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File #: 200842

August 18, 2025

VIA ELECTRONIC FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

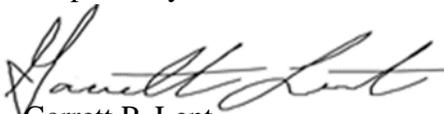
**Re: Monroe Energy, LLC, et al. v. Laurel Pipe Line Company, L.P.
Docket Nos. C-2025-3053018**

Dear Secretary Homsher:

Enclosed for filing in the above-referenced proceeding is the Motion to Compel Responses to PBF Holding Company LLC, Set III Discovery on behalf of Laurel Pipe Line Company, L.P.

Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Garrett P. Lent
Principal

GPL/sa
Attachment

cc: The Honorable Eranda Vero (*via email; w/attachment*)
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).

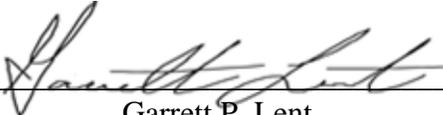
VIA E-MAIL ONLY

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Pro hac vice*

Date: August 18, 2025



Garrett P. Lent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

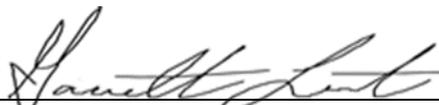
NOTICE TO PLEAD

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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Admitted Pro Hac Vice

Date: August 18, 2025


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Counsel for Laurel Pipe Line Company, L.P.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**MOTION TO COMPEL ANSWERS TO INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
PROPOUNDED BY LAUREL PIPE LINE COMPANY, L.P.
ON PBF HOLDING COMPANY LLC – SET III**

TO ADMINISTRATIVE LAW JUDGE ERANDA VERO:

As explained herein, 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 Third Set of Interrogatories and Requests for Production of Documents (“Set III Discovery”) directed to PBF Holding Company LLC (“PBF”). The Motion to Compel requests that Administrative Law Judge Eranda Vero (the “ALJ”) direct PBF to provide full and complete responses to Questions 1 through 5 of the Set III Discovery as is required by 52 Pa. Code § 5.342(a)(4). In support of this Motion, Laurel states as follows:

I. INTRODUCTION

1. This proceeding was initiated by the filing of the above-captioned Complaint by Monroe Energy, LLC (“Monroe”), Lucknow-Highspire Terminal, LLC (“LHT”), Sheetz, Inc. (“Sheetz”) and PBF Holding Company LLC (“PBF”) (collectively the “Complainants”), dated January 21, 2025.

2. On February 11, 2025, Laurel filed its Answer and New Matter (“ANM”), and Preliminary Objections (“PO”) to the Complaint in Docket No. C-2025-3053018, rebutting in detail the various claims and arguments of the Complainants.

3. On February 21, 2025, Monroe, Sheetz, PBF, and PBF filed a response to the Preliminary Objections of Laurel.

4. On July 25, 2025, Laurel served Set III Discovery on PBF. A copy of Laurel Set III Discovery to PBF is provided as Appendix A hereto.

5. PBF objected to Set III Discovery on August 8, 2025. PBF lodged objections to Question No. 1 through 5 of the Set III Discovery. A copy of PBF’s Objections is provided as Appendix B hereto.

6. On August 15, 2025, PBF served its responses to the Set III Discovery.

7. Counsel for Laurel emailed to PBF’s counsel regarding possible resolution of the objections on August 17, 2025. While Laurel is filing the instant Motion to preserve its right to compel responses to valid discovery requests, if the parties are able to resolve the objections Laurel will withdraw its Motion with respect to any such discovery requests.

8. Laurel hereby files its Motion to Compel Complainants to respond to Questions No. 1 through 5 of the Set III Discovery.

II. ARGUMENT

A. PBF SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUESTS NO. 1 & 2 OF THE SET III DISCOVERY.

9. Request No. 1 provides as follows:

1. Please identify all instances from 2019 to the present in which the refinery operated by PBF at Delaware City went on turnaround; please provide the date of the turnaround, the duration of the turnaround, the degree to which the turnaround reduced output of the refinery, and the reduction quantity by product grade.

