

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Monroe Energy LLC, Lucknow-Highspire	:	
Terminals LLC, Sheetz, Inc., and PBF	:	
Holding Company LLC	:	C-2025-3053018
Complainants,	:	
	:	
v.	:	
	:	
Laurel Pipe Line Company, L.P.	:	
	:	
Respondent.	:	

**PROTECTIVE ORDER**

Upon consideration of the Motion for a Protective Order that was filed by Laurel Pipe Line Company, L.P. on May 27, 2025;

**IT IS ORDERED THAT:**

1. The Motion is hereby granted with respect to all materials and information identified in Paragraphs 2 – 3 below.

2. The information subject to this Protective Order is all correspondence, documents, data, information, studies, methodologies and other materials, furnished in this proceeding, that are reasonably believed by the producing party to be of a proprietary or confidential nature and that are so designated by being marked “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL PROTECTED MATERIAL.” Such materials will be referred to below as “Proprietary Information.” When a statement or exhibit is identified for the record, the portions thereof that constitute Proprietary Information shall be designated as such for the record.

3. This Protective Order applies to the following categories of materials: (a) the parties may designate as “CONFIDENTIAL” those materials that customarily are treated by that party as sensitive or proprietary, that are not available to the public, and that, if disclosed freely,

would subject that party or its clients to risk of competitive disadvantage or other business injury;

(b) the parties may designate as “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” those materials that are of such a commercially sensitive nature or of such a private, personal nature that the producing party is able to justify a heightened level of confidential protection with respect to those materials; moreover, information subject to the restrictions of 49 U.S.C.A. App. Section 15(13) will be designated as “HIGHLY CONFIDENTIAL PROTECTED MATERIAL.” Given the limited distribution afforded to “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” under the terms of this Protective Order, the parties shall endeavor to limit their designation of information as HIGHLY CONFIDENTIAL PROTECTED MATERIAL. The parties shall also redact or take other steps reasonably necessary to eliminate from any discovery responses the names, addresses or any other information that could reveal the identity of shippers or customers, whose actual names shall be replaced by a letter or numerical designation.

4. Proprietary Information shall be made available to counsel for a party, subject to the terms of this Protective Order. Such counsel shall use or disclose the Proprietary Information only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. No person who may be entitled to receive, or who is afforded access to any CONFIDENTIAL or HIGHLY CONFIDENTIAL PROTECTED MATERIAL shall use or disclose such information for purposes of business or competition, or any purpose other than the preparation for and conduct of this proceeding or any administrative or judicial review thereof. To the extent required for participation in this proceeding, counsel for a party may afford access to Proprietary Information subject to the conditions set forth in this Protective Order.

5. Information deemed as “CONFIDENTIAL” shall be made available to a “Reviewing Representative” who is a person that has signed a Non-Disclosure Certificate attached as Appendix A, and who is:

- (i) An attorney who has entered an appearance in this proceeding for a party or who serves as the General Counsel or Assistant General Counsel for a party;
- (ii) Attorneys, paralegals, and other employees associated for purposes of this case with an attorney described in Paragraph 5(i);
- (iii) An expert or an employee of an expert retained by a party for the purpose of advising, preparing for or testifying in this proceeding; or
- (iv) Employees or other representatives of a party appearing in this proceeding with significant responsibility for this docket.

With regard to any Bureau of Investigation and Enforcement (“I&E”) involvement, information deemed as “CONFIDENTIAL” shall be made available to I&E Prosecutors subject to the terms of this Protective Order. The I&E Prosecutors shall use or disclose the CONFIDENTIAL information only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors may afford access to CONFIDENTIAL information only to I&E’s experts, without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Order by virtue of the I&E Prosecutors’ execution of a Non-Disclosure Certificate.

