

**Pope Zeigler, LLC**  
ATTORNEYS AND COUNSELORS AT LAW

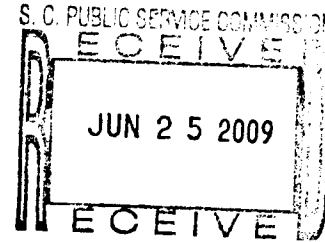
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June 23, 2009

The Honorable Daniel E. Shearouse  
Clerk of Court, Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211



RE: Friends of the Earth v. The Public Service Commission of South Carolina, South Carolina Electric & Gas Company and the South Carolina Office of Regulatory Staff.  
Our File No. 10.11.

Dear Mr. Shearouse:

Our firm represents the Respondent, South Carolina Electric & Gas Company ("SCE&G") in the above-entitled matter, which involves an appeal by Friends of the Earth ("FOE") of the Public Service Commission of South Carolina ("PSC") Order No. 2009-104(A). FOE served its Notice of Appeal upon SCE&G and all parties of record in the underlying matter by mail dated May 22, 2009.

To date, counsel for SCE&G has received no correspondence from FOE in compliance with SCACR Rule 207(b)(1), which requires an Appellant, within ten (10) days of service of its Notice of Appeal to request in writing a transcript of the proceeding of the administrative body that is the subject of the appeal. Counsel for SCE&G has not been contacted by FOE regarding any request for extension of this deadline or for consent to request less than the entire transcript of the proceeding. See SCACR Rule 207(b)(1).

As a result, we are uncertain as to the status or timing of the appeal and would ask you to determine if the appeal is still viable at this time. Based upon the information available to us, we believe the appeal should be dismissed for failure to comply with the applicable rules.

Thank you for your attention to this matter.

Very truly yours,

*Belton T. Zeigler*  
mcm

Belton T. Zeigler

cc: Counsel of Record

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM THE PUBLIC SERVICE COMMISSION

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Docket No. 2008-196-E

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South Carolina Energy Users Committee and  
Friends of the Earth,.....Appellants,

vs.

Public Service Commission of South Carolina, South Carolina  
Electric and Gas Company, and Office of Regulatory Staff,.....Respondents.

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CERTIFICATE OF SERVICE

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The undersigned employee of Pope Zeigler, LLC does hereby certify that she has served the parties listed below with a copy of the pleading indicated below by mailing a copy of same to them on June 23, 2009, in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked:

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June 23, 2009

Other Counsel of Record Attached

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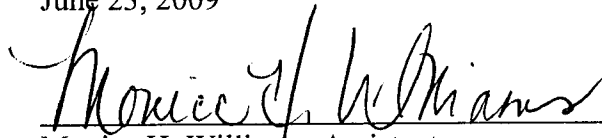
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Executive Director, Office of Regulatory  
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Date served:

June 23, 2009

  
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Monica H. Williams, Assistant

June 23, 2009