or retail customers;

- (iii) provide all Documents during the period 2012 through July 2017 that analyze, relate to, reference or address arbitrage in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) between East Coast and Midwest prices, and/or the margin derived by Sunoco, directly or indirectly; and
- (iv) please explain whether it is the policy of Sunoco to pass through to its wholesale and retail customers the potential savings made available due to the Midwest/East Coast arbitrage that he describes, or to retain as much of the arbitrage benefits as possible for the owners, and please provide all documents created by Sunoco that discuss, relate to, reference or analyze this policy directly or indirectly.

Objection to LAU-SUN-I-5

Section 5.361(a)(2) of the Commission's regulations, 52 Pa. Code § 5.361(a)(2), prohibits discovery into matters that would impose an unreasonable burden or expense on a person and Section 5.361(a)(4) prohibits discovery into matters that would require a person to make an unreasonable investigation. Sunoco objects to this Request as stated because it imposes an unreasonable burden and requires an unreasonable investigation. Specifically (a) would require Sunoco to create and assemble a highly detailed database by commodity of pricing over a five-year period, and relating directly to the pricing for each customer within the Pittsburgh region. In the first instance, Mr. Kistler's testimony was solely derived from the data collected from the Argus website, which is information fully available to Laurel, and indeed to any of the other parties to this matter. Mr. Kistler reviewed this web-based data for a two-year period from 2015-2017, and Laurel seeks to require Mr. Kistler to expand that analysis for an additional three years, which is information readily available on the Argus database. Mr. Kistler's observations and testimony were with respect to market-based pricing trends as reflected on the commercially-available Argus database, without adding any analysis with respect to specific

Sunoco transactions or customers. Mr. Kistler's simple point was that there are pricing differentials as reflected in the commercially-available Argus data between the New York and Chicago markets, and he merely recited the pre-existing data to which Laurel has full access through Argus. At no point did Mr. Kistler indicate that Sunoco was particularly advantaged in any given transaction; Mr. Kistler merely pointed out the pricing differential between New York and Chicago, and the fact that those prices do not always provide more advantageous pricing levels out of Chicago. Again, the salient point was simply that cutting off one of the supply sources to the Pittsburgh market and limiting selection was likely to have an adverse impact on the overall market because of the pricing differentials between the New York and Chicago regions. Mr. Kistler did not opine that any particular customer, transaction, or contract would be adversely impacted.

The information requested in (b)(i)-(ii) is similarly unreasonably burdensome in that Mr. Kistler never opined that any particular customer, transaction or contract was impacted in any particular manner by the favorable or unfavorable pricing out of Chicago. At no point did Mr. Kistler maintain or aver that Sunoco's profit margins would be adversely or advantageously impacted by the differential in costs between New York or Chicago, again only asserting that the lack of choice could have an adverse market impact.

Laurel further seeks in (b)(iii) to obtain all documents over a five-year period that touch upon the differential between New York and Chicago pricing. Given the extraordinary amount of data generated regarding the pricing in various markets in these regions, this is nearly an infinite document request that would require extraordinary efforts to compile, constituting both an unreasonably burden and unjustifiable and excessive expense and expenditure of resources.

LAU-SUN-I-7

Regarding Mr. Kistler's testimony at p. 3, regarding Sunoco's ability to take advantage of price fluctuations in the market, please answer the following questions:

- (a) Please explain in detail Mr. Kistler's statement that "the wholesale price of gasoline is reflected in the price a customer pays at the gas pump," and please provide all Documents that relate to, reflect, discuss, or otherwise address, directly or indirectly, the relationship between Sunoco's purchase of refined petroleum products, including gasoline, and the price paid by consumers at the pump.
- (b) Regarding Mr. Kistler's statement that "in the event the Midwest region provides a price advantage, it can take capacity on the Allegheny Access Pipeline, which Energy Transfer Partners operates to deliver gasoline from Midwestern refineries":
 - (i) please provide the volume of refined petroleum products transported by Sunoco on the Allegheny Access pipeline by month, by product type and by delivery point, whether in Ohio or Pennsylvania, since the commencement of service on the Allegheny Access system;
 - (ii) please provide the volume of refined petroleum products purchased by Sunoco from other parties at terminals on the Allegheny Access pipeline for distribution or sale, by month, by product type and by delivery point, since the commencement of service on the Allegheny Access system;
 - (iii) please provide the volume of refined petroleum products transported by Sunoco via barge and delivered to terminals located in or near the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) for distribution to consumers in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) by month, by product type and by terminal (identified by name and street address, town/local governmental entity and ZIP code) since January 2012;
 - (iv) please identify the volume of refined petroleum products purchased by Sunoco from another party that were delivered by barge to terminals in or near the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) for distribution to consumers in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)), by month, by product type, and by terminal (identified by name and street address, town/local governmental entity and ZIP code) since January 2012; and

