|  |  |  |
| --- | --- | --- |
| PUC logo | COMMONWEALTH OF PENNSYLVANIAPENNSYLVANIA PUBLIC UTILITY COMMISSIONP.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE**A-2016-2575829 G-2017-2587567 |

**October 26, 2017**

Re: **Application of Laurel Pipe Line Company, L.P. for Approval to Change Direction of Petroleum Products Transportation Service to Delivery Points West of Eldorado, Pennsylvania**

 **Docket No. A-2016-2575829**

 **Affiliated Interest Agreement Between Laurel Pipe Line Company, L.P. and Buckeye Pipe Line Company, L.P.**

 **Docket No. G-2017-2587567**

 **Petition for Interlocutory Review and Answer to Material Question**

TO ALL PARTIES:

On April 20, 2017, Gulf Operating, LLC, Philadelphia Energy Solutions Refining & Marketing, LLC, Sheetz, Inc., Monroe Energy, Inc., and Giant Eagle, Inc. (Joint Petitioners) filed a Petition for Interlocutory Review and Answer to a Material Question (Petition), in the above-captioned proceeding. On May 1, 2017, the Joint Petitioners filed a Brief in Support of the Petition, and Laurel Pipe Line Company, L.P. (Laurel) filed a Brief in Opposition to the Petition.

In the Petition, the Joint Petitioners seek a determination that data and information about Laurel’s potential plans to reverse the flow of the pipeline easterly beyond Eldorado, Pennsylvania is relevant to a determination on the above Application. Laurel filed a letter on June 6, 2017 (June 6 Letter), indicating that it would allow the Joint Petitioners to submit evidence regarding the flow reversal issue into the record and would not move to strike testimony regarding that issue. Laurel also indicated that its proposal in the June 6 Letter mooted the Petition, so it is no longer necessary for the Commission to address the Petition. In response, the Joint Petitioners filed a letter on June 8, 2017 (June 8 Letter), informing the Commission of the two conditions under which the Joint Petitioners could agree that the Commission not issue a substantive decision on the Petition.

The Joint Petitioners explained that the first condition is an extension or modification of the existing litigation schedule, consistent with that requested in the Joint Petitioners’ Motion for Modification and Extension of Procedural Schedule, filed on June 1, 2017 (Motion for Modification). The second condition is a written agreement by all the Parties, subject to acceptance by the Administrative Law Judge (ALJ) in an appropriate order, that no Party will move to strike any testimony regarding any plans or discussions about flow reversals on Laurel’s pipeline east of Eldorado, Pennsylvania. The Joint Petitioners stated that, if these conditions are implemented, they will submit further correspondence requesting that the Commission not rule on the Petition.

On June 14, 2017, the ALJ conducted a prehearing conference during which the Parties discussed the issues raised in the Motion for Modification. The ALJ then modified the litigation schedule by Order dated June 20, 2017, by extending the schedule by thirty days, instead of the sixty-day extension the Joint Petitioners requested. The record does not appear to contain any information regarding the second condition in the June 8 Letter, and the Commission has not received any recent correspondence from the Parties regarding the status of this matter. Accordingly, it is unclear whether the conditions in the June 8 Letter have been satisfied.

The evidentiary hearings in this matter are scheduled to begin on November 6, 2017. As the Petition remains outstanding, we request that the Parties file correspondence with the Commission, within seven (7) days from the date of issuance of this Secretarial Letter, addressing the status of this matter.

Should you have any questions, you may contact the Office of Special Assistants, Cheryl Walker Davis, Director. Please direct your inquiry to Jaime McClintock, Esq., at (717) 346-2615 or jmcclintoc@pa.gov.

Very truly yours,

 Rosemary Chiavetta

Secretary