SUBJECT:
DOCKET NO. 2008-196-E - Combined Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order for the Construction and Operation of a Nuclear Facility in Jenkinsville, South Carolina – Staff Presents for Commission Consideration Mr. Joseph E. Wojcicki's Petition.

COMMISSION ACTION:
My motion addresses the most recent filing made by Mr. Joseph Wojcicki, which the Commission received on May 19, 2015. Mr. Wojcicki has styled his filing as a petition in Docket No. 2008-196-E.

The petitioner moved to intervene in this docket on July 16, 2008. Since that time, he has made numerous filings, most of which repeated arguments he had made before. This is at least the sixth time Mr. Wojcicki has argued before us that V.C. Summer Units 2 and 3 are not qualifying nuclear units pursuant to the Base Load Review Act. His arguments have previously been specifically addressed and rejected in this docket in Orders No. 2009-104(A), 2009-218, 2014-404, and 2014-445. Additionally, when he attempted to relitigate the same issue in Docket No. 2014-187-E in his filing dated August 11, 2014, the Commission issued Order No. 2014-733. Subsequently, after the petitioner sought reconsideration of that order, the Commission found, in Order No. 2014-764, dated September 17, 2014, that these arguments had been previously litigated and long decided, and again denied his petition in its entirety.

The petitioner sought appellate review of our orders in this matter, and on December 11, 2014, the Supreme Court of South Carolina dismissed the appeal for lack of proper service. Undeterred, the petitioner followed with a memorandum which the Supreme Court treated as a petition for rehearing. The Court denied the relief sought.

Mr. Wojcicki continues to file repetitive and unrelenting petitions, without regard to our prior rulings and dismissal of his appeal by the Supreme Court. These filings, the subject matter of which has been previously addressed, now cause great waste of Commission resources and neither merit nor require further action by this Commission. Therefore, I move that we deny this petition in its entirety, and that we direct staff to reject and return to Mr. Wojcicki any and all future similar filings concerning the qualification of the nuclear units pursuant to the Base Load Review Act as vexatious litigation that is considered an abuse of the judicial process.