

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Monroe Energy, LLC	:	
Lucknow-Highspire Terminals, LLC,	:	
Sheetz, Inc. and PBF Holding Company	:	
LLC.	:	C-2023-3053018
	:	
	:	
v.	:	
	:	
Laurel Pipe Line Company, L.P.	:	

**ORDER REGARDING RESPONDENT’S MOTIONS TO COMPEL - LHT**

On July 18, 2025, Laurel Pipe Line Company, L.P. (Laurel) served Set II Discovery on Lucknow-Highspire Terminals, LLC (LHT).

On July 28, 2025, LHT timely objected to Set II Instructions No. 15 and No. 16 and Discovery Request Nos. 1, 5(a), 5(d), 5(f), 5(g)(i), 5(g)(ii), 5(g)(iii), 5(h), 7(a), 7(b), 7(c), 9(a), 9(b), 10(a), 10 (b), 12(a), 12 (b), 13, 14, 15, 16, 17, 18, 19 and 20.

Counsel for Laurel and LHT met and conferred regarding possible resolution of the objections on August 6, 2025.

On August 6, 2025, LHT provided responses subject to and notwithstanding its objections to Set II Instructions No. 15 and No. 16 and Discovery Request Nos. 1, 5(a), 5(d), 5(f), 5(g)(i), 5(g)(ii), 5(g)(iii), 5(h), 7(a), 7(b), 7(c), 9(a), 9(b), 10(a), 10 (b), 12(a), 12 (b), 13, 14, 15, 16, 17, 18, 19 and 20.

LHT maintained its objections to Set II Instructions No. 15 and No. 16 and Discovery Request Nos. 1, 5(a), 5(d), 5(f), 5(g)(i), 5(g)(ii), 5(g)(iii), 5(h), 7(a), 7(b), 7(c), 9(a), 9(b), 10(a), 10 (b), 12(a), 12 (b), 13, 14, 15, 16, 17, 18, 19 and 20.

On August 7, 2025, Laurel filed Motion to Compel LHT to respond to Set II Instructions No. 15 and No. 16 and Discovery Request Nos. 1, 5(a), 5(d), 5(f), 5(g)(i), 5(g)(ii), 5(g)(iii), 5(h), 7(a), 7(b), 7(c), 9(a), 9(b), 10(a), 10 (b), 12(a), 12 (b), 13, 14, 15, 16, 17, 18, 19 and 20.

On August 12, 2025, LHT filed an Answer (Answer) to Laurel's Motions to Compel.

The Motion to Compel is ready for ruling.

**Laurel-Set II, Instructions No. 15 and No. 16**

Laurel agrees not to compel the instruction and will not require a privilege log subject to confirmation by counsel that all non-privileged information has been provided. Motion ¶ 12.

Counsel for LHT has provided counsel for Laurel with the required confirmation that all non-privileged information has been provided. Answer ¶ 12.

Based upon the foregoing, Laurel's Motion to compel responses to Set II, Instructions No. 15 and No. 16 are moot.

**Laurel -Set II, Request No. 1**

Laurel – Set II Request No. 1 provides as follows:

1. *Please provide copies of all Documents, studies, analyses, and workpapers upon which you relied in the preparation of Exhibit SH-1. Please provide electronic copies of such materials in their native format (e.g., Microsoft Excel).*

LHT objects to Request No. 1 to the extent it seeks information not in the witness's possession as she might have been influenced by information no longer in her possession.

The Commission's regulations regarding discovery do not permit discovery or deposition that would cause a person or party unreasonable burden or expense or "[w]ould require the making of an unreasonable investigation by the deponent, a party or witness." 52 Pa. Code §§ 5.361(a)(2), (4).

According to LHT, the request appears to demand the production of "all" documents upon which Ms. Huzicko might have relied, regardless of time and regardless of degree, that was in any way the basis of her testimony.

