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THE STATE OF SOUTH CAROLINA
In The Supreme Court of South Carolina

S.C. SUPREME COURT

APPEAL FROM THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

APPELLATE CASE NO. 2026-001436

Public Service Commission of South Carolina;

Dominion Energy South Carolina, Inc.....Respondent

v.

Thomas M. Ragon Jr.....Appellant

MOTION TO FILE OUT OF TIME

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Pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules (SCACR), Appellant Thomas Ragon, appearing pro se, respectfully moves this Court for leave to file out of time a Motion for Stay of the Briefing Schedule pending the filing of a motion for consolidation of dockets currently before the Supreme Court. In support of this motion, Appellant shows the Court the following:

1. **Administrative Confusion and Excusable Neglect:** On June 29, 2026, the Clerk of this Court issued a letter informing Appellant that the Court had received the initial Notice of Appeal and identifying a deficiency that required correction within a strict ten-day deadline. Appellant promptly complied and perfected the appeal on July 9, 2026. Appellant mistakenly interpreted the ten-day cure period—meant solely to prevent dismissal of the appeal—to suspend the thirty-day briefing deadline under Rule 208, believing the briefing timeline did not begin to run until the appeal was perfected. This misunderstanding was entirely Appellant’s own misinterpretation of the procedural posture, and not the result of any error or intention by the Clerk. Upon realizing that the Rule 208 timeline had continued to run, Appellant acted immediately to seek leave under Rule 263(b).

2. **Judicial Economy & Consolidation Scope:** The instant appeal is one of several closely interrelated regulatory proceedings involving the same administrative agency, the same public utility, and the same core questions of constitutional due process and SCAPA record requirements. These matters share overlapping factual predicates, identical legal issues, and interdependent procedural histories. Reviewing them in isolation would artificially fragment the appellate record, require duplicative briefing, and create a substantial risk of inconsistent or incomplete legal conclusions across identical questions of law. A brief stay allows Appellant to present a unified consolidation motion supported by a comprehensive matrix detailing the posture, ripeness, and systemic interconnections of all related dockets, thereby enabling the Court to evaluate the matters in a coherent, efficient, and judicially economical manner.
3. **Prevention of Fragmentation and Inconsistency:** Absent consolidation, the Court would be forced to review deeply intertwined dockets in isolation, resulting in artificial fragmentation of the SCAPA record, duplicative briefing, and a substantial risk of inconsistent legal conclusions across identical questions of law. Consolidation ensures a coherent appellate record and preserves the integrity of the Court's review.
4. **Immediate Action Upon Realization:** Upon realizing that the Rule 208 timeline continued to run uninterrupted by the deficiency notice, Appellant immediately drafted and submitted this request along with the accompanying substantive motion.
5. **Intent Independent of Administrative Delay:** Crucially, Appellant notes that even absent the good-faith timeline confusion, Appellant intended to timely file the underlying Motion for a Stay of the Briefing Schedule. The request for a stay is driven entirely by

the complex, unfolding nature of the interlocking dockets and the necessity of preventing piecemeal litigation, rather than a retroactive attempt to cure an administrative oversight.

6. **Excusable Neglect and Lack of Prejudice:** This minor miscalculation, arising directly from an attempt to comply strictly with a separate administrative directive from the Court, constitutes excusable neglect under Rule 263, SCACR. Because the underlying stay request would have been brought before the Court regardless, this brief delay causes zero prejudice to the Respondents and ensures a total, accurate framing of the record.

WHEREFORE, Appellant respectfully requests that this Court grant leave to file the attached Motion for Stay of the Briefing Schedule out of time.

Respectfully submitted,



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