10. Request No. 2 provides as follows:

2. Please identify all instances from 2019 to the present in which the refinery operated by PBF at Delaware City had an unplanned disruption that caused a decrease in refined product output. Please provide the date of the disruption and the duration of the disruption reduced output at the refinery.

11. PBF objects to Requests No. 1 and 2 on the basis that it is not relevant, overly burdensome, would require a significant study, and would require an investigation. On August 15, 2025, PBF served responses to both requests covering the period of 2023 onward.

12. The information sought regards disruptions at a facility operated by PBF. PBF was able to provide responsive information, though not for the period requested. The data here is relevant to claims made by the Complainant. While the Complainant claims that this is unreasonably burdensome and would require a study and investigation, the Complainant has been able to provide responsive information dating from 2 years. The production of this information for a two-year period demonstrates that PBF has this information in its possession and is able to produce the same. However, only producing two years of information is not sufficiently responsive. The Complainants' joint witness, Dr. Morris, advances claims regarding the price advantages of east coast refineries, such as PBF, and claims that loss of access to supplies from these refineries will harm Central and Western Pennsylvania markets. The information sought by these requests is relevant to assessing the impacts of loss of refinery production on market prices, which is highly relevant to the assessment of Dr. Morris's claims. Further, if it is too burdensome on the Complainant to produce information that may support its claims, then the viability of the Complainant's claims is called into question.

13. For the reasons more fully explained above, PBF should be compelled to provide a full and complete response to Requests No. 1 and 2 of Set III discovery.

B. PBF SHOULD BE COMPELLED TO PROVIDE A FULL AND COMPLETE RESPONSE WITH RESPECT TO REQUEST NO. 3, 4, AND 5 OF THE SET III DISCOVERY.

14. Request No. 3 provides as follows:

3. Please identify each instance from 2019 to the present in which PBF has failed to move barrels it nominated on Laurel or Buckeye. Please include with this response all documents, including but not limited to emails, instant message logs or letters.

15. Request No. 4 provides as follows:

4. Please identify each instance from 2019 to the present in which PBF has sought to change a nomination (e.g. asked Laurel or Buckeye to deliver barrels to a new location). Please include with this response all documents, including but not limited to emails, instant message logs or letters.

16. Request No. 5 provides as follows:

5. Please identify each instance from 2019 to the present in which Laurel or Buckeye has sought to change a nomination (e.g. asked PBF to deliver barrels to a new location). Please include with this response all documents, including but not limited to emails instant message logs or letters.

17. PBF objects to Requests No. 3, 4, and 5 on the basis that Laurel is likely to have the requested information, that it is excessively burdensome, and that it is unlikely to lead to the discovery of admissible evidence and designed to harass PBF.

18. The information sought here is directly relevant to the proceeding. Changed nominations and failures to move barrels is directly relevant to the central issues in this proceeding, which allege that unreasonable service has been provided to PBF and the Complainants. This information would speak directly to those issues. It is unreasonable to suggest locating basic information regarding PBF's central claims is burdensome. Moreover, asking PBF to provide information in its possession is not designed to harass PBF.

19. For the reasons more fully explained above, PBF should be compelled to provide a full and complete response to Request No. 3, 4, and 5 of Set III 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 PBF Holding Company LLC to fully answer Nos. 1 through 5 of the Set III Discovery.

Respectfully submitted,



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Admitted Pro Hac Vice

Date: August 18, 2025

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Counsel for Laurel Pipe Line Company, L.P.

APPENDIX A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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

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 the PBF Holding Company, LLC (“PBF”), Set III.

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. “Complaint” means the formal complaint and all supporting data and testimony filed by Monroe Energy, LLC, Lucknow-Highpsire Terminals, LLC, Sheetz, Inc., and PBF Holding Company LLC, at Docket No. C-2025-3053018.

19. “Complainants” means, collectively, Monroe Energy, LLC, Lucknow-Highpsire Terminals, LLC, Sheetz, Inc., and PBF Holding Company LLC.