Section 5.349(a) of the Commission's regulations provides,

A party may serve on another party a request for either of the following:

(1) To produce and permit the party making the request, or someone acting on the party's behalf, to inspect and copy designated documents—including writings, drawings, graphs, charts, photographs, computer records and other compilations of data from which information can be obtained, translated, if necessary, by the respondent through detection devices into reasonable usable form— or to inspect a copy, test or sample tangible things which constitute or contain matters within the scope of § § 5.321(b), 5.323 and 5.324 (relating to scope; hearing preparation material; and discovery of expert testimony) and which are in the possession, custody or control of the party upon whom the request is served.

52 Pa. Code § 5.349(a).

In its Motion, Laurel explains that the question is not so broad and pursuant to 52 Pa. Code § 5.349(a), LHT should produce the identified materials that were relied upon during the witness's preparation for her testimony.

Exhibit SH-1 is the Direct Testimony of Shauna Uzicko. It is 11 pages long and provides Ms. Uzicko's curriculum vitae, her overview of the East-to West shipments on the Laurel Pipeline, her experience with bi-directional service since 2019, her concerns with extension of bi-directional service to Sinking Springs, and perspectives on overall market conditions and price competitiveness of East versus West supply. In view of this, I agree with LHT that Request No. 1 is overbroad. Consequently, Laurel's Motion to Compel is denied as to Request No. 1. Laurel can propound a revised interrogatory to the Complainants.

**Laurel – Set II, Request No. 5a, 5d, 5f, and 5g(i)(ii)(iii)**

Laurel – Set II, Request No. 5a, 5d 5f, and 5G(i)(ii)(iii) provides as follows:

5. *With reference to Ms. Huzicko's discussion of the 8 terminals that LHT owns that are primarily supplied by Laurel Pipeline and the 3 terminals that LHT owns that are primarily supplied by Buckeye Pipeline found in Exhibit SH-1 at 3:4-7.*

a. *Please confirm that LHT does not operate any terminals outside of the Commonwealth of Pennsylvania.*

\*\*\*

d. *Please provide the daily inventory by product type and grade at each of the 11 terminals from 2016 to the present.*

\*\*\*

f. *Please provide Bill of Lading data in machine readable form showing the location to which trucks are delivering.*

\*\*\*

g. *With regard to the 8 terminals that are primarily supplied by Laurel Pipeline:*

i. *Please identify the quantity of product delivered to each the terminal under an intrastate PUC tariff and the quantity of product delivered to each terminal under a FERC tariff.*

- ii. Please provide a narrative description of the other means of supply available at each terminal.*
- iii. Please identify the quantity of product delivered to each terminal by one of the means identified in subpart (ii).*

LHT objects to Request No. 5a on the grounds that the request is irrelevant and not likely to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c).

I agree with LHT that Request No. 5a, which on its face requests information beyond the jurisdiction of the Commission, is irrelevant and not likely to lead to the discovery of admissible evidence. Accordingly, LHT's objection is sustained, and Laurel's Motion is denied with regard to Request No. 5a.

LHT objects to Request No. 5d on the grounds that the request is irrelevant and not likely to lead to the discovery of admissible evidence and the production of the requested data over a nine-year period would impose unreasonably burdensome duties upon LHT's staff. 52 Pa. Code §§ 5.321(c) and 5.361(a)(2).

Although I find that Request No. 5d seeks information that is relevant to the matter at hand, I agree with LHT that the production of the requested data would impose an unreasonable burden on LHT's staff. Accordingly, Laurel's Motion is denied in part and granted in part with regard to Request No. 5d. Counsel for Laurel and LHT are directed to get together and determine whether a different organization, either monthly or quarterly, of the information sought in Request No. 5a is more manageable for LHT's staff.

LHT objects to Request No. 5f on the grounds that the request is irrelevant and not likely to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Notwithstanding the denial, LHT has answered Laurel's Set II, Request No. 5f. Answer ¶ 22.

Based upon the foregoing, Laurel's Motion to compel a response to Set II, Request No. 5f is moot.

LHT objects to Request No. 5g(i) and 5g (ii) on the grounds that the request is irrelevant and not likely to lead to the discovery of admissible evidence. In addition, LHT argues that the request would be unduly burdensome. It further objects on the grounds that this information is in Laurel's possession.

