Action Item 3

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**
**COMMISSION DIRECTIVE**

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| ADMINISTRATIVE MATTER | ☐ | DATE | **December 02, 2020** |
| MOTOR CARRIER MATTER | ☐ | DOCKET NO. | **2020-242-E** |
| UTILITIES MATTER | ☑ | ORDER NO. | **2020-794** |

**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.**

**Procedural Order on Upcoming Hearing**

**SUBJECT:**
DOCKET NO. 2020-242-E - Enrique McMilion, Jr, Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent - Staff Presents for Commission Consideration Enrique McMilion, Jr.'s Request for an Investigation Regarding Ex Parte Communication.

**COMMISSION ACTION:**
On November 18, 2020, this Commission issued a directive which in part directed the complaint in this docket be set for hearing. Subsequent to the filing of the complaint in this docket, the Complainant raised an issue after viewing video footage captured by an officer on the scene.

In accordance with the Commission regulations requiring the prefiling of testimony and exhibits, I move that the Commission require Mr. McMillion to pre-file his complete testimony and all evidence which he intends to present, whether such evidence is documentary or videotape or other form as a pre-filed exhibit pursuant to Commission Regulations 103-845, 103-846, 103-848, and any other relevant provision of rule, regulation or law. Mr. McMillion must advise the Clerk's Office and all parties whether his Complaint and any subsequent communication will be part of his testimony on or before the prefiling deadline set by the Clerk's Office for his direct testimony and exhibits. Mr. McMillion may also file a Complaint with the Administrative Law Court under South Carolina Code Section 58-3-270.

This docket is set for hearing on January 19, 2021 at 10:00 a.m. as noticed by the Commission's Clerk. The dates for prefiling of testimony, exhibit and evidence was published by the Clerk on October 22, 2020 as follows:

The Complainant must prefile direct testimony and exhibits on or before **December 8, 2020.**

The Defendant/Respondent and ORS must prefile direct testimony and exhibits on or before **December 22, 2020.**

The Complainant must prefile rebuttal testimony and exhibits on or before **December 29, 2020.**

The Defendant/Respondent and ORS must prefile surrebuttal testimony and exhibits on or before **January 5, 2021**.

ACCEPTED FOR PROCESSING - 2020 December 2 3:38 PM - SCPSC - 2020-242-E - Page 1 of 2

Commission regulations require the service and prefiling of testimony and exhibits by all parties to a docket.

While the same hearing date and pre-filed testimony deadlines currently remain in place, if Mr. McMilion is not ready or believes that he needs more time, Mr. McMilion has the option to request that the Commission set a new hearing date which would be later in time and would also provide new pre-filing deadlines.

I so move.

PRESIDING: J. Williams SESSION: Regular TIME: 2:05 p.m.

| | MOTION | YES | NO | OTHER | |
|---|---|---|---|---|---|
| BELSER | ☐ | ☑ | ☐ | | Present in Hearing Room |
| CASTON | ☑ | ☑ | ☐ | | Voting via Skype |
| ERVIN | ☐ | ☑ | ☐ | | Voting via Skype |
| POWERS | ☐ | ☑ | ☐ | | Present in Hearing Room |
| THOMAS | ☐ | ☑ | ☐ | | Voting via Skype |
| C. WILLIAMS | ☐ | ☑ | ☐ | | Voting via Skype |
| J. WILLIAMS | ☐ | ☑ | ☐ | | Present in Hearing Room |

(SEAL)

RECORDED BY: J. Schmieding

ACCEPTED FOR PROCESSING - 2020 December 2 3:38 PM - SCPSC - 2020-242-E - Page 2 of 2