Dear Ms. Boyd:

Please find enclosed Petition and Trouble-shooting -two documents - four pages
USPS first class mail service were done today to:
SCE&G/SCANA, ORS and all intervenors with addresses given in Mr. Burgess’ letter dated 2015 May 4.

Sincerely,

Joseph "Joe" Wojcicki, the energy consultancy, intervenor and SCANA fraud victims’ advocate.
BEFORE THE PUBLIC SERVICE COMMISSION
Dockets from No. 2008-196-E – all that apply the BLRA as a legal basis for PSC orders with ORS stipulations and reports.

IN THE MATTER OF:
Combined Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order for the Construction and Operation of a Nuclear Facility in Jenkinsville, South Carolina

PETITION TO END SCANA’S SCANDALOUS FALSE-CALLED ASSUMPTION OF THE BASE LOAD REVIEW ACT.

I, Joseph E. Wojcicki, intervenor in the above case (2008-196-E), and, presently, the advocate for the victims of SCANA/SCE&G’s electric kWh rate increases, shareholder and author of an engineering analysis that fully proves the False-Claimed Assumption of the Base Load Review Act (FCA of BLRA), do move to restore the 2007 kWh rates and return billions of illegally collected funds for the Jenkinsville nuclear project to the victims.

THE COMMON JUSTICE - ARGUMENTS and FACTS.
- The challenge against BLRA as a legal ground was submitted in June 2014 to (a) SCANA counsel Mr. Burgess, (b) ORS, and (c) PSC.
- No challenge was answered and no contest [as nolo contendere definition] made, therefore are giving a fair and must legal ground to restore 2007 kWh rates. Today, the-SCE&G project seems to have had at least two ways to continue its financing after it revoked BLRA as a legal ground: (a) switch to federal funds just like Georgia's utilities did, or (b) appeal to each ratepayer to OK further rate increases and accept the already collected funds as "other people's money" to finance SCANA. The proposal of solution (b), i.e. maintaining the status quo may be sent to the White House with a minimum of 100,000 signatures from ratepayers, according to the rules of the "We the People" action, as well as the fulfillment of other conditions.
- The ORS did breach its mission in all three aspects, as indicated in the challenges.
- The PSC could be misled by SCANA and the ORS. PSC is the group of legal professionals who do not have higher engineering education degrees. Anyway, commissioners seriously erred inter alia by blindly accepting misleading percentages and the information that there is a 76-day cooling water reserve. These cannot be adequate proof of the BLRA definition. Such misleading assumptions, along with the rejection of the engineering analysis, became an obstruction of justice and affected millions, including veterans, retirees and families. Seriously postponed justified revoke of this "license to steal" keeps in hold a fulfillment of PSC mission's "A Fair, Open, And Efficient Regulatory Process, ...". Removing commissioners from the suspected ring of anti-public conspiracy as public servants is now crucial and urgent.

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Please note that like those involved in the Enron scandal, SCE&G employees are in jeopardy. For the interest of the Southeast grid, the SCE&G Co. is important. SCANA (NYSE:SCG) is not. None of the challenges directed to SCE&G was answered, therefore, the company seems to be manipulated by SCANA as well.

The engineering analysis was written and edited so that it could be understood by someone with a fifth-grade education and gives redundant (300%) factual scientific/legal results of several month of studies and investigations.¹

Brief — Relevant History is given in the enclosed Troubleshooting (A corrected version of doc #256515).

The brief form of this petition somehow does follow the form specified by PSC directives and orders, which are rather non-explanatory and non-transparent texts for the general public to read. This work should be easy for the general public to understand anyway because its objective is fair and legally supported by science.⁰

In any process/procedure, the truth must prevail. The lesson learned from the Enron scandal should be a key to ending this SCANA affair. Again, please note that it is the message that is important and not the messenger.

Today, the most fair and common law solution is to return all the money given to the investors despite a conflict of interest between SCE&G and SCANA. It is the obligation of the public servants to act immediately, and their speed was proven in an immediate PSC order 2015-339. The federal and state felonies were obligatory in 2008 and are again in 2015.

The above-mentioned engineering analysis is available to the general public as the eBook: “SCANA (NYSE:SCG)’s Affair — the Enron-Style False Claim in South Carolina.”

Sincerely,

Joseph E. Wojcicki, energy consultant and victims’ advocate

May 15, 2015

Enclosed: The Trouble-shooting Analysis of Financing SCANA/SCE&G Nuclear Project

¹ and
² ENGINEERING, LOGICAL, and COMMON SENSE ANALYSIS of FALSE-CLAIMED ASSUMPTION of S.C. Base Load Review Act (FCA of BIRA) used to get INCREASED kWh RATES by SCANA Corp. from SCE&G Co. RATEPAYERS and the CONSEQUENCES with Exhibits W-01 to W-15 (“Engineering Analysis”). It is also a part of the book “SCANA (NYSE:SCG)’s Affair — The Enron-Style False Claim in South Carolina” Copyright 2014.
The Honorable Jocelyn G. Boyd  
Chief clerk/administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, SC 29210  

RE: Combined application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and a Base-Load Review Order for the construction and operation of a nuclear facility in Jenkinsville, Docket No. 2008-196-E.  