Taking into consideration that the requested information is in Laurel's possession and that to compile the requested data would be burdensome and constitute an unreasonable investigation, I agree with LHT. 52 Pa. Code § 5.361(a)(4). Accordingly, LHT's objection is sustained and Laurel's Motion is denied with regard to Request No. 5g(i) and 5g(ii).

LHT objects to Request No. 5g(iii) on the grounds that the request is unreasonably vague. Notwithstanding the denial, LHT has answered Laurel's Set II, Request No.5g(iii). Answer ¶ 24.

Accordingly, LHT's objection is sustained and Laurel's Motion is denied with regard to Request No. 5g(iii).

#### **Laurel – Set II, Request No. 7a, 7b and 7c**

Laurel – Set II, Request No. 7a, 7b, and 7c provides as follows:

7. *With reference to Ms. Huzicko's discussion of the refineries and other supply sources supplying the terminals, found in Exhibit SH-1 at 3:10-4:6:*

a. *Please identify each refinery that has supplied each LHT terminal from 2019 to the present.*

b. *Please provide all supply contracts through which refined product has been supplied to an LHT terminal from 2019 to the present.*

c. *Please provide in machine readable form, the quantity of refined product separated by supply source and terminal that LHT has held at its terminals.*

LHT objects to Request No. 7a, 7b and 7c on the basis that the request is irrelevant, immaterial and not likely to lead to admissible evidence and would impose an unreasonable investigation. 52 Pa. Code § 5.361(a)(4) and 52 Pa. Code § 5.321(c).

In its Motion, Laurel argues that the information requested is relevant. Specifically, the information is relevant to LHT's claims of economic harm it will suffer due to bidirectional service.

Upon review, I find the information sought by Request No. 7a, 7b and 7c to be relevant to this case and Laurel's reason for seeking the information is compelling. Accordingly, I shall grant Laurel's Motion to Compel LHT to respond to Set II, Request No. 7a, 7b, and 7c.

#### **Laurel – Set II, Request No. 9**

Laurel – Set II, Request No. 9 provides as follows:

*9. With regard to Ms. Huzicko's statement that she knows "from interactions with other shippers ... have experienced a shift in norms in the Pennsylvania market" in Exhibit SH- 1 at 5:2-3:*

*a. Please identify by name and job title each shipper with whom she has interacted who indicated to her that they had had such an experience.*

*b. Please provide all Documents, including but not limited to email, letters or instant message communications that cause Ms. Huzicko to reach such a conclusion.*

LHT objects to Request No. 9 (a) and (b) on the basis that this would unreasonably burden and embarrass LHT.

Upon consideration of Set II, Request No. 9, Laurel's Motion to Compel is sustained. I find that the information sought by Laurel through Request No. 9 (a) and (b) is relevant to the issues raised in this case. I do not find that disclosure of communication between

Ms. Huzicko, in her official capacity, and other shippers is unreasonably burdensome or embarrassing for LHT.

### **Laurel – Set II, Request No. 10**

Laurel – Set II, Request No. 10 provides as follows,

*10. With reference to Ms. Huzicko's claim that additional cuts produce additional transmix in Exhibit SH-1 at 5:13-23,*

*a. Please provide in machine readable form, the quantity of transmix generated at each terminal owned or operated by LHT by day from 2017 to the present.*

*b. Please provide in machine readable form, the quantity product downgrades generated at each terminal owned or operated by LHT by day from 2017 to the present.*

LHT objects to Request No. 10(a) on the basis that providing the information would be unreasonably burdensome and to Request No. 10(b) that the request is ambiguous and unreasonably vague with regard to the phrase “quantity product downgrades.” In addition, LHT does not maintain the information requested by Laurel. Answer ¶ 24.

In its Motion, Laurel addresses LHT’s objections by modifying the period of time for the information sought in Request No. 10(a) to cover January 1, 2019 to the present.

With regard to Request No. 10(b), Laurel argues that the term “quantity product downgrades” is self-explanatory and can be understood to mean the quantity of products that have been downgraded due to the increase in transmix which Witness Huzicko asserts occurs at the referenced passage.

