



Todd S. Stewart
717.703.0800
tsstewart@hmslegal.com

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501 Corporate Circle, Suite 302, Harrisburg, PA 17110 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

August 26, 2025

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

RE: Monroe Energy, LLC, Lucknow-Highspire Terminals, LLC, Sheetz, Inc. and PBF Holding Company LLC v. Laurel Pipe Line Company, L.P.; Docket No. C-2025-3053018; **PETITION OF MONROE ENERGY, LLC, LUCKNOW-HIGHSPIRE TERMINALS, LLC, SHEETZ, INC. AND PBF HOLDING COMPANY LLC FOR EXPEDITED INTERLOCUTORY COMMISSION REVIEW AND ANSWER TO A MATERIAL QUESTION**

Dear Secretary Homsher:

Enclosed for filing with the Commission is the Petition of Monroe Energy, LLC, Lucknow-Highspire Terminals, LLC, Sheetz, Inc. and PBF Holding Company LLC (“Complainants”) For **Expedited** Interlocutory Commission Review and Answer to a Material Question in the above-captioned matter. **This Petition is submitted on an expedited basis.** Copies of the Petition have been served in accordance with the attached Certificate of Service.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in blue ink, appearing to read "T. Stewart", is written over the closing text.

Todd S. Stewart
Counsel for Monroe Energy, LLC

TSS/jld

Enclosure

cc: Administrative Law Judge Eranda Vero (via electronical mail – evero@pa.gov)
Per Certificate of Service

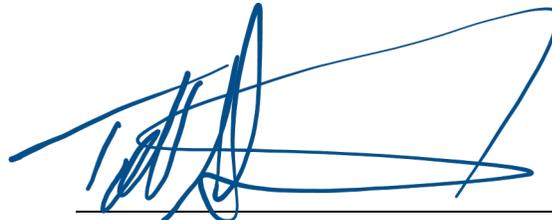
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL

David B. MacGregor
Anthony D. Kanagy
Garrett P. Lent
Alice W. Wade
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
dmacgregor@postschell.com
akanagy@postschell.com
glent@postschell.com
alice.wade@postschell.com
Counsel for Laurel Pipe Line Company, L.P.

Christopher J. Barr
Post & Schell, P.C.
607 14th Street, N.W., Suite 600
Washington, DC 20005-2006
cbarr@postschell.com
Counsel for Laurel Pipe Line Company, L.P.



Todd S. Stewart

DATED: August 26, 2025

**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.	:	

**PETITION OF
MONROE ENERGY, LLC, LUCKNOW-HIGHSPIRE TERMINALS, LLC,
SHEETZ, INC. AND PBF HOLDING COMPANY LLC
FOR EXPEDITED INTERLOCUTORY COMMISSION REVIEW
AND ANSWER TO A MATERIAL QUESTION**

NOW COME, Monroe Energy, LLC, Lucknow-Highspire Terminals, LLC, Sheetz, Inc., and PBF Holding Company LLC (“Complainants”), and hereby submit this Petition for Interlocutory Review and Answer to a Material Question in the above-captioned matter, pursuant to 52 Pa. Code § 5.302. **This Petition is submitted on an expedited basis. Hearings in this matter currently are scheduled to begin on September 10, 2025. Accordingly, Petitioners respectfully request that the Commission review of the Administrative Law Judge’s (“ALJ”) refusal to establish a schedule that provides adequate time for discovery and issue the Commission’s response no later than September 8, 2025. To effectuate that timing, Complainants also request that the parties’ briefs on the issue be due no later than 12:00 PM on September 3, 2025.**

The Material Question is whether the ALJ's refusal to allow an appropriate amount of time for Complainants, who bear the burden of proof, to conduct meaningful discovery in response to defendant Laurel Pipeline Company, L.P.'s ("Laurel") written rebuttal testimony, is a denial of procedural due process, which cannot be remedied by subsequent proceedings or appeal because the denial will result in the inability of Complainants to appropriately and fairly present their case at hearings in this matter that are currently scheduled for September 10-15, 2025.

