STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE:
Happy Rabbit, LP on Behalf of,

Windridge Townhomes, Complainant,

v.

Alpine Utilities, Inc., Respondent

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 360 - S

(Please type or print)

Submitted by: Richard L. Whitt
Address: Austin & Rogers, P.A.
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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

Other: Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit of Publication	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certificatio
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigatior
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certification of Mailing	☐ Petition for Rulemaking	☒ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☒ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☐ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☐ Return	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☒ Other: Verification
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

Austin & Rogers, P.A.
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December 9, 2008

VIA ELECTRONIC FILING
The Honorable Charles L. A. Terreni
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE:
- Happy Rabbit, LP on Behalf of, Windridge Townhomes, Complainant, v. Alpine Utilities, Inc., Respondent
- Docket No. 2008-360- S
- **Response to Reply to Return to Motion, with Verification**

Dear Mr. Terreni:

Enclosed for filing please find correspondence on Happy Rabbit, LP's (hereinafter, "Happy Rabbit") behalf which we would like treated as, Complainant's Response to Reply to Return to Motion in the above referenced Docket, along with a Verification.

There has been a voluminous exchange of documents in this docket, prior to this matter being heard on the merits, including a request for oral argument on Alpine Utilities, Inc.'s (hereinafter, "Alpine") Motion. Counsel would suggest that, "stand alone" oral argument on the Motion is unnecessary and can be incorporated into the hearing on the merits of Happy Rabbit's Complaint when scheduled. Two oral arguments in this matter are unnecessary, a waste of both party's resources and a waste of judicial economy of this Commission.

As to the contents of Alpine's latest filing, Happy Rabbit submits (i) a verification is included herein (ii) Alpine's latest arguments on, "Failure to State a Claim" and "Jurisdiction and Circuit Court Proceeding," offer nothing new and are simply a "re-hash" of Alpine's earlier arguments, and (iii) are nonetheless denied once again by Happy Rabbit and are without merit.

Counsel for Alpine Utilities, Inc. and Counsel for the South Carolina Office of Regulatory Staff are being served with a copy of this correspondence and Response to Reply to Return to Motion.

Sincerely,
/S/
Richard Whitt

RLW/jjy

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2008-360-S

IN RE:	)	
Happy Rabbit, LP on Behalf of,	)	
Windridge Townhomes,	)	**VERIFICATION**
	)	
Complainant,	)	
v.	)	
	)	
Alpine Utilities, Inc.,	)	
Respondent	)	
	)	

James C. Cook, being duly sworn states as follows:

1. My name is James C. Cook and I am a general partner of Happy Rabbit a South Carolina limited partnership (hereinafter, "Happy Rabbit").
2. Happy Rabbit is the owner and operator of the Windridge Townhomes.
3. Happy Rabbit, LP on Behalf of, Windridge Townhomes is the Complainant in the above-referenced matter.
4. I am familiar with the facts of this case, the correspondence transmitted to the Public Service Commission of South Carolina to begin this matter, and later filings by my legal counsel on behalf of Happy Rabbit.
5. All facts alleged in this matter are true and within my knowledge.

Further Deponent Saith Not:

SWORN to and SUBSCRIBED before me

Kim M. Mayberry

Notary Public for South Carolina
My Commission Expires: 12/28/16
8 **Day of** Dec **2008**

James C Cook

James C. Cook

ORIGINAL