Upon careful consideration, I agree with Laurel on both points. LHT does not articulate with any specificity why it would be burdened by providing the information requested by Request No. 10(a), and Laurel’s explanation, in conjunction with the context of Ms.

Huzicko's testimony, removes and ambiguity from the phrase "quantity product downgrades" in Request No. 10(b). Laurel's Motion is sustained.

**Laurel – Set II, Request No. 12a and 12b**

Laurel – Set II, Request Nos. 12a and 12b provides as follows,

*12. With reference to Ms. Huzicko's statement that "LHT is also not always able to buy even small quantities from the Midwest suppliers on a regular basis":*

*a. Please provide in machine readable form the quantity of all refined products LHT has purchased from Midwest suppliers from 2019 to the present.*

*b. Please provide all emails or other correspondence between LHT in which it sought to purchase any quantity of refined product from a Midwest supplier.*

LHT objects to this discovery request on the grounds that the request is ambiguous and irrelevant, immaterial and not likely to lead to discovery of admissible evidence. In addition, that the request is unreasonably burdensome as it does not specify a time frame, which would impose unreasonable investigation.

Notwithstanding the objection, LHT has agreed to answer Request No. 12a and provide the volumes purchased from the Midwest from 2020 to date. LHT explained that, since bidirectional service only began in October 2019, it does not have material records of supply purchases from the Midwest for 2019. Answer ¶ 42.

Consequently, LHT's objection to Request No. 12a and Laurel's Motion to compel answers to same are moot.

As for Request No. 12b, Laurel argues that LHT does not describe with particularity why this request would be burdensome, except to suggest it requires a time

limitation. Laurel reasons that the time limitation applicable to subpart (b) can be understood to be the same period of time set forth in subpart(a). It agrees to withdraw its Motion if the information sought is provided over this period.

Upon consideration, I do not find that the discovery sought through Request 12b is burdensome to LHT. Laurel's Motion to Compel LHT to respond to Request No. 12b is sustained in part and denied in part, and Request No. 12b will be modified to match the time period of the response to Request No. 12a.

**Laurel – Set II, Request Nos. 13, 14, 15, 16, 17, 18, 19, and 20**

Laurel – Set II, Request Nos. 13, 14, 15, 16, 17, 18, 19, and 20 provide as follows:

*13. Please provide all management level presentations from 2019 to the present that discuss issues related to transit time on Laurel.*

*14. Please provide all management level presentations from 2019 to the present that discuss where to source supply to the LHT terminals.*

*15. Please provide all management level presentations from 2019 to the present that discuss Mid-western refineries.*

*16. Please provide all management level presentations from 2019 to the present that discuss East Coast refineries.*

*17. Please provide all management level presentations from 2019 to the present that discuss supplying refined product from Colonial Pipeline.*

*18. Please provide all management level presentations from 2019 to the present that discuss pro-rationing on Colonial Pipeline.*

*19. Please provide all management level presentations from 2019 to the present that discuss supplying refined product delivered by waterborne vessel into an East Coast port.*

20. *Please provide all management level presentations from 2019 to the present that discuss supplying refined product delivered by waterborne on the Ohio River.*

LHT objected to this discovery request on the basis that the request is ambiguous and vague as LHT does not know what “management level” means.

Notwithstanding the objection, LHT has agreed to answer Request Nos. 13-20 to confirm that it does not possess responsive documents. Answer ¶ 24.

Accordingly, Laurel’s Motion to Compel LHT to respond to Set II, Request Nos. 13-20 is sustained.

THEREFORE,

IT IS ORDERED:

1. That Laurel Pipe Line Company, L.P.’s Motion to Compel Lucknow-Highspire Terminals, LLC to respond to Set II Instructions No. 15 and No. 16 and Discovery Request Nos. 1, 5(a), 5(d), 5(f), 5(g)(i), 5(g)(ii), 5(g)(iii), 5(h), 7(a), 7(b), 7(c), 9(a), 9(b), 10(a), 10 (b), 12(a), 12 (b), 13, 14, 15, 16, 17, 18, 19 and 20 is granted, in part and denied, in part.