Under the current procedural schedule, Complainants are not afforded adequate time to conduct any meaningful discovery or to prepare for presenting a case in the twelve days (including a holiday weekend) between the service of Laurel's Rebuttal Testimony and the first day of hearings. Complainants engaged in discovery of Laurel prior to submitting the Complainants' case-in-chief, but Complainants have not been afforded enough time to conduct meaningful discovery of Laurel's case-in-chief. Under the procedural schedule adopted by the ALJ, which was initially approved over Complainants' objections and further affirmed by the ALJ's denial of Complainants' motion to modify the schedule, the Complainants will have only six business days to propound interrogatories, address any objections raised by Laurel, receive and process Laurel's responses, and then prepare for hearings. In stark contrast, Laurel was provided nearly two months in which to conduct discovery of Complainants' case-in-chief. To date, Laurel has propounded fifteen separate sets of interrogatories (more than 500 discovery requests in total) on Complainants in response to Complainants' case-in-chief. And there is no deadline in the ALJ's procedural schedule for the service of additional discovery by Laurel. In short, the schedule provides one side approximately 60 days to conduct discovery on the other party's case-in-chief and provides the other side a mere 6 days to do the same. Denying the parties that bear the burden of proof the opportunity to conduct discovery in response to the only testimony to be provided by the

respondents, which are expected to serve testimony of four witnesses (including two experts) only compounds the negative impact of the due process violation.

Procedural due process is a “flexible concept” and “implicates procedural protections as each particular situation demands.”¹ In this case, because the harm – restricting the ability of Complainants to properly and fairly prepare their case – cannot be cured once the hearings are held and the record made, due process demands an immediate solution. In this case, the solution is simple – provide Complainants with adequate time to conduct discovery of Defendant Laurel’s rebuttal case, and to thereafter prepare for hearings, as requested by Complainants in their Petition to Modify the Procedural Schedule, which the ALJ denied in a prehearing conference that was held yesterday, August 25, 2025.

As will be stated more completely in Complainants’ brief, this matter falls squarely within the norm of cases where the Commission has granted relief:

The Commission has stated that it does not routinely grant interlocutory review except upon a showing by the petitioner of extraordinary circumstances or compelling reasons. Such a showing may be made by a petitioner by establishing that, without such interlocutory review, some harm would result which would not be reparable through normal avenues, that the relief sought should be granted now, rather than later, and that granting interlocutory review would prevent substantial prejudice or expedite the proceeding. *Pa. PUC v. Philadelphia Gas Works*, Docket Nos. P-2009-2097639 and R-2009-2139884 (Opinion and Order entered April 15, 2010).²

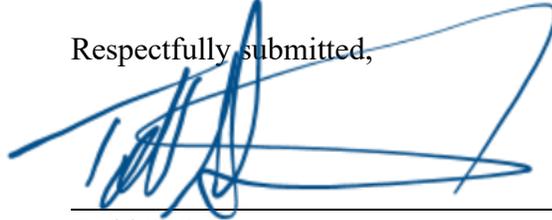
The harm that will result from the unfairness and lack of due process in denying Complainants the ability to conduct discovery after the submission of Laurel’s case-in-chief will not be reparable in later proceedings or on appeal. The record that will be developed will naturally favor the respondent, which was given nearly two months to conduct discovery of Complainant’s case in

¹ *Chester Water Authority v. Pa. PUC*, 581 Pa. 640, 651 (Pa. 2005).

² *Pennsylvania Public Utility Commission v. Pike County Light & Power Company (Gas) Pennsylvania Public Utility Commission v. Pike County Light & Power Company (Electric)*: Docket Nos. R-2024-3052357 and R-2023-3052359, slip op. at 15.

chief while Complainants would have only 6 business days to do the same. Complainants request is that a schedule be adopted that allows sufficient time for Complainants to conduct discovery and prepare for hearings thereafter.

Respectfully submitted,



Dated: August 26, 2025

Todd S. Stewart
HMS Legal LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
(717) 236-1300
(717) 236-4841 (fax)
tsstewart@hmslegal.com
Counsel for Monroe Energy, LLC



Robert A. Weishaar, Jr.
Adeolu A. Bakare
McNees Wallace & Nurick, LLC
100 Pine Street
Harrisburg, PA 17101
bweishaar@mcneeslaw.com
abakare@mcneeslaw.com
*Counsel for Lucknow Highspire Terminals,
LLC and Sheetz, Inc.*



Randall S. Rich
Pierce Atwood LLP
1875 K Street, NW, Suite 700
Washington, DC 20006
(202) 530-6424
rrich@pierceatwood.com
*Attorneys for PBF Holding Company LLC
Pro hac vice*