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JUN 29 2026

S.C. SUPREME COURT

ACCEPTED FOR PROCESSING - 2026 June 15 1:46 PM - SCPSC - 2025-173-E - Page 1 of 6

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2025-173-E

IN RE:)
Dominion Energy South Carolina, Inc.'s)
Request for Approval of Pilot Demand Side)
Management Program for Income-Qualified,)
High-Use Residential Customers in Compliance)
with Order No. 2024-610)

NOTICE OF APPEAL

FROM ORDER NO. 2026-242

Pursuant to S.C. Code Ann. §§ 58-5-330, 1-23-380, and Rules 201, 203, and 210, SCACR, Appellant Thomas Michael Ragon Jr. hereby gives Notice of Appeal to the Supreme Court of South Carolina from Order No. 2026-242, issued by the Public Service Commission of South Carolina ("Commission", "PSC") in Docket No. 2025-173-E on April 30, 2026, and from all related interlocutory and final rulings subsumed therein.

NOTICE OF INTENT

Appellant intends to file a Brief and a Record on Appeal with the Supreme Court of South Carolina following transmission of the certified record pursuant to Rules 203, 208, and 210, SCACR. Appellant expressly preserves all issues raised below and does not waive any argument not specifically referenced in this Notice.

Appellant hereby requests that the Commission transmit the full certified record to the Supreme Court of South Carolina pursuant to Rule 203(b)(6), SCACR.

Appellant incorporates by reference all filings, exhibits, objections, and procedural submissions previously made in this docket for purposes of appellate preservation.

JURISDICTIONAL STATEMENT

This appeal is timely and properly taken under § 58-5-330, which authorizes judicial review of **Commission** orders that are affected by errors of law, issued without observance of required procedure, or in excess of statutory authority. Jurisdiction is independently proper under § 1-23-380(A)(5) because the **Commission's** final order was issued through a procedurally defective process that deprived **Appellant** of fair notice, meaningful participation, and the opportunity to create a reviewable record.

The **Commission** did not mail **Appellant** the final order in **DOCKET NO. 2025-173-E**, despite the mandatory service requirement in **Chapter 103, Article 8**, which provides that final orders must be mailed to each party of record. The **Commission** had accurate mailing information for **Appellant**, as demonstrated by its prior mailing of the order granting **Appellant's** *Petition to Intervene* in this docket. The failure to mail the final order prevented the statutory appeal period from commencing and constitutes a jurisdictional defect.

PSC'S INCONSISTENT SERVICE AND PARTY STATUS DETERMINATIONS

The **Commission's** inconsistent and selective service practices further support appellate jurisdiction. In **DOCKET NO. 2025-173-E**, the **Commission** mailed **Appellant** the order granting his *Petition to Intervene*, demonstrating that the **Commission** had accurate mailing information for **Appellant** and recognized him as a party of record. However, the **Commission** did not mail **Appellant** the final order in that same docket, despite the mandatory service requirement in **Chapter 103, Article 8**.

At the same time, the **Commission** mailed **Appellant** a Directive Order dated **May 14, 2026** in **DOCKET NO. 2026-49-E**—a docket in which the **Commission** previously asserted **Appellant** lacked standing—while also orally considering and ruling upon **Appellant's Second Petition for Reconsideration** in that docket. **Commissioner Whitfield** moved:

“that the Commission DENY the Petition for Reconsideration of Thomas Michael Ragon, Jr. of Order No. 2026-247. Mr. Ragon is not a party to this docket,”

and the **Commission** unanimously voted to deny the petition on that basis. Yet the **Commission's** act of mailing the **Directive Order** to **Appellant**—bearing the **Commission's** seal and no other markings—constitutes treatment of **Appellant** as a party of record for service purposes. **Appellant's** physical address, telephone number, and email address were publicly listed in every filing he submitted and were readily accessible to the public, as evidenced by unsolicited political communications received from third parties who obtained this information through the **Commission's DMS**. **Appellant** also served all parties of record in **DOCKET NO. 2025-173-E** via registered first-class mail and retains signed delivery confirmations.

The **Commission's** contradictory treatment of **Appellant** across related dockets constitutes arbitrary and capricious agency action, violates the **Commission's** own service regulations, deprived **Appellant** of fair notice, and prevented the statutory appeal period from commencing.

Because the **Commission's** order was issued without observance of required procedure, without proper service, and through inconsistent and contradictory determinations of party status, the **Supreme Court of South Carolina** has jurisdiction to review the **Commission's** actions and the underlying procedural defects.

Appellant further affirms the jurisdiction of the **Supreme Court of South Carolina** in the matters addressed herein, as the **Public Service Commission** committed multiple errors of law and procedural violations that deprived the **Appellant** of statutory rights, produced an incomplete and inaccurate record, and resulted in an order unsupported by substantial evidence.