2. That Lucknow-Highspire Terminals, LLC’s objections to Laurel’s Set II discovery requests are sustained, in part and overruled, in part.



**C-2025-3053018, P-2025-3056566 - MONROE ENERGY LLC; LUCKNOW-HIGHSPIRE TERMINALS LLC; SHEETZ INC; AND PBF HOLDING COMPANY LLC v. LAUREL PIPE LINE COMPANY, L.P.**

*Revised July 31, 2025*

TODD S. STEWART ESQUIRE  
HMS LEGAL LLP F/K/A HAWKE MCKEON AND SNISCAK LLP  
501 CORPORATE CIRCLE, SUITE 302  
HARRISBURG PA 17110  
717.236.1300  
717.236.4841  
[tsstewart@hmslegal.com](mailto:tsstewart@hmslegal.com)  
Served via eService August 20, 2025  
*(Counsel for Monroe Energy, LLC)*

ROBERT A. WEISHAAR, JR. ESQUIRE  
MCNEES WALLACE AND NURICK LLC  
1200 G STREET NW, SUITE 800  
WASHINGTON DC 20005  
202.898.5700  
[rweishaa@mwn.com](mailto:rweishaa@mwn.com)  
Served via eService August 20, 2025  
*(Counsel for Lucknow Highspire Terminals, LLC and Sheetz, Inc.)*

ADEOLU A. BAKARE ESQUIRE  
MCNEES WALLACE AND NURICK LLC  
100 PINE STREET  
PO BOX 1166  
HARRISBURG PA 17108  
717.232.8000  
717.260.1744  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
Served via eService August 20, 2025

RANDALL S. RICH ESQUIRE  
PIERCE ATWOOD LLP  
1875 K STREET NW, SUITE 700  
WASHINGTON DC 20006  
703.309.6448  
202.530.6424  
[rrich@pierceatwood.com](mailto:rrich@pierceatwood.com)  
Served via eService August 20, 2025  
*(Counsel for PBF Holding Company LLC)*

CARLISLE SEWELL  
LAUREL PIPE LINE COMPANY LP  
5 TEK PARK  
9999 HAMILTON BOULEVARD  
BREINIGSVILLE PA 18031  
610.904.4000  
Served via USPS First Class Mail August 20, 2025

CHRISTOPHER BARR ESQUIRE  
POST AND SCHELL PC  
607 14<sup>TH</sup> ST. NW, SUITE 600  
WASHINGTON DC 20005  
202.661.6950  
202.661.6951  
[cbarr@postschell.com](mailto:cbarr@postschell.com)  
Served via Email August 20, 2025

DAVID MACGREGOR ESQUIRE  
POST AND SCHELL PC  
17TH NORTH 2<sup>ND</sup> ST., 12<sup>TH</sup> FLOOR  
HARRISBURG PA 17101  
215.587.1197  
215.320.4879  
[dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)  
Served via Email August 20, 2025  
*(Counsel for Laurel Pipe Line Company, L.P.)*

ANTHONY D. KANAGY ESQUIRE  
GARRETT P. LENT ESQUIRE  
POST AND SCHELL PC  
17 NORTH 2<sup>ND</sup> ST., 12<sup>TH</sup> FLOOR  
HARRISBURG PA 17101  
**717.612.6034**  
**717.612.6032**  
[akanagy@postschell.com](mailto:akanagy@postschell.com)  
[glent@postschell.com](mailto:glent@postschell.com)  
Served via eService August 20, 2025  
*(Counsel for Laurel Pipe Line Company, L.P.)*

ALICE A. WADE ESQUIRE  
POST AND SCHELL PC  
ONE OXFORD CENTRE  
301 GRANT STREET, SUITE 3010  
PITTSBURGH PA 15219  
**412.506.6364**  
[alice.wade@postschell.com](mailto:alice.wade@postschell.com)  
Served via eService August 20, 2025