Dear Ms. Boyd:  

Below, please find facts supporting requests and challenges on behalf of the victims of the SCANA scandal. My time-forced action should prevent what has become an obvious injustice. The draft version is corrected after proofreading and sent to other parties.  

The trouble-shooting analysis of financing the SCANA/SCE&G nuclear project  
1. There were, and still are, federal funds for such projects. The Vogtle, GA twin project received $6.5 billion in February 2014.  
2. SCANA/SCE&G falsely claimed an assumption of South Carolina’s Base Load Review Act (FCA of BLRA) as a legal ground for financing VC Summer Units 2 and 3 (FCA of BLRA) by overcharging SCE&G electric kWh ratepayers.  
3. Ms. Hudson, the ORS counsel, wrote on June 27, 2008: “Ratepayers will not be responsible for such costs unless they are deemed prudent pursuant to the Base Load Review Act”. (PSC docket 2008-196-E matter ID 193643).  
4. SCANA/SCE&G never submitted scientific studies to prove the BLRA definition.  
5. The ORS never scientifically verified the FCA of BLRA. The ORS also never seriously checked if SCANA/SCE&G met the BLRA definition.  
6. In addition, it never enforced any hydrological studies to allow Duke or SCANA/SCE&G to install four reactors near the Broad River. Amendments to FERC licenses and other necessary studies that covered LIP and droughts in S.C. were necessary factors to prove the BLRA was a legal ground of financial responsibility for residents and businesses.  

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1Base Load Review Act  
Section 58-33-210. This article is known, and may be cited, as the “Base Load Review Act” and is applicable to utilities as defined in Section 58-33-220 of this article.  
Section 58-33-220. The following terms, when used in this article, shall have the following meanings, unless another meaning is clearly apparent from the context:  
(1) “AFUDC” means the allowance for funds used during construction of a plant calculated according to regulatory accounting principles.  
(2) “Base-load plant” or “plant” means a new coal- or nuclear-fueled electrical generating unit or units or facility that is designed to be operated at a capacity factor exceeding 70 percent annually, has a gross initial generation capacity of 350 megawatts or more, and is intended in whole or in part to serve retail customers of a utility in South Carolina, and for a coal plant, includes the Best Available Control Technology, as defined by the United States Environmental Protection Agency, for the control of air emissions.
7. SCANA (NYSE:SCG) issued millions of shares and entered the international market on the FCA of BLRA pretense.

8. SCANA, the ORS and the PSC have not responded to the FCA of BLRA Challenges, which gives common sense to the final proof of the illegal robbing of the victims’ budgets during the critical economic years between 2009 and 2015. De facto, there is no line of defense.

9. The SCANA legal team continues to mislead millions of victims still who are “on the BLRA ground.” An example can be found in Mr. Burgess’ letter dated May 4, 2015, page 2, which says, “As permitted by S.C. Code Ann 58-33-280.”. BLRA does not permit white-collar fraud — period!

10. PSC commissioners, who are considered legal professionals without degrees of higher engineering education, must seriously act according to their own mission, while SCANA follows in the footsteps of Enron. There shall not be any “legal tricks, e.g. claimed defective service,” “any other public professionals’ mistakes,” nor “political aspects” excuses.

11. As one of victimized groups, the League of Women Voters of S.C. has the right to petition for the immediate suspension of increased rates and request a new hearing. Procedures have been known since the Enron and Dynegy cooperate scandals, which ended in bankruptcy and criminal trials. We have seen silence and conspiracies in so many PSC denials; it is just a simple obstruction of justice.

12. It is interesting how some smart corporations resort to bribery. Enron donated tens of thousands of dollars to the Holocaust Museum; SCANA gave the University of South Carolina its “SCANA Room” in the Darla Moore School of Business Building.

13. According to the missions of both the ORS and PSC, there is an obligation to explain why the FCA of BLRA was used for such white-collar fraud, especially with the state Legislature as the author of the BLRA. BLRA was issued in 2007 without the governor’s signature. The report of FCA of BLRA was sent to the state grand jury after Speaker of the House Bobby Harrell’s 2014 case. The silencing and/or conspiracy fulfills this definition of obstruction of justice.

14. Mr. Burgess is a super-initiator for ORS/PSC denials, e.g., in the area of silencing information on rate increases. Mr. Tom Clements had his request denied; he wanted to have an individual ratepayer’s share of “the forced investment in this nuclear project” on each individual SCE&G bill as it was in Georgia. Denying the League’s request is a further proof of SCANA’s legal domination. This time, “in cooperation with ORS.” The SCE&G never responded to similar direct requests or challenges. Just like the Enron employees, SCE&G employees are in danger of losing their life savings.

15. In 2014, Dr. Wilder made remarks about a way of financing that obviously sabotaged the state and national economy. Such “silencing” may be a proof of the incompetence of some public servants.

16. PSC Order 2015-339, which denies a public voice is a breach of the PSC mission: “A Fair, Open, And Efficient Regulatory Process That Promotes Cost-Effective And Reliable Utility Services.” Stop it, please!

Sincerely,

Joseph “Joe” Wojcicki, energy consultant and victims’ advocate,