Deborah.Easterling

From:	joe4ocean@aim.com
Sent:	Sunday, June 23, 2013 10:30 PM
To:	PSC_Contact; bshealy@robinsonlaw.com; alex.castle@duke-energy.com; Edwards, Courtney; dwilliamson@spilmanlaw.com; fellerbe@robinsonlaw.com; heather.smith@duke-energy.com; fritz5006@aol.com; jfantry@bellsouth.net; rlwhitt@austinrogerspa.com; rlwhitt@austinrogerspa.com; selliott@elliottlaw.us; Hudson, Shannon; sroberts@spilmanlaw.com; timika.shafeek-horton@duke-energy.com
Subject:	Docket 2013-59-E
Attachments:	CertOfService_2013-6-23.doc; RECONSIDERATION_2013-06-23.doc

To: PSC Clerk's Office

Please find enclosed Certificate of Service and

MOTION for RECONSIDERATION of
COMMISSION DIRECTIVE – doc # 244725

Documents are in MS Word format.

It is addressed to Duke Energy Carolinas Application -docket # 2013-59-E.

Sincerely,
Joseph "Joe" Wojcicki

244872

RECEIVED
2013 JUN 24 PM 3:05
SC PUBLIC SERVICE COMMISSION

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION
DOCKET No. 2013-59-E

IN MATTER OF:	
Application of Duke Energy Carolinas, LLC for Authority to Adjust and Increase Its Electric Rates and Charges	MOTION for RECONSIDERATION of COMMISSION DIRECTIVE – doc # 244725

I, Joseph Wojcicki move for reconsideration *de novo* erroneous Commission Directive – doc # 244725 in above docket that has several errors leading to blockade Wojcicki as an intervenor and is ignoring PSC own mission: "A Fair, Open, and Efficient Regulatory Process That Promotes Cost Effective and Reliable Utility Service" .

Commissioner Fleming's Motion misled other Commissioners with absence of Commissioner Whitfield who under presiding different Commissioner in Order 2011-264 issued on 2013 April 5 granted intervenor status to Mr. Tom Clements who presented similar standing / "injury" like Wojcicki does now. Wojcicki has even more arguments.

An error starts with statement: "Last, Mr. Wojcicki refers to another individual [Tom Clements] who was allowed to intervene over Duke's objection in a different docket, concerning a different subject matter…". *De facto* Wojcicki brought this fact (the Order) as one set to be first simple supporting list of facts/arguments to get intervenor status without creating extra work for Commission and to simple gets OK verdict to Petition, i.e. to avoid long and extended reading and writing in the clear situation where PSC Order 2011-264 shall overrule all present Duke's Objections based on irrelevant cases in different matters which have no merit and are not "adjusted" to Nuclear Renaissance after Fukushima.

Both dockets (2011-20-E and 2013-59-E) are both Duke's cases that have the SAME matter i.e. financial requests sent to the SAME Commission [PSC] not a "different matter"-how Commissioner Fleming claims
Wojcicki showed the link to Order giving Clements' adequate standing to compare to Duke's fetched "injures" from completely different matters e.g. Wildlife case; not for electric energy production in our State and its distribution via Southeast grid, now, in second decade of XXI Century – after Fukushima disaster lessons. Blind assumption of Duke legal team cited shortly irrelevant cases (interpretation and opinions) shall be overruled promptly by Order 2011-264 even when Wojcicki was thinking that it is not necessary to "copy and paste" Clements' arguments from his 16 + 5 pages approved to grant him status of intervenor in the **same Utility** (Duke) in the **same matter** (financial requests) **to the same Commission**. Duke did not "copy and paste" arguments from their set of "legal backgrounds" because all of them would disqualify them at first reading- a typical smoke screen; Commissioner Whitfield was right, now Ms. Fleming is wrong.

Grid makes irrelevant who is collecting payments for electricity when increased rates "move thru network as a domino effect". Wojcicki voluntarily offers his expertise in this Electric Energy Case that shall be supported by PSC Mission of "Open[ess]" and PSC shall see this Matter in perspective of the USA Southeast region including SC ratepayers and industry. The blockade Wojcicki's intervention has nothing to do with OPEN PROCESS -if PSC Mission written on the Home Page has any meaning for State of SC.
An "Injury' has already happened by blocking Wojcicki's action at the hearing on 2013 June 20 in Spartanburg.

EXPECTED PUBLIC REACTION FOR BLOCKADE INTERVENTION and LACK OF TRANSPARENCY in the REGULATORY PROCESS.

Over 1680 protestants who are noted on 2013 June 23 in above docket will getting rights to suspect in Duke's Application an existence of possible large errors and/or misconceptions in engineering solutions which Duke wants to be covered by huge financial burden for their ratepayers. Good engineering means usually cheap solutions.
Note that in 2001 whistleblower using support of the Commission found wrong-doing in multi-million case.
The unethical fact of false overcharging the old woman –a Duke customer with thousands was found in last years by ORS. It was giving rather bad opinion for Duke just before merging with another utility.
Duke lately requested over a half a billion USD for **Nuclear Generation Pre-Construction Costs** on the site where they already spent about $1.2 billion (USD adjusted for inflation, as of April 11, 2007) for the unfinished nuclear power plant.
Individual protesters and SC industries which face lost of competitiveness because of huge increase of electricity costs indicate signs of strong disappointment of the regulatory process. They will have a question: what is covered here to protect Duke's mismanagement including their engineering solutions? And doing this even by disrespecting own PSC Order from 2011-20-E docket? Why to block intervention of electric energy independent consultant?
All of them certainly can expect intervention from the independent energy consultant. Wojcicki has more than necessary threshold standing in this specific case. If Clements had fewer arguments and got intervenor status, simple fairness ("**Fair**" in PSC Mission) without any doubt shall grant the same status to Wojcicki. Commissioner Fleming has not answered any of these questions and the text in Directive is without any arguments.
Fair and open / transparent *de novo* analysis/ review with respecting existing findings in PSC Order 201-264 shall reverse negative Fleming's opinion and grant me the just and fair intervenor status

Respectfully submitted,

Joseph Wojcicki
820 East Steele Road
West Columbia, SC 29170-1125

June 23, 2013

RECEIVED
2013 JUN 24 PM 3:04
SC PUBLIC SERVICE COMMISSION

STATE OF SOUTH CAROLINA

BEFORE THE PUBLIC SERVICE COMMISSION

DOCKET No. 2013-59-E

IN MATTER OF:	
Application of Duke Energy Carolinas, LLC for Authority to Adjust and Increase Its Electric Rates and Charges	**CERTIFICATE OF SERVICE.**

I, Joseph Wojcicki, hereby certify that I served the following counsels of record with the foregoing:

MOTION for RECONSIDERATION of COMMISSION DIRECTIVE – doc # 244725

by mailing a copy of same, to their offices on this 23rd day of June, 2013:

1. Duke Energy Carolinas, LLC
   P.O.Box 1321 (DEC 45A)
   Charlotte, NC 28201-1006

And e-mailed to:

bshealy@robinsonlaw.com, alex.castle@duke-energy.com, cedwards@regstaff.sc.gov, dwilliamson@spilmanlaw.com, fellerbe@robinsonlaw.com, heather.smith@duke-energy.com, fritz5006@aol.com, jfantry@bellsouth.net, rlwhitt@austinrogerspa.com, rlwhitt@austinrogerspa.com, selliott@elliottlaw.us, shudson@regstaff.sc.gov, sroberts@spilmanlaw.com, timika.shafeek-horton@duke-energy.com

Respectfully submitted,

Joseph Wojcicki
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