20. “Answer and New Matter” means the Answer and New Matter to the Complaint filed by Laurel on February 12, 2025, at Docket No. C-2025-3053018.

21. “Answer to New Matter” means the Answer to New Matter submitted by Monroe Energy, LLC, Lucknow-Highpsire Terminals, LLC, Sheetz, Inc., and PBF Holding Company LLC on March 4, 2025, at Docket No. C-2025-3053018.

22. “Preliminary Objections” or “POs” means the Preliminary Objections to the Complaint filed by Laurel on February 12, 2025, at Docket No. C-2025-3053018.

23. “Response to Preliminary Objections” or “Response to POs” means the Response to Preliminary Objections submitted by Monroe Energy, LLC, Lucknow-Highpsire Terminals, LLC, Sheetz, Inc., and PBF Holding Company LLC on March 4, 2025, at Docket No. C-2025-3053018.

24. “Settlement” means the Joint Petition for Approval of Settlement dated July 31, 2019 at, Docket No. C-2018-3003365, *approved without modification* by Order entered Aug. 29, 2019.

**Monroe Energy, LLC, Lucknow-Highpsire Terminals, LLC,
Sheetz, Inc., and PBF Holding Company LLC,**

v.

**Laurel Pipe Line Company, L.P.
Docket No. C-2025-3053018**

**INTERROGATORIES, REQUESTS FOR PRODUCTION OF
DOCUMENTS AND REQUESTS FOR ADMISSION ON
PBF– SET III**

1. Please identify all instances from 2019 to the present in which the refinery operated by PBF at Delaware City went on turnaround; please provide the date of the turnaround, the duration of the turnaround, the degree to which the turnaround reduced output of the refinery, and the reduction quantity by product grade.
2. Please identify all instances from 2019 to the present in which the refinery operated by PBF at Delaware City had an unplanned disruption that caused a decrease in refined product output. Please provide the date of the disruption and the duration of the disruption reduced output at the refinery.
3. Please identify each instance from 2019 to the present in which PBF has failed to move barrels it nominated on Laurel or Buckeye. Please include with this response all documents, including but not limited to emails, instant message logs or letters.
4. Please identify each instance from 2019 to the present in which PBF has sought to change a nomination (*e.g.* asked Laurel or Buckeye to deliver barrels to a new location). Please include with this response all documents, including but not limited to emails, instant message logs or letters.
5. Please identify each instance from 2019 to the present in which Laurel or Buckeye has sought to change a nomination (*e.g.* asked PBF to deliver barrels to a new location). Please include with this response all documents, including but not limited to emails, instant message logs or letters.

APPENDIX B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**OBJECTIONS OF PBF HOLDING COMPANY LLC
TO CERTAIN INTERROGATORIES AND REQUESTS FOR PRODUCTION
PROPOUNDED BY LAUREL PIPELINE COMPANY, L.P., SET III**

PBF Holding Company LLC (“PBF”) hereby submits its Objections to certain Interrogatories and Requests for Production of Documents of Laurel Pipe Line Company, L.P. (“Laurel” or the “Company”) to Set II (“Discovery”), pursuant to 52 Pa. Code §§ 5.342 and 5.361. As explained below, PBF objects to Complainants Set III, Numbers 1-5, because these questions seek information that is not relevant to the issues raised in the above-captioned matter, not likely to lead to the discovery of relevant or admissible evidence in the above-captioned matter, would require PBF to conduct an unreasonable and burdensome investigation. In support thereof, PBF states as follows:

I. INTRODUCTION

This proceeding was initiated by the filing of the above-captioned Complaint by Monroe Energy, LLC (“Monroe”), Lucknow-Highspire Terminal, LLC (“LHT”), Sheetz, Inc. (“Sheetz”)

and PBF Holding Company LLC (“PBF”) (collectively the “Complainants”), dated January 21, 2025.

On January 22, 2025, Laurel was served by the Commission with the above-captioned Complaint.