6. Information deemed as “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” may be provided to a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix A and who is:

- (i) An attorney for a statutory advocate pursuant to 52 Pa. Code §1.8, or an outside attorney who has entered an appearance in this proceeding for a party;

- (ii) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in Paragraph 6(i);
- (iii) An outside expert or an employee of an outside expert retained by a party for the purposes of advising, preparing for or testifying in this proceeding; or
- (iv) A person designated as a Reviewing Representative for purposes of HIGHLY CONFIDENTIAL PROTECTED MATERIAL, provided that a Reviewing Representative for purposes of HIGHLY CONFIDENTIAL PROTECTED MATERIAL shall not include an officer, director, stockholder, partner, or owner of any competitor of the parties, or of any shipper, customer or consignee on Laurel, or of any affiliate of any competitor of the parties, or shipper, customer or consignee on Laurel, or any employee of any such entity, if that person's duties involve marketing or pricing responsibilities, or any responsibility for marketing or pricing with respect to the transportation or commodity sales and/or exchanges of refined petroleum products.

With regard to any I&E involvement, information deemed as "HIGHLY CONFIDENTIAL PROTECTED MATERIAL" shall be made available to the I&E Prosecutors subject to the terms of this Protective Order. The I&E Prosecutors shall use or disclose the HIGHLY CONFIDENTIAL PROTECTED MATERIAL only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors may afford access to HIGHLY CONFIDENTIAL PROTECTED MATERIAL, only to I&E's experts, without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors' execution of a Non-Disclosure Certificate.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to HIGHLY

CONFIDENTIAL PROTECTED MATERIAL, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

7. For purposes of this Protective Order, a Reviewing Representative may not be a “Restricted Person.”

(a) A “Restricted Person” shall mean: (i) an officer, director, stockholder, partner, or owner of any competitor of the parties or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services; (ii) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of the parties (including any association of competitors of the parties) or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services; (iii) an officer, director, stockholder, owner or employee of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; and (iv) an officer, director, stockholder, owner or employee of an affiliate of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; provided, however, that no expert shall be disqualified on account of being a stockholder, partner, or owner unless that expert’s interest in the business would provide a significant motive for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Stipulated Protective Agreement, stocks, partnership or other ownership interests valued at more than \$100,000 or constituting more than a 1% interest in a business establishes a significant motive for violation.

(b) If an expert for a party, another member of the expert’s firm or the expert’s firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person with respect to the marketing or pricing of the competitor’s products or services, said expert must:

(i) identify for the parties each Restricted Person and each expert or consultant; (ii) make reasonable attempts to segregate those personnel assisting in the expert's participation in this proceeding from those personnel working on behalf of a Restricted Person; and (iii) if segregation of such personnel is impractical the expert shall give to the producing party written assurances that the lack of segregation will in no way jeopardize the interests of the parties or their customers. The parties retain the right to challenge the adequacy of the written assurances that the parties' or their customers' interests will not be jeopardized. No other persons may have access to the Proprietary Information except as authorized by order of the Commission.

8. A qualified "Reviewing Representative" for "HIGHLY CONFIDENTIAL PROTECTED MATERIAL" may review and discuss "HIGHLY CONFIDENTIAL PROTECTED MATERIAL" with their client or with the entity with which they are employed or associated, to the extent that the client or entity is not a "Restricted Person", but may not share with or permit the client or entity to review the "HIGHLY CONFIDENTIAL PROTECTED MATERIAL". Such discussions must be general in nature and not disclose specific "HIGHLY CONFIDENTIAL PROTECTED MATERIAL," provided however that counsel for I&E may share proprietary information with the I&E Director, without obtaining a Non-Disclosure Certificate from these individuals, provided however, that this individual otherwise abide by the terms of the Protective Order.

9. Information deemed Proprietary Information shall not be used except as necessary for the conduct of this proceeding, nor shall it be disclosed in any manner to any person except a Reviewing Representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person's responsibilities in this proceeding.

10. Reviewing Representatives may not use information contained in any Proprietary Information obtained through this proceeding to give any party or any competitor or customer or consignee of any party a commercial advantage. In the event that a party wishes to designate as a Reviewing Representative a person not described in Paragraphs 5(i) through 5(iv) or 6(i) through 6(iii) above, the party shall seek agreement from the party providing the Proprietary Information. If an agreement is reached, that person shall be a Reviewing Representative pursuant to Paragraph 6(iv) above with respect to those materials. If no agreement is reached, the party shall submit the disputed designation to the presiding Administrative Law Judge for resolution.