First, the **Commission** issued **ORDER NO. 2026-46** on **January 15, 2026**, establishing a **January 22 filing deadline**, but the timestamp of acceptance for filing to the docket shows **January 16, 2026**, and the e-service listed under **Matter 335647** shows **January 16, 2026** as service for some parties, **January 17, 2026** as service for the **Appellant** with confirmation of receipt as **January 19, 2026** at **8:01 AM**, and **January 19, 2026** as service for the remainder of the **Parties of Record**. A deadline cannot lawfully run before service.

The **Commission's** subsequent assertion that Testimony from the **Appellant** was not received is not accurate as the *Certificate of Technical Failures* filed with the resubmission of **Appellant's** Testimony shows transmission to, and receipt by, all email addresses listed on the original **January 22, 2026** email with the attached Testimony. Subsequently identifying **January 28, 2026** as the date of filing of the **Appellant's** testimony, despite proof of receipt on **January 22** and confirmation of **January 22** receipt

of Testimony through the Rebuttal testimony of **DESC Witness Shelton**, constitutes a denial of due process and a violation of the statutory right to participate.

Second, the **Commission** failed to hold a hearing on a contested pilot program despite statutory requirements and despite the **Appellant's** timely-filed testimony raising material issues of safety, feasibility, budgeting, and program design. The absence of a hearing is a structural defect that invalidates the proceeding.

Third, the **Commission** adopted **DESC's** assertions as fact without evidentiary support, without cross-examination, and without making the findings required by law. The approved pilot program contains a facial mathematical defect (\$5.5 million in claimed recovery with only \$3.5 million identified) rendering the order unsupported by substantial evidence.

Fourth, the **Commission's** Order is arbitrary, capricious, and affected by error of law, as it relies on unsupported assertions, omits required findings, and fails to address the contradictions raised in **Appellant's** filings, including a formal challenge to the **ORS** stipulation, a forensics audit, an evidentiary schedule, and numerous other submissions by the **Appellant**, which demonstrated independently and collectively the absence of a budget, scope, safety protocols, and quality-assurance mechanisms.

These procedural and legal defects prevented meaningful participation, produced an incomplete record, and resulted in an arbitrary and capricious order, issued without observance of required procedure, and entered in excess of the **Commission's** statutory authority.

Because the **Commission's** order was issued through a procedurally defective process, without a hearing, without required findings, and without addressing timely-raised statutory objections, the order is invalid under the **APA** and the **Public Service Commission's** governing statutes. These defects independently and collectively establish the **Supreme Court of South Carolina's** jurisdiction to review the matter and to determine whether the **Commission** acted in excess of its statutory authority or in violation of **Appellant's** procedural rights.

PRESERVATION OF ALL ISSUES

Appellant has compiled a formal record and continues to identify additional procedural defects, contradictions, omissions, and misstatements within the **PSC's** handling of this docket and related dockets. Because many issues arise from the **Commission's** own actions and the incomplete record below, **Appellant** expressly invokes the non-waiver doctrine to preserve all issues for review.

Respectfully submitted,

/s/Thomas Michael Ragon Jr.
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June 15, 2026

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2025-173-E

IN RE:)
Dominion Energy South Carolina, Inc.'s)
Request for Approval of Pilot Demand Side)
Management Program for Income-Qualified,)
High-Use Residential Customers in Compliance)
with Order No. 2024-610)

**ATTACHMENT A:
RECORD CITATIONS**

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1. Mathematical Insolvency and Budget Evidentiary Failure S.C. SUPREME COURT

- **Written Testimony of Thomas Michael Ragon Jr., Page 41-42:**

*"Analysis demonstrating the proposed \$0.08 monthly rider on
approximately 725,107 residential customers over 60 months generates
only \$3,480,513.60, resulting in a \$2,019,486.40 deficit against the stated
\$5.5 million program cost."*

- **Written Testimony of Thomas Michael Ragon Jr., Page 22:**

*"Table 1 outlining the "Phantom Funding Deficit Analysis," showing 37%
of the \$5.5 million budget is completely unaccounted for by the \$0.08 rider
over the 5-year recovery period."*

- **Written Testimony of Thomas Michael Ragon Jr., Pages 48 & 52:**

*"Evidence that the \$5,500 per home budget is structurally infeasible, as
bare-minimum basic shell measures alone cost \$5,500 to \$10,000, while a*

*proper retrofit for the targeted pre-1970s housing stock actually requires
an investment of \$20,000 to \$30,000 per home."*

2. Total Resource Cost (TRC) Test Failure

- **Written Testimony of Thomas Michael Ragon Jr., Page 32:**

*"Direct citation of DESC's own filing admitting: 'The Company does not
anticipate the program will be cost effective under the Total Resource
Cost (TRC) test'."*

- **Written Testimony of Thomas Michael Ragon Jr., Pages 32-33:**

*"Explanation that a TRC failure means the program costs more than it
saves, rendering it economically value-destructive and in direct violation
of the cost-effectiveness mandate outlined in S.C. Code Ann. § 58-37-20."*

Respectfully submitted,

/s/Thomas Michael Ragon Jr.
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June 15, 2026

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2025-173-E

IN RE:

Dominion Energy South Carolina, Inc.'s
Request for Approval of Pilot Demand
Side Management Program for Income-
Qualified, High-Use Residential
Customers in Compliance with Order
No. 2024-610

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**CERTIFICATE OF SERVICE
AND
NOTICE OF FILING**

I hereby certify that on this 15th day of June 2026, I transmitted for filing:

- *Notice of Appeal from Order No. 2026-242*
- *Attachment A: Record Citations*

in Docket No. 2025-173-E to the Public Service Commission of South Carolina and served a copy upon all parties of record via electronic mail.