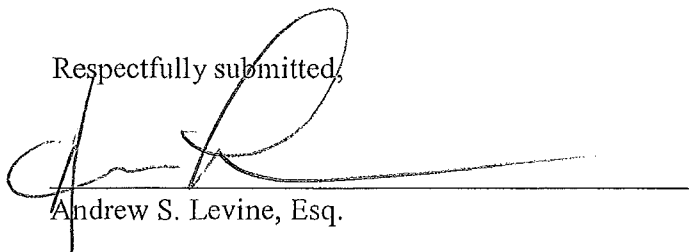
- (v) please identify the volume of refined petroleum products transferred by Sunoco or by others on behalf of Sunoco (*e.g.*, jobbers, other marketers, etc.) lifted from terminals in eastern Ohio for distribution to retail locations in the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)).
- (c) Please provide a copy of all agreements between Sunoco Pipeline and/or Energy Transfer Partners and Sunoco for transportation on the Allegheny Access system, either currently in effect or regarding potential future service, including but not limited to the agreement referenced at p. 4 of Mr. Kistler's testimony.
- (d) Please state whether any Sunoco employee or representative has received from Sunoco Pipeline and/or Energy Transfer Partners or sent to Sunoco Pipeline and/or Energy Transfer Partners any communications, whether written, electronic or via telephone, regarding the potential transportation of refined petroleum products on the so-called Mariner 2 or Mariner 2X project, or any other similar project planned to bring additional refined petroleum products supplies from the Midwest to Pennsylvania, and unless the answer is an unqualified negative, please provide the following:
 - (i) a copy of all electronic or paper communications of the type described above;
 - (ii) a list of all phone calls relating to the topic described above, including the date and time and the identity of the Sunoco and Sunoco Pipeline and/or Energy Transfer Partners participating in the call; and
 - (iii) all Documents created by or on behalf of Sunoco relating to the potential use of the Mariner 2 or Mariner 2X or similar pipeline project planned to bring Midwest refined products to Pennsylvania.
- (e) Please explain whether Sunoco has engaged in any exchanges of refined petroleum products to serve the Pittsburgh market (as defined in LAU-SUN-I-(3)(a)) since January 2012, and if so, please provide a list of all such exchanges, including the following information:
 - (i) date and time period for the exchange;
 - (ii) identity of the counterparty;
 - (iii) volume of each type of refined petroleum product involved in the exchange; and
 - (iv) pricing terms.

- (f) Please provide a copy of all exchange agreements that Sunoco has entered into that have been in effect during the period 2012 through July 2017 involving delivery in Pennsylvania.

Objection to LAU-SUN-I-7

Section 5.361(a)(2) of the Commission's regulations, 52 Pa. Code § 5.361(a)(2), prohibits discovery into matters that would impose an unreasonable burden or expense on a person and Section 5.361(a)(4) prohibits discovery into matters that would require a person to make an unreasonable investigation. Sunoco objects to this Request as stated because it imposes an unreasonable burden and requires an unreasonable investigation. The level of granular detail sought by 7(a) would require an extraordinary investigation in the pricing mechanisms used by Sunoco with respect to each of its facilities at each of its pumps throughout its entire operations. This Request would essentially require Sunoco to commission a full-scale evaluation of market prices compared with pump prices, information that Sunoco does not maintain on any regular basis. Such an investigation would pose both an unreasonable burden and expense on Sunoco.

Respectfully submitted,



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Counsel for Sunoco, LLC

Dated: August 8, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

• I hereby certify that I have this day served a true and correct copy of foregoing document upon the parties and in the manner listed below with respect to the Direct Testimony of David J. Kistler:

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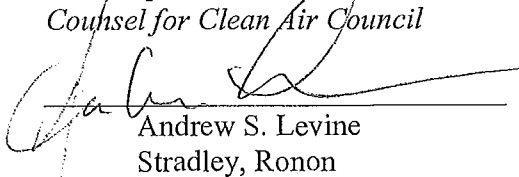
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A handwritten signature in black ink, appearing to read "Andrew S. Levine", is written over a horizontal line. The signature is fluid and cursive.

Andrew S. Levine
Stradley, Ronon
Counsel for Sunoco, LLC

Dated: August 9, 2017