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July 20, 2009

VIA HAND DELIVERY

The Honorable Charles Terreni
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive (29210)
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: South Carolina Electric & Gas Company
Update of Construction Progress and Request for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina
Docket No. 2009-293-E

Dear Mr. Terreni:

South Carolina Electric & Gas Company ("SCE&G" or "Company"), pursuant to Order No. 2009-104(A) issued by the Public Service Commission of South Carolina ("Commission"), is hereby filing with the Commission a request entitled "Update of Construction Progress and Request for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina" (the "Request"). Through its Request, SCE&G respectfully asks that the Commission initiate a proceeding to allow SCE&G to provide the Commission with an update of the progress in the licensing and construction of two, 1,117 net megawatt nuclear facilities to be located at the V.C. Summer Nuclear Station site near Jenkinsville, South Carolina. In addition, the Company requests, pursuant to S.C. Code Ann. § 58-33-270(E) (Supp. 2008), that the Commission issue an order updating and revising the schedules related to the construction of the new units. SCE&G is also petitioning the Commission to enter a confidentiality order protecting certain commercially sensitive information from disclosure, as set forth below.

As part of its Request, SCE&G is filing as an exhibit a redacted and unredacted copy of its restated and updated construction expenditures. In addition, the Company is filing as an exhibit a redacted and unredacted copy of its Quarterly Report for the quarter ending March 31,

2009 ("Quarterly Report").[1] Therefore, SCE&G is filing both a Public Version and a Confidential Version of its Request. In both versions, SCE&G's Quarterly Report is designated as Exhibit 1 and the Company's restated and updated construction expenditures is designated as Exhibit 3.

The Confidential Version of the filing contains confidential information related to the pricing and pricing terms of the Engineering, Procurement and Construction Agreement ("EPC Contract") between SCE&G and a consortium consisting of Westinghouse Electric Company, LLC and Stone & Webster, Inc. (collectively, "Contractor"). The EPC Contract contains confidentiality provisions that require SCE&G to protect proprietary information that the Contractor believes to constitute trade secrets and to be commercially sensitive. The Contractor has requested that SCE&G maintain the confidentiality of certain information contained in **Exhibit 1** and **Exhibit 3**. This confidential information has been redacted from the Public Version of the exhibits.

In keeping with the Contractor's request and the terms of the EPC Contract, SCE&G respectfully requests that the Commission find that Confidential Version of the Request contains protected information and issue a protective order barring the disclosure of Exhibit 1 and Exhibit 3 of the Request under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*, S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law, except in its public form. Pursuant to 26 S.C. Code Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion. Such a ruling in this instance would be consistent with the Commission's prior rulings in Docket No. 2008-196-E and Docket No. 2009-211-E finding, among other things, that the pricing and pricing terms of the EPC Contract to be confidential and issuing a protective order barring the disclosure of this information. *See* Commission Order Nos. 2008-467 and 2008-696, as amended by Order No. 2008-739, issued in Docket No. 2008-196-E; and Commission Order No. 2009-401 issued in Docket No. 2009-211-E.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, enclosed with this letter and attached to the Request as Exhibit 1 and Exhibit 3 is as follows:

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[1] SCE&G previously provided its Quarterly Report to the Commission as part of the Company's filing in Docket No. 2009-211-E. In Docket No. 2009-211-E, the Commission issued Order No. 2009-401 protecting certain confidential information contained within the Quarterly Report.

1. A true and correct copy of the Confidential Version of the Request in a sealed envelope marked "CONFIDENTIAL." Each confidential page of the Confidential Version of the Request is also marked "CONFIDENTIAL."

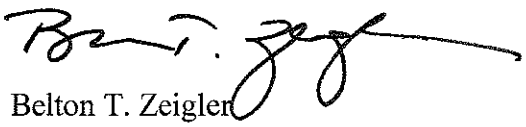
2. Ten copies of a redacted Public Version of the Request for filing and public disclosure.

SCE&G respectfully requests, in the event that anyone should seek disclosure of the unredacted Confidential Version of the above-referenced documents, that the Commission notify SCE&G of such request and provide it and the Contractor with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Confidential Version of these documents from disclosure.

In addition to the above-referenced copies, also enclosed is a copy of SCE&G's proposed Notice of Filing related to the Request. Please review and let us know if you have any questions or comments.

If you have any questions regarding these matters, please advise.

Very truly yours,



Belton T. Zeigler

BTZ/led
Enclosures

cc: John W. Flitter
Nanette S. Edwards, Esquire
Shannon Bowyer Hudson, Esquire
(all via hand delivery w/enclosures)