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1253 Harllees Bridge road
Dillon SC 29536

April 11, 2006

S.C. PUBLIC SERVICE COMMISSION
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Mr. Charles L.A. Terreni
Chief Clerk/Administrator
P.O. Drawer 11649
S.C. Public Service Commission
Ph:1 803 896 5713/5230; Fax 1803 8965231

Dear Mr. Terreni:

Subject: Objections and Motion for Reconsideration
Ref: Progress Energy
File No: 2004-219-E

Enclosed please find one copy of my **Objections and Petition for Reconsideration and Rescission of Commission Directive Filed April 4, 2006.**

I decided to timely file the pleading in view of the fact that it is not clear to me if a " Directive" is a "Decision" or an "Order" as defined in the statutes. Hence it is not clear to me what the exact date of the filing time limit is in this instance.

Since the Commission selectively applies the regulations in my case, and always accommodates the Petitioner, I considered it prudent to pre-empt any questions as to timely filing dates.

I want to file the Objections preparatory for appeal in this case.

Under separate cover I am submitting the **Memorandum In Support** of the pleading.

Please instruct me if additional copies of the pleading are required or if your Office can handle the situation.

Sincerely,

Beatrice Weaver
Respondent Pro Se

Cc: Parties of Interest

179033

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

April 11, 2006

In the Matter of	)	**OBJECTIONS AND PETITION**
	)	**FOR RECONSIDERATION AND**
Petition of Progress Energy Carolinas, Inc	)	**RESCISSION OF DIRECTIVE**
To Terminate Service	)	**FILED APRIL 4, 2006;**
	)	**MEMORANDUM IN SUPPORT**
	)	**OF PETITION; AFFIDAVIT OF**
	)	**BEATRICE WEAVER; NOTICE**
	)	**OF PETITION; CERTIFICATE**
	)	**OF SERVICE**

OBJECTIONS AND PETITION FOR RECONSIDERATION
AND RESCISSION OF DIRECTIVE FILED APRIL 4, 2006

Pursuant to **Regulations 103-836, 103-880 B, 103-881 and 103-854** of the Public Service Commission of South Carolina ("PSC" or "Commission"), Respondent Pro Se Beatrice Weaver ("Respondent") timely files these **Objections and Petition for Reconsideration and Rescission of Commission Directive ("Petition")** in this action, filed by the Commission on April 4, 2006.

Further, these Objections and Petition are filed for justice and the record, pursuant to **Rules 6 (a) (b) and (e), 15 (d), 46, 50 (e), 52, 59, 60 (b), S.C. R.C.P., and Rules 72 and 73** for subsequent appeal as may be appropriate.

The Main Objections

1. Clear error and abuse of due process and discretion.
2. Insufficiency of service of process
3. Inconsistent and prejudicial administrative procedures; probable collusion and violation of State statutes on ex parte communications.

How can a Commission discussion of Docket subjects on **March 29, 2006** include reference to a Progress Energy Carolinas, Inc's ("Petitioner") Motion dated **March 30, 2006**, copy received by Respondent on or about April 3, 2006 with no opportunity to respond either for or against the motion?

4. The Directive lacks clarity. It is inconclusive and confusing as to which of Respondent's two actions before the Commission was scheduled for a Hearing on April 13, 2006, and which one was dismissed at the March 29, 2006 meeting? Respondent's compulsory counterclaim duly filed in the above entitled action, i.e., Petitioner's original Petition? Or, Respondent's own separate action, the request for an order to connect electric power to Respondent's residence? These are separate actions and have not been consolidated.

The ambiguity is further exacerbated by the Commission's violation of regulations and State's Rules of Civil Procedure, in declaring Petitioner's Motion to Close the Docket dated March 30, 2006, to be moot on March 29, 2006. As noted above, before it was even duly filed on the record with the Commission, or even received and answered by Respondent. Apparently the Office of Regulatory Staff that agreed with the Motion before it was even filed. Had the Commission granted Respondent's motion to continue which it should have done, consideration of Petitioner's motion would have been still premature and irregular in violation of the regulations and SCRCP.

5. Last but not least, Respondent objects to the Commission's specious arguments relating to her several motions for continuances due to exigent circumstances beyond her control, and to a premature dismissal of an unspecified action, but presumably the counterclaim to Petitioner's original frivolous suit.

Continuances impose no burden on any party except Respondent. There is no burden on the Commission, or the ORS. Their legal mandate, for which they are paid, is to protect consumers of South Carolina. There is no burden on the Petitioner which must suffer the consequences of the frivolous and nuisance action it irresponsibly initiated in the first place to cover its violations of regulations, and condoned by the Commission and the ORS.

Particular objection is filed specifically referring to the Commission's premature and erroneous argument **prospectively,** that Respondent has "**failed to attend a scheduled Hearing.**" The said Hearing was in fact a **future event**, scheduled for April 13, 2006, some two weeks after the March 29, 2006 meeting, and in fact the April 4th 2006 date of the Directive. The correct procedure would have been for the Commission to issue Respondent a notice that if she did not attend the April 13, 2006 Hearing her

counterclaim under Petitioner's original action would be dismissed. Respondent could then have made other arrangements to attend personally if possible, or have a representative attend. The Commission should have acted on the Motion to Continue for Medical Reasons instead of erroneously denying it on a **presumption** related to a future event.