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Respectfully submitted,

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June 15, 2026

**Public Service Commission
of
South Carolina**



******* IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]**

A filing has been submitted to the PSCSC: Docket #2025-173-E

Official File Stamp:	N/A Public Service Commission
Case Caption:	Dominion Energy South Carolina, Inc.'s Request for Approval of Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers
Document(s) Submitted:	General Matter
Filed by or on behalf of:	Thomas Michael Ragon Jr.

This notice was automatically generated by the PSCSC auto-notification system.

The following people were served electronically:

- Michael J. Anzelmo of McGuireWoods LLP, representing Dominion Energy South Carolina, Inc., Email: manzelmo@mcguirewoods.com
- John C. "Chad" Torri of South Carolina Office of Regulatory Staff, representing South Carolina Office of Regulatory Staff, Email: ctorri@ors.sc.gov
- Carri Grube Lybarker* (Pending Intervention) of South Carolina Department of Consumer Affairs, representing South Carolina Department of Consumer Affairs, Email: clybarker@scconsumer.gov
- Roger P. Hall* (Notice Purposes Only) of South Carolina Department of Consumer Affairs, representing South Carolina Department of Consumer Affairs, Email: rhall@scconsumer.gov
- Jacob D. Edwards* (Pending Intervention) of South Carolina Department of Consumer Affairs, representing South Carolina Department of Consumer Affairs, Email: jedwards@scconsumer.gov
- Claire E. Bengé of South Carolina Office of Regulatory Staff, representing South Carolina Office of Regulatory Staff, Email: cbenge@ors.sc.gov
- K. Chad Burgess of Dominion Energy Services, Inc., representing Dominion Energy South Carolina, Inc., Email: chad.burgess@dominionenergy.com
- Elizabeth L. Hutton of Dominion Energy South Carolina, Inc., representing Dominion Energy South Carolina, Inc., Email: elizabeth.hutton@dominionenergy.com
- David Stark of Public Service Commission of South Carolina, representing Public Service Commission of South Carolina, Email: david.stark@psc.sc.gov
- Kate Lee Mixson of Southern Environmental Law Center, representing South Carolina Coastal Conservation League and Southern Alliance for Clean Energy, Email: kmixson@selcsc.org

- Thomas Gooding of Southern Environmental Law Center, representing South Carolina Coastal Conservation League and Southern Alliance for Clean Energy, Email: tgooding@sclnc.org

- Thomas Michael Ragon Jr. of Thomas Michael Ragon Jr., representing Thomas Michael Ragon Jr., Email: ragonredline@gmail.com

- The following email address of the link account to the representative of the party was delivered electronically, Email: usdocket@mcguirewoods.com

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- Karen Scruggs The following email address of the link account to the representative of the party was delivered electronically, Email: karen.scruggs@dominionenergy.com

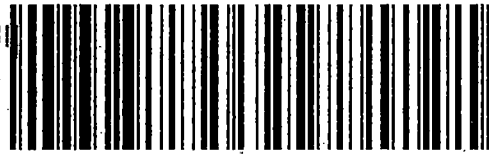
The following people have not been served electronically by the PSCSC/DMS system, Therefore, they must be served by traditional means:

Docket Due Dates:

The following document(s) are associated with this transaction:

Document Description:	Transmittal E-Mail
Original filename:	<u>[External] RE_ Docket No. 2025-173-E Electronic Filing of Notice of Appeal from Order No. 2026-242.pdf</u>
Electronic document Stamp:	
HyperLinks Docket:	Docket Link
Document Description:	Notice of Appeal
Original filename:	<u>2026.06.15_2025.173.E_ TMR- Notice of Appeal from Order No. 2026-242.pdf</u>
Electronic document Stamp:	
HyperLinks Docket:	Docket Link
Document Description:	Attachment A
Original filename:	<u>2026.06.15_2025.173.E_ TMR-Attachment A- Record Citations.pdf</u>
Electronic document Stamp:	
HyperLinks Docket:	Docket Link
Document Description:	Docket Cover Sheet
Original filename:	<u>2026.06.15_2025.173.E_ TMR_ Docket_ Coversheet.pdf</u>
Electronic document Stamp:	
HyperLinks Docket:	Docket Link
Document Description:	Certificate of Service
Original filename:	<u>2026.06.15_2025.173.E_ TMR- Notice of Appeal from Order No. 2026-242_ NoF.CoS.pdf</u>
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HyperLinks Docket:	Docket Link

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JUN 23 2026

S.C. SUPREME COURT

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