



Commonwealth of Pennsylvania  
Milk Marketing Board

CHAIRMAN

2301 North Cameron Street  
Harrisburg, Pennsylvania 17110-9408  
717-787-4194

DATE: October 29, 2013

SUBJECT: November 6, 2013, Over-Price Premium Hearing  
Pennsylvania Association of Milk Dealers and Dean Foods Company motion to  
strike

TO: Interested Parties

FROM: Luke Brubaker  
Chairman

On October 23, 2013, the Pennsylvania Association of Milk Dealers and Dean Foods Company (“PAMD/Dean”) filed a motion to strike a portion of Board Staff’s October 9, 2013, pre-submission.

On October 23, 2013, the Board issued an order providing that responses to the motion to strike would be due by October 28, 2013, at 1:00 p.m.

We received a response from Board Staff on October 24, 2013. We received a further submission from PAMD/Dean on October 25, 2013, and a further submission from Board Staff on October 28, 2013; neither of those further submissions were considered.

The material that PAMD/Dean moved to strike is within the contemplated scope of the hearing. We believe that whether Staff’s proposal should or may be adopted should be dealt with through the hearing process and post-hearing briefs and not through pre-hearing filings that do not give the Board an opportunity to fully inquire into the issues presented.

The motion to strike is denied.

The surrebuttal deadline is extended to 2:00 p.m. on October 31, 2013.