On February 11, 2025, Laurel filed its Answer and New Matter (“ANM”), and Preliminary Objections (“PO”) to the Complaint in Docket No. C-2025-3053018, rebutting in detail the various claims and arguments of the Complainants.

On February 21, 2025, Complainants filed a response to the Preliminary Objections of Laurel.

On March 3, 2025, the Complainants submitted an Answer to New Matter.

On March 12, 2025, a Motion Judge Assignment Notice was issued assigning Administrative Law Judge Eranda Vero (the “ALJ”) as the presiding officer in this proceeding.

On April 21, 2025, the ALJ issued an order overruling Laurel’s Preliminary Objections and indicating that the matter will be set for a hearing.

On July 15, 2025, the Joint Complainants submitted the testimony of various witnesses, including experts, Dr. John Morris and Mr. Tom Miesner. PBF did not present company witnesses.

On July 25, 2025, Laurel propounded the Discovery at issue here.

Under 52 Pa. Code § 5.341(c), a party may propound interrogatories that relate to matters that can be inquired into under Section 5.321. Section 5.321(c), in turn, provides that a party is entitled to obtain discovery of any matter not privileged that is relevant to a pending proceeding and reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). In addition, under Section 5.361(a), discovery that “would require the making of an unreasonable investigation by...a party” is not permitted.

For the reasons explained below, Laurel's Set III, Numbers 1-5 seek information that is irrelevant, not likely to lead to the discovery of relevant information and would require PBF to conduct an unreasonable investigation, and, therefore, is impermissible discovery under the Commission's regulations. In accordance with the Commission's regulations, PBF hereby objects to Laurel's Set II, Numbers 1-9.

II. OBJECTIONS

A. Objection to Complainants Set III, Instructions 15 & 16.

Laurel's Set III, Instructions Numbers 15 and 16 provide as follows:

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.

The Commission's regulations broadly exempt privileged materials and documents from discovery. 52 Pa. Code §§ 5.321(c) and 5.323(a); *see also* 52 Pa. Code § 5.361(a)(3) (prohibiting discovery which relates to a matter which is privileged). However, the Commission's regulations do not require a party to provide the provenance of every piece of information covered by privilege including what amounts to a log for that evidence of every person who may have reviewed it. In addition, the Commission's regulations prohibit discovery which would cause unreasonable burden to a party. 52 Pa. Code § 5.361(a)(4). Laurel's Set I, Instructions, Numbers 15 and 16 seek to unreasonably burden PBF's efforts to respond to discovery requests, which specifically inquire in to matters which are exempt from discovery under the Commission's regulations, by imposing a requirement on PBF that is not contemplated by the Commissions regulations.

Based on the foregoing, PBF objects to Complainants' Set III, Instruction Numbers 15 & 16 as unreasonably burdensome. Subject to the foregoing objection, PBF intends to respond to appropriate discovery requests that do not seek privileged information, or ask PBF to provide legal conclusions, legal opinions and/or legal research. Notwithstanding these general objections, PBF is willing to provide responses subject to the specific Objections raised below.

B. Objection to Laurel Set III Data Requests 1-5.

3.1 Please identify all instances from 2019 to the present in which the refinery operated by PBF at Delaware City went on turnaround; please provide the date of the turnaround, the duration of the turnaround, the degree to which the turnaround reduced output of the refinery, and the reduction quantity by product grade.

OBJECTION: Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). However, discovery which “would require the making of an unreasonable investigation by...a party” is not permitted. 52 Pa. Code § 3.61(a)(4).

PBF objects to Laurel Set III, No. 1 because it is overly burdensome, would require PBF to undertake a significant study going back over six years, and to conduct an investigation to determine the duration of turnarounds. PBF does not maintain duration data in a reasonably retrievable form and it would be overly burdensome to require PBF to conduct a search for such information. Moreover, this information sought is not relevant and is unlikely to lead to the discovery of admissible evidence in this proceeding.

Notwithstanding this objection, PBF will provide a spreadsheet of (a) the year and month of each turnaround event, (b) the affected equipment, and (c) the event causing the turnaround for the period from January 1, 2023 to the present.

