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Duke, Daphne

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Subject: Practice Pointer - Docket Nos. 2017-370-E, 2017-207-E, and 2017-305-E SCE&G Nuclear Dockets

To the Parties:
Although a number of you are familiar with the Commission position on the filing with the Commission of responses to discovery, I wanted to write and reaffirm that it is not necessary to file responses to interrogatories, requests for production, or requests to admit with the Commission on a routine basis. Responses are only served on the appropriate parties. If a response becomes relevant to a Motion to Compel, it may certainly be filed with the Commission. Also, responses to various discovery methods may be used at trial if appropriate, and may be admitted into evidence if they meet the standards set by the Rules of Evidence and Procedure. However, responses to discovery are not routinely filed with the Commission, but only served on the appropriate parties. Clearly, the original interrogatories or other discovery materials are filed with the Commission, but not the responses, except under the circumstances outlined above, and under other such circumstances as may be determined by the Commission.
Thanks,
David Butler
Hearing Officer

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