

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-196-E - ORDER NO. 2009-172  
MARCH 25, 2009

IN RE: Combined Application of South Carolina ) ORDER DISMISSING  
Electric and Gas Company for a Certificate ) PETITION WITHOUT  
of Environmental Compatibility and Public ) PREJUDICE  
Convenience and Necessity and for a Base )  
Load Review Order for the Construction and )  
Operation of a Nuclear Facility in )  
Jenkinsville, South Carolina )

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Notice of Appeal in this matter filed by Mr. Joseph Wojcicki (Mr. Joe), an Intervenor in this case. The Notice of Appeal, which we shall deem as a Petition for Reconsideration, was filed after the Commission directive on the merits of this case was issued, but before the full merits Order was published. Unfortunately, the Petition for Reconsideration failed to delineate any allegations of error in the directive.

Because the Petition failed to describe any alleged errors in the directive, we dismiss the Petition without prejudice. See S.C. Code Ann. Section 58-27-2150 (1976). In any event, we believe that Mr. Joe’s Petition could be more appropriately filed in response to our full merits Order<sup>1</sup>, which further explained this Commission’s decision, if Mr. Joe so desired, subject to statutory time limits. The final merits Order was issued on March 2, 2009, as contemplated by S.C. Code Ann. Section 58-33-275 (Supp. 2008).

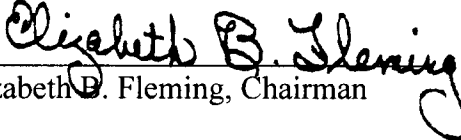
The Petition (Notice of Appeal) is dismissed without prejudice.

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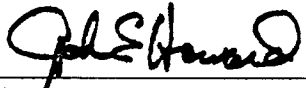
<sup>1</sup> In fact, Mr. Joe has now filed such a petition, dated March 16, 2009, in response to the Commission’s Order.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
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John E. Howard, Vice Chairman  
(SEAL)