Grounds for the Petition

Based on the discussion and argumentation contained in Respondent's Memorandum filed in support of this petition, the grounds for this pleading are summarized as follows with respect to Commission and ORS violations of Respondent's consumer rights in this action:

The Order is unclear as to which of Respondent's several separate actions before the Commission for adjudication was on the March 29 meeting agenda, and was dismissed; clear error; abuse of discretion; insufficiency of the evidence to sustain the order; preponderance of the evidence on the issues before the Commission favors Respondent **who has yet to submit her case to the Commission and rebuttals of Petitioner's many papers filed with the Commission**; denial and abuse of due process by the Commission and Progress Energy Carolinas, Inc ("Petitioner"); insufficiency of service of process collusively manipulated by the Petitioner, the ORS and the Commission; clearly erroneous findings and conclusions; factual error and inaccuracies falsely submitted to the Commission by Petitioner; religious bias and prejudice; summary dismissal on the basis of Respondent's objections on religious grounds and the prospective absence of Respondent at the scheduled April 13, 2006 Hearing on a religious holiday, is inappropriate as to the genuine issues of material fact; clearly unfair and prejudicial conclusions and findings based on incorrect facts and insufficient evidence; clear prejudice and bias against Respondent in favor of Petitioner; administrative collusion and manipulation of process prejudicial to Respondent; discrimination and violation of Respondent's civil rights on the basis of age, sex, national original, religion, and the undue influence of Petitioner on the Commissioners and the Office of Regulatory Staff ("ORS"); violation of the respective Federal and State Freedom of Information Acts, violation of Respondent's constitutional rights; violation and abuse of SCRCP Rule 40 (1)(1) and (2) as to absence of Respondent and other

material witnesses; and clear violation of the Commission's own standard of extreme "exigent circumstances" set for this case with respect to granting continuances.

Relief

These Objections and Petition seek relief from the clearly erroneous and premature Directive filed without prejudice, pursuant to the State's Rules of Civil Procedure and the Commission regulations cited hereinabove, and formally for the record, preparatory to appeal. See, Hudson vs. Hudson, (1986) 290 S.C. 215, 349 SE 2d. 341.

Respondent seeks relief by way of Commission reconsideration of the facts and its erroneous arguments several of which are illogical, rescission of the subject Directive and any subsequent Order, and setting a Hearing on the Petition and a subsequent trial on the several actions as previously requested by Respondent; for a date allowing a few months after her surgery on April 12, 2006. Due to exigent circumstances well known to the Commission, Respondent has not had sufficient time or opportunity to prepare her case for the Commission.

Respondent is an 80 year old caner survivor who was in on-going medical protocols from Autumn 2004 through Spring 2006 in four hospitals. Medical certificates have been duly filed with the Commission and the ORS which have been ignored by all parties in this action, from the outset. That issue has yet to be adjudicated in court.

Respondent seeks reconsideration and reinstatement of the Counterclaim on the above, but particularly the grounds of clear error, abuse of discretion and denial of due process.

Defendant seeks denial of Petitioner's proposed Petition to Close Docket prospectively, and for sanctions against Petitioner for its insufficiency of service of process and abuse of process: its deliberately delayed service of said Petition to Respondent on April 3, 2006, but not to the Commission or ORS served in advance; for engaging in illegal ex pare communications; for its violation and repeated refusal to comply with SCRCP Rule 9 (i) and Rule 11, and deliberate refusal and failure to provide Respondent any documentation of its counsel Mr. Anthony's false allegations that Respondent owes Petitioner money. Petitioner's Mr. Anthony has consistently refused to

document his fallacious claims under oath, as requested by Respondent. The Commission and the ORS have turned a blind eye and condoned his other violations of Regulations and allowed Mr. Anthony to get away with abuse of process, fraud on Respondent and the Commission, filing a nuisance and frivolous Petition in the first place, and other regulation violations to be heard at trial, all prejudicial to Respondent.

Respondent seeks clarification as to the "matter" that was erroneously dismissed in the Directive, and for the Commission to set a Hearing date as originally requested by Respondent for the request to connect electric power to her residence which is a completely separate action from her counterclaim in this action.

For such other relief as the Commission may deem just and proper.

This Petition is based upon all of the pleadings, records and files in the above-entitled matter and upon the Memorandum in Support of Petition and the Affidavit of Beatrice Weaver, attached hereto. Respondent reserves the right to file supplementary Memoranda of Law and Argument, particularly following the April 12, 2006 surgery as the outcome is not known at this time.

DATED: Little Rock, Dillon County, April 11, 2006

Beatrice Weaver, Respondent Pro Se

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

April 11, 2006

In the Matter of	)	**CERTIFICATE OF SERVICE**
	)	
Petition of Progress Energy Carolinas, Inc	)	
To Terminate Service	)	
	)	
	)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Respondent Pro Se Beatrice Weaver's **Objections and Motion for Reconsideration and Rescission of Order**, will be or has been served upon the above-mentioned Petitioner, the Office of Regulatory Staff and the S.C. Public Service Commission, at their respective addresses by means of U.S. Postal Service mail, on or before April 15, 2006

DATED: Little Rock, Dillon County, South Carolina, April 11, 2006

Beatrice Weaver, Respondent Pro Se
1253 Harllees Bridge Road,
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Ph/Fax: 843 841 1606