STATE OF SOUTH CAROLINA

Petition of South Carolina Electric & Gas Company for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2016 - 223 - E

(Please type or print)
Submitted by: K. Chad Burgess

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)
☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

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Motion to Strike
VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Petition of South Carolina Electric & Gas Company for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina Docket No. 2016-223-E

Dear Ms. Boyd:

Enclosed for filing on behalf of South Carolina Electric & Gas Company ("SCE&G" or "Company") in the above-captioned docket is the Settlement Testimony of Kevin B. Marsh.

In addition to SCE&G's settlement testimony, the Company is also filing a Motion to Strike the Direct Testimony of Alice Napoleon as her prefilled direct testimony is irrelevant and wholly unrelated to the present docket. Notwithstanding SCE&G's motion, the Company is also filing Rebuttal Testimony of W. Keller Kissam.

By copy of this letter, we are also serving the other parties of record with a copy of the SCE&G's Rebuttal Testimony, Settlement Testimony, and Motion to Strike and attach a certificate of service to that effect.

If you have any questions regarding these matters, please do not hesitate to contact us.

Very truly yours,

K. Chad Burgess

KCB/kms
Enclosures
cc: Dawn Hipp
Jeffrey M. Nelson, Esquire
Shannon Bowyer Hudson, Esquire
Christopher R. Koon, Esquire
Michael N. Couick, Esquire
Frank R. Ellerbe III, Esquire
John H. Tiencken, Jr., Esquire
Paul J. Conway, Esquire
Damon E. Xenopoulos, Esquire
Eleanor Duffy Cleary, Esquire
Frank Knapp, Jr.
J. Blanding Holman IV, Esquire
Robert Guild, Esquire
Sandra Wright
Scott Elliott, Esquire
(all via electronic mail and U.S. First Class Mail w/enclosures)
BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2016-223-E

IN RE:

Petition of South Carolina Electric & Gas Company for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina)

MOTION TO STRIKE DIRECT TESTIMONY OF ALICE NAPOLEON ON BEHALF OF THE SOUTH CAROLINA COASTAL CONSERVATION LEAGUE

South Carolina Electric & Gas Company ("SCE&G" or "Company") hereby files with the Public Service Commission of South Carolina ("Commission") this Motion to Strike the Direct Testimony of Alice Napoleon on behalf of the South Carolina Coastal Conservation League. This testimony was pre-filed in the above-captioned matter on September 1, 2016. For the reasons set forth herein, SCE&G respectfully requests that the Commission strike this testimony, as it is irrelevant to this matter and docket.

ARGUMENT

The instant docket involves the petition for updates and revisions to the capital cost schedule and the construction schedule for V.C. Summer Nuclear Station Units 2 and 3 which was filed by SCE&G pursuant to S.C. Code Ann. § 58-33-270(E). On June 2, 2016, the Commission filed its Notice of Filing and Hearing and Prefile Testimony Deadlines ("Notice"). The Notice states that the subject matter of the present docket is a request for "an order approving an updated construction schedule and capital cost schedule for the Units."
The pre-filed direct testimony of Alice Napoleon on behalf of the South Carolina Coastal Conservation League analyzes SCE&G's energy efficiency efforts, discusses energy efficiency programs SCE&G could potentially implement, and recommends energy efficiency programs that the Commission should require SCE&G to adopt. *Direct Testimony of Alice Napoleon at 4 (Sept. 1, 2016).* The sole subject of this testimony is energy efficiency programs. The Petition, however, does not concern energy efficiency programs and no review of energy efficiency programs or relief related to them is requested. Conversely, Ms. Napoleon's testimony lacks any discussion of the updated construction schedule or capital cost schedule for the Units which are the sole matters referenced in the Petition and the Notice. A plain reading of this testimony indicates that it is completely unrelated to the present docket.

SCE&G brought this Petition pursuant to S.C. Code Ann. § 58-33-270(E). Section 58-33-270(E) provides, "[a]s circumstances warrant, the utility may petition the commission, with notice to the Office of Regulatory Staff, for an order modifying any of the schedules, estimates, findings, class allocation factors, rate designs, or conditions that form part of any base load review order issued under this section. The commission shall grant the relief requested if, after a hearing, the commission finds . . . as to the changes in the schedules, estimates, findings, or conditions, that the evidence of record justifies a finding that the changes are not the result of imprudence on the part of the utility . . . ." Witness Napoleon's testimony lacks any discussion of the changes to the schedules for completing the Units or whether there was any imprudence on SCE&G's part related to these changes. The testimony, therefore, is not relevant to any issue in this proceeding.

to report on developments regarding its demand-side management activities and to update its rate rider for demand-side management costs, including energy efficiency programs. The most recent such proceeding was concluded less than six months ago. **See Annual Update on Demand Side Management Programs and Petition to Update Rate Rider, Docket No. 2016-40-E.** Matters that were not considered in the 2016 docket will be open for further review in the 2017 docket to be filed pursuant to S.C. Code Ann. § 58-37-10 *et seq.*, Order No. 2010-472 and Order No. 2013-826. That 2017 docket, and not the current docket, is the appropriate venue for the matters raised in Witness Napoleon’s pre-filed direct testimony.

The pre-filed direct testimony of Alice Napoleon on behalf of the South Carolina Coastal Conservation League does not relate to the issues that are properly before the Commission in this matter. As a matter of law, the testimony is improper. Accordingly, the Commission should strike the testimony.

**CONCLUSION**

Based on the foregoing, SCE&G respectfully requests that the Commission grant SCE&G’s Motion to Strike the Direct Testimony of Alice Napoleon which was submitted on behalf of the South Carolina Coastal Conservation League.

[**SIGNATURE PAGE FOLLOWS**]
Respectfully submitted,

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Attorneys for South Carolina Electric & Gas Company

Cayce, South Carolina

September 15, 2016
BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2016-223-E

IN RE:

Petition of South Carolina Electric & Gas Company for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina

CERTIFICATE OF SERVICE

This is the certify that I have caused to be served this day one (1) copy of South Carolina Electric & Gas Company's Rebuttal Testimony of W. Keller Kissam, Settlement Testimony of Kevin B. Marsh, and Motion to Strike the Direct Testimony of Alice Napoleon to the persons named below at the addresses set forth via electronic mail and U.S. First-Class Mail:

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Karen M. Scruggs

Cayce, South Carolina

This 15st day of September 2016