3.2 Please identify all instances from 2019 to the present in which the refinery operated by PBF at Delaware City had an unplanned disruption that caused a decrease in refined product output. Please provide the date of the disruption and the duration of the disruption reduced output at the refinery.

OBJECTION: Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). However, discovery which “would require the making of an unreasonable investigation by...a party” is not permitted. 52 Pa. Code § 3.61(a)(4).

PBF objects to Laurel Set III, No. 2 because it is overly burdensome, would require PBF to undertake a significant study going back over six years, and to conduct an investigation to determine the duration of planned and unplanned downtime. PBF does not maintain duration data in a reasonably retrievable form and it would be overly burdensome to require PBF to conduct a search for such information. Moreover, this information sought is not relevant and is unlikely to lead to the discovery of admissible evidence in this proceeding.

Notwithstanding this objection, PBF will provide a spreadsheet of the number of planned and unplanned downtime days, including (a) the year and month of each planned or unplanned downtime event and (b) the refinery process affected for the period from January 1, 2023 to the present.

3.3 Please identify each instance from 2019 to the present in which PBF has failed to move barrels it nominated on Laurel or Buckeye. Please include with this response all documents, including but not limited to emails, instant message logs or letters.

OBJECTION: Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). However, discovery which “would require the making of an unreasonable investigation by...a party” is not permitted. 52 Pa. Code § 3.61(a)(4). Moreover, even if there was somehow a reasonable justification to require PBF to search for documents that are in Buckeye’s possession, the 2019, six-year time period of this request (and even a shorter period) is excessively burdensome, particularly as it applies to searching for e-mails and other electronic documents, and is unlikely to lead to the discovery of admissible evidence.

Buckeye has all the requested information in its possession. It has knowledge of any barrels that failed to move through Buckeye’s nomination process and systems. Moreover, if PBF communicated with Buckeye in e-mails, instant message logs, or letters, Buckeye has those documents. Asking PBF, which did not offer its own company witness in this proceeding, to undertake a massive search for such documents is burdensome and apparently designed to harass PBF.

3.4 Please identify each instance from 2019 to the present in which PBF has sought to change a nomination (e.g. asked Laurel or Buckeye to deliver barrels to a new location). Please include with this response all documents, including but not limited to emails, instant message logs or letters.

OBJECTION: See objection to Question 3.3. If PBF sought to change a nomination, it would do so through Buckeye’s nomination system or the types of documents requested and Buckeye would have received such nomination changes and possess all the requested information. Moreover, even if there was somehow a reasonable justification to require PBF to search for documents that are in Buckeye’s possession, the 2019, six-year time period of this request (and even a shorter period) is excessively burdensome, particularly as it applies to searching for e-mails and other electronic documents, and is unlikely to lead to the discovery of admissible evidence.

3.5 Please identify each instance from 2019 to the present in which Laurel or Buckeye has sought to change a nomination (e.g. asked PBF to deliver barrels to a new location). Please include with this response all documents, including but not limited to emails instant message logs or letters.

OBJECTION: See objection to Section 3.3. If Laurel or Buckeye sought to change a nomination tendered by PBF, it would do so through Buckeye's nomination system or the types of documents requested and Buckeye would have received such nomination changes and possess all the requested information. Moreover, even if there was somehow a reasonable justification to require PBF to search for documents that are in Buckeye's possession, the 2019, six-year time period of this request (and even a shorter period) is excessively burdensome, particularly as it applies to searching for e-mails and other electronic documents, and is unlikely to lead to the discovery of admissible evidence.

III. CONCLUSION

WHEREFORE, pursuant to 52 Pa. Code § 5.342(e), PBF objects to Laurel's Set III, Instructions 15 and 16 and Data Request Numbers 1-5, which seek information that is not relevant to the issues raised in the above-captioned matter, not likely to lead to the discovery of relevant or admissible evidence in the above-captioned matter, would require PBF to conduct an unreasonable investigation, undertake unreasonably burdensome electronic searches, or seeks information clearly in Buckeye's or Laurel's possession.

Respectfully submitted,



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