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July 30, 2018

K. Chad Burgess, Esquire
South Carolina Electric & Gas Company/SCANA
220 Operation Way - MC C222
Cayce, SC 29033-3701

In Re: Friends of the Earth and Sierra Club v. SCE&G,
Prudence of South Carolina Electric & Gas Company Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina and the Unjust and Unreasonable Rates Related Thereto
Docket Nos. 2017-207--E, 2017-305-E and 2017-370-E

Dear Chad:

As we've discussed and you've acknowledged on numerous occasions, my clients decline on principle to receive confidential materials from your clients, subject to any protective order or agreement, limiting our ability to freely comment on and disseminate to others. We have adhered to this position since the initial Baseload Act proceeding on this project and have reiterated our position to you, the Hearing Officer and the Commission in these consolidated proceeding. In the last several days you have transmitted discovery responses which appear to either ignore or seek to induce a conflict with our position on confidentiality. In that light we request that you promptly produce any and all non-confidential documents responsive to our outstanding discovery requests; together with a detailed log or schedule of any responsive documents claimed to be confidential within the meaning of the Hearing Officer's protective order. Such a log or schedule should be sufficiently detailed to permit us to assess the validity of your claim of confidentiality and to allow a meaningful opportunity to challenge such claims as contemplated by the Commission. As suggested by Commissioner Elam in his explanation of his motion clarifying the Hearing Officer's discovery directive, I urge you to be judicious and selective in your assertions of confidentiality, so that, we, in turn, can be comparably selective in our challenges and we can minimize the burden on the Commission in resolving these disputes. I remind you that our discovery in this matter has been outstanding now for over a year. Motions to compel have been pending since December 2017. Our direct testimony is due to be filed in two weeks. It should be needless to say: the prejudice to my clients from your continued obstructive discovery tactics is substantial and irreparable.

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I am returning herewith a CD received from you on Friday July 27. 2018, entitled, "SCE&G Response to ORS AIRs, dated July 6, 2018, marked "CONFIDENTIAL." In addition, that same date I received from you hard drive purportedly containing responsive discovery materials, which you described as containing "confidential information," subject to the Hearing Officer's protective order. In both instances, neither I nor my clients have opened, reviewed, or read these purportedly confidential materials. I have provided the subject hard drive- unopened, uncopied and unread- to the Office of Regulatory Staff which is empowered by statute to receive and manage such confidential information.

Should you have any question regarding this matter, please do not hesitate to call.

With kind regards I am

Sincerely,

Robert Guild
(803) 917 5738

Encl.

CC: Ms. Jocelyn D. Boyd
Chief Clerk & Administrator
Public Service Commission of South Carolina

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