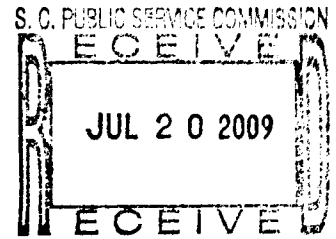


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**ELLIOTT & ELLIOTT, P.A.**  
ATTORNEYS AT LAW  
721 OLIVE STREET  
COLUMBIA, SOUTH CAROLINA 29205  
[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)



SCOTT ELLIOTT

TELEPHONE (803) 771-0555  
FACSIMILE (803) 771-8010

July 16, 2009

**VIA HAND DELIVERY**

The Honorable Daniel E. Shearouse  
Clerk, SC Supreme Court  
P. O. Box 11330  
Columbia, SC 29211

RE: South Carolina Energy Users Committee v. The South Carolina Public Service  
Commission; South Carolina Electric & Gas; Office of Regulatory Staff  
Tracking No.: 2009-127906

Dear Mr. Shearouse:

Enclosed please find a Motion To Enlarge Time filed on behalf of the Appellant in the  
above. I have enclosed an extra copy of this Motion which I would ask you to date stamp  
and return to me via my courier. Last, enclosed is Elliott & Elliott, P. A. check # 7241 in  
the amount of \$25.00 representing the filing fee. By copy of this letter, I am serving all  
parties of record.

If you have questions, please feel free to contact me.

Sincerely,

Elliott & Elliott, P.A.

Scott Elliott

SE/mlw

cc: All Parties of Record w/enc.

Enclosures

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM  
THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION

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Docket No. 2008-196-E  
Tracking No. 2009-127906

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South Carolina Energy  
Users Committee.....Appellant,

v.

The South Carolina Public  
Service Commission; South  
Carolina Electric & Gas; and  
Office of Regulatory Staff.....Respondents.

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MOTION TO ENLARGE TIME

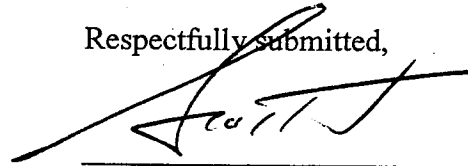
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Appellant, through counsel, moves for an enlargement of time within which to file and serve the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on the following grounds.

The Appellant appeals Orders No. 2009-104A and 2009-218 of the South Carolina Public Service Commission ("Commission") determining certain issues affecting the rights of the parties under the Utility Facility Siting and Environmental Protection Act, S.C. Code Ann. §§58-33-10 *et seq.* and the Base Load Review Act, S.C. Code Ann. §§58-33-210, *et seq.* The hearing below lasted approximately three weeks.

The transcript of record consists of in excess of 3,100 pages. Further, the appeal raises novel questions of law to be resolved by this Court. Given the size of the record, the significance of the matter before this Court, and the press of Appellant counsel's practice, the undersigned hereby respectfully requests an additional 30-day enlargement of time within which to file and serve Appellant's Brief and Designation of Matter to be Included in the Record on Appeal until September 4, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Elliott", written over a horizontal line.

Scott Elliott  
Elliott & Elliott, P.A.  
721 Olive Street  
Columbia, SC 29205  
803-771-0555  
Attorney for Appellant

July 16, 2009

## CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: South Carolina Energy Users Committee v. The South Carolina Public Service Commission; South Carolina Electric & Gas; Office of Regulatory Staff  
 Docket No.: 2008-196-E  
 Tracking No.: 2009-127906

PLEADING: MOTION TO ENLARGE TIME

**PARTIES SERVED:**

Charles L.A. Terreni, Esquire SC Public Service Commission P. O. Box 11649 Columbia, SC 29211 803-896-5100 SC Public Service Commission	C. Dukes Scott, Esquire Executive Director Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, SC 29201 803-737-0800 Office of Regulatory Staff
Joseph Melchers, Esquire Chief Counsel SC Public Service Commission P. O. Box 11649 Columbia, SC 29211 803-896-5100 SC Public Service Commission	Shannon Bowyer Hudson, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, SC 29201 803-737-0800 Office of Regulatory Staff
Belton T. Zeigler, Esquire Pope Zeigler, LLC P. O. Box 11509 Columbia, SC 29211 803-354-4900 South Carolina Electric & Gas	Damon E. Xenopoulos, Esquire Brickfield Burchette Ritts & Stone, PC 1025 Thomas Jefferson St., NW 8 <sup>th</sup> Floor, West Tower Washington, DC 20007 202-342-0800 CMC Steel South Carolina
K. Chad Burgess, Esquire Willoughby & Hoefler, P.A. 1426 Main Street, Mail Code 130 Columbia, SC 29201 803-217-8141 South Carolina Electric & Gas	E. Wade Mullins, III, Esquire Bruner Powell Robbins Wall & Mullins, LLC P. O. Box 61110 Columbia, SC 29260 803-252-7693 CMC Steel South Carolina


Mitchell Willoughby, Esquire Willoughby & Hoefler, P.A. Post Office Box 8416 Columbia, SC, 29202 803-252-3300 South Carolina Electric & Gas	Robert Guild, Esquire 314 Pall Mall Columbia, SC, 29201 803-252-1419 Friends of the Earth
Florence P. Belser, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, SC 29201 803-737-0800 Office of Regulatory Staff	Lawrence P. Newton 57 Grove Hall Lane Columbia, SC, 29212 803-238-9558
Nanette S. Edwards, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, SC 29201 803-737-0800 Office of Regulatory Staff	David L. Logsdon SC Department of Commerce 1201 Main Street, Suite 1600 Columbia, SC, 29201 803-737-0450

John V. Walsh, Deputy State Highway Engineer SC Department of Transportation Post Office Box 191 Columbia, SC, 29202 803-737-7900	Roger Stroup, Director SC Department of Archives and History 8301 Parklane Road Columbia, SC, 29221 803-896-6100
David Owen SC Forestry Commission Post Office Box 21707 Columbia, SC, 29221 803-896-8829	Carlisle Roberts, Esquire SC Department of Health and Environmental Control Legal Department 2600 Bull Street Columbia, SC, 29201 803-898-3350
John Frampton, Director SC Department of Natural Resources Post Office Box 167 Columbia, SC, 29202 803-734-4007	Chad Prosser, Director SC Department of Parks, Recreation and Tourism 1205 Pendleton Street, Suite 248 Columbia, SC, 29201 803-734-0166
Honorable Gregrey Ginyard, Mayor Town of Jenkinsville 366 Lakeview Drive Jenkinsville, SC , 29065	Maxine Warshauer 3526 Boundbrook Lane Columbia, SC 29206 803-787-4332
Joseph Wojcicki 820 East Steele Road West Columbia, SC, 29170 803-755-6808	Mildred A. McKinley 2021 Carroll Drive West Columbia, SC, 29169 803-739-6927

Ruth Thomas 1339 Sinkler Road Columbia, SC, 29206 803-782-3000	Pamela Greenlaw 1001 Wotan Road Columbia, SC, 29229 803-736-2977
---	---

DATE SERVED:

July 16, 2009

  
\_\_\_\_\_  
Marcia W. Walters, Legal Assistant

July 16, 2009