11. (a) A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Proprietary Information pursuant to this Protective Order unless that Reviewing Representative has first executed a Non-Disclosure Certificate provided that if an attorney qualified as a Reviewing Representative has executed such a certificate, the paralegals, secretarial and clerical personnel under the attorney's instruction, supervision or control need not do so, nor do Commission employees assisting I&E as noted above in Paragraphs 5 and 6. A copy of each Non-Disclosure Certificate shall be provided to counsel for the parties asserting confidentiality prior to disclosure of any Proprietary Information to that Reviewing Representative.

(b) Attorneys and outside experts qualified as Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with the Protective Order.

12. None of the parties waive their right to pursue any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of Proprietary Information.

13. The parties shall designate data or documents as constituting or containing Proprietary Information by marking the documents “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL PROTECTED MATERIAL.” Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, the parties, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents that constitute or contain Proprietary Information. The Proprietary Information shall be served upon the parties hereto only in an envelope separate from the nonproprietary materials, and the envelope shall be conspicuously marked “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL PROTECTED MATERIAL.” Notwithstanding the above, since “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” is intended to be distributed only to a small group of persons who are not directly employed by the parties in this proceeding, the parties shall use their best reasonable efforts to reduce the amount and type of information that is provided with the “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” designation and to not identify the names, addresses or any other information that could reveal the identity of shippers or customers in response to discovery.

14. The parties will consider and treat the Proprietary Information as within the exemptions from disclosure provided in Section 335(d) of the Public Utility Code, 66 Pa. C.S. § 335(d), and the Pennsylvania Right-to-Know Act, 65 P.S. §§ 67.101 *et seq.*, until such time as the information is found to be non-proprietary. In the event that any person or entity seeks to compel the disclosure of Proprietary Information, the non-producing party shall promptly notify the producing party in order to provide the producing party an opportunity to oppose or limit such disclosure.

15. Any public reference to Proprietary Information by a party or its Reviewing Representatives shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to understand fully the reference and not more. The Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

16. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, testimony, cross examination, argument, and responses to discovery, and including reference thereto as mentioned in Paragraph 15 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Protective Order, either through the agreement of the parties to this proceeding or pursuant to an order of the Commission.

17. The parties shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information including, without limitation, the identity of shippers and/or customers, and to question or challenge the admissibility of Proprietary Information. In the event of a question or challenge to the confidential or proprietary nature of Proprietary Information, the parties shall make a good faith effort to redact or modify the Proprietary Information so that it is no longer “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL PROTECTED MATERIAL”. If a party challenges the designation of a document or information as proprietary, the party providing the information retains the burden of demonstrating that the designation is appropriate.

18. The parties shall retain the right to question or challenge the admissibility of Proprietary Information; to object to the production of Proprietary Information on any proper ground; and to refuse to produce Proprietary Information pending the adjudication of the objection.



**C-2025-3053018 - MONROE ENERGY LLC; LUCKNOW-HIGHSPIRE TERMINALS LLC; SHEETZ INC; AND PBF HOLDING COMPANY LLC v. LAUREL PIPE LINE COMPANY, L.P.**

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**APPENDIX A**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Monroe Energy LLC, Lucknow-Highspire Terminals :  
LLC, Sheetz, Inc., and PBF Holding Company LLC :  
Complainants, : Docket No. C-2025-3053018  
:  
v. :  
:  
Laurel Pipe Line Company, L.P. :  
:  
Respondent. :  
:  
:  
:  
:

**NON-DISCLOSURE CERTIFICATE**

**TO WHOM IT MAY CONCERN:**

The undersigned is the \_\_\_\_\_ of \_\_\_\_\_  
(the retaining party). The undersigned has read and understands the Protective Order deals with  
the treatment of Proprietary Information, and the undersigned is a (check ONE):

- Reviewing Representative for CONFIDENTIAL information.
- Reviewing Representative for CONFIDENTIAL & HIGHLY CONFIDENTIAL information.

The undersigned agrees to be bound by and comply with the terms and conditions of said Protective Order.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Employer