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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Commission Docket No. 2025-173-E

Appellate Case No. 2026-001436

Thomas M. Ragon, Jr.,	Appellant,
v.	
Public Service Commission of South Carolina; Dominion Energy South Carolina, Inc.,	Respondents.

MOTION TO DISMISS APPEAL

Pursuant to Rules 240, 203(b)(6), and 203(d)(2)(B) of the South Carolina Appellate Court Rules, Respondent Dominion Energy South Carolina, Inc. ("DESC") moves the Court for an order dismissing the notice of appeal filed by Appellant Thomas M. Ragon, Jr. ("Appellant"). As set forth below, the appeal should be dismissed because the Notice of Appeal is untimely.

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Summary Timleline

Action	Deadline
Docket opened at Commission	May 30, 2025
Commission issued Order No. 2026-127 (order on appeal)	March 5, 2026
Appellant's first petition for reconsideration of Order No. 2026-127	March 17, 2026
Commission denies Appellant's first petition for reconsideration	April 23, 2026
Deadline to appeal Order No. 2026-127	May 26, 2026
Did Appellant file Notice of Appeal by May 26, 2026?	No
Appellant's second petition for reconsideration of Order No. 2026-127	May 5, 2026
Commission denies Appellant's second petition for rehearing	May 14, 2026
Notice of Appeal filed	June 24, 2026
Was Notice of Appeal timely?	No. Appellant missed the May 26, 2026, deadline by almost one month.

Procedural History of Docket No. 2025-173-E

DESC initiated this proceeding with the Public Service Commission of South Carolina ("Commission") on May 30, 2025, to approve a "Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers" made in compliance with Commission Order No. 2024-610. Appellant filed a petition to intervene as a party in the docket, which the Commission granted by Directive Order dated September 11, 2025.

Thereafter, DESC, the South Carolina Office of Regulatory Staff, the South Carolina Coastal Conservation League, and the Southern Alliance for Clean Energy[1]

[1] The South Carolina Coastal Conservation League and the Southern Alliance for Clean Energy also petitioned to intervene as parties in the proceeding, and the Commission granted the request.

entered into a Stipulation in support of DESC's request subject to the terms and conditions contained in the Stipulation. The Commission issued Order No. 2026-127 on March 5, 2026, that adopted the Stipulation and approved DESC's request subject to the terms and conditions contained in the Stipulation. Order No. 2026-127 is attached hereto as **Exhibit A**.

Appellant filed and served a petition for reconsideration and/or rehearing[2] of Order No. 2026-127 on March 17, 2026. *See* **Exhibit B** at p. 3 § III. The Commission denied Appellant's petition for reconsideration and/or rehearing by Order No. 2026-242 dated April 23, 2026, which is attached hereto as **Exhibit B**.

Appellant did not file any Notice of Appeal with this Court or the South Carolina Court of Appeals after the Commission denied the petition for reconsideration and/or rehearing in Order No. 2026-242. Rather, Appellant filed a second petition for reconsideration on May 5, 2026, with the Commission that again challenged Order No. 2026-242 on the same, or substantially similar, grounds as his first petition for reconsideration and/or rehearing. *See* Directive Order No. 2026-273, attached hereto as **Exhibit C**. The Commission denied Appellant's second petition for reconsideration on May 14, 2026, finding it "procedurally improper" because "S.C. Code Ann. Section 58-27-2150 does not permit a second petition for reconsideration. Similarly, the applicable Commission regulation – S.C. Code Ann. Regs. 103-854 – does not allow for a second petition for reconsideration." *See* **Exhibit C** at 1.

[2] A petition for reconsideration is "subject to the same statutory parameters as a Petition for Rehearing." S.C. Code Regs. 103-854(B).

Appellant filed and served his Notice of Appeal with this Court on June 24, 2026, and, after responding to a deficiency letter from this Court regarding the order on appeal, Appellant confirmed that he appealed from Order No. 2026-127, which was the merits order issued by the Commission on March 5, 2026. *See* "Submission of Orders on Appeal" dated received by the Court on July 9, 2026.

Motion to Dismiss the Notice of Appeal

The Court must dismiss the Notice of Appeal because the appeal is untimely. The Commission issued Order No. 2026-127 on March 5, 2026, which was the order ruling on the merits and approving DESC's "Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers" subject to the terms and conditions contained in the Stipulation. *See* **Exhibit A**. In accordance with Rule 203, SCACR, the deadline to file and serve a Notice of Appeal for that order expired on April 6, 2026, *see* Rule 203(b)(6) and (d)(2)(B), respectively, unless a timely petition for rehearing was filed with the Commission.[3]

Appellant filed a petition for reconsideration and/or rehearing of Order No. 2026-127 on March 17, 2026. *See* **Exhibit B** at p. 3 § III. Thus, Rule 203(b)(6), SCACR stayed Appellant's deadline to file and serve a Notice of Appeal until the 30 days after the Commission denied the petition for reconsideration and/or rehearing. The Commission denied Appellant's petition for reconsideration and/or rehearing by Order No. 2026-242 dated April 23, 2026. Thus, the deadline for Appellant to appeal Order No. 2026-127 and

[3] The actual deadline fell on Saturday, April 4, 2026, so the deadline shifted to Monday, April 6, 2026, in accordance with Rule 263(a), SCACR.

Order No. 2026-242 expired on May 25, 2026.[4]

However, instead of filing and serving a Notice of Appeal for the Commission's denial of petition for reconsideration and/or rehearing of Order No. 2026-127, Appellant filed a second petition for rehearing of Order No. 2026-127 with the Commission. Appellant's second petition sought Commission review of Order No. 2026-127 and simply rehashed the same, or substantially similar, arguments advanced in Appellant's first petition for reconsideration to the Commission.

As an initial matter, Appellant's second petition for rehearing is procedurally improper and cannot further stay his appellate deadline of May 26, 2026. Section 58-27-2150 of the South Carolina Code of Laws controls the filing of petitions for rehearing and/or reconsideration in matters before the Commission. Section 58-27-2150 does not authorize a party to file a second petition for rehearing and/or reconsideration on Commission orders. The Commission's companion regulation, S.C. Code Regs. 103-854, likewise does not authorize a second petition. Thus, Appellant's second petition is procedurally improper and does not stay his time to appeal Order No. 2026-127. Any appeal of that order had to be perfected by May 26, 2026. Appellant did not file and serve his Notice of Appeal with this Court until June 24, 2026, nearly one month too late.

Moreover, it is a well-settled principle that a second or successive rehearing request does not stay or toll the time to file and service a notice of appeal. *See, e.g.*,; *Elam v. S.C. Dept. of Transp.*, 361 S.C. 9, 18, 602 S.E.2d 772, 777 (2004); *Quality Trailer Prods. V.*

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CSL Equip. Co., 349 S.C. 216, 219, 562 S.E.2d 615, 617 (2002); *Coward Hund Constr. Co. v. Ball Corp.*, 336 S.C. 1, 3-4, 518 S.E.2d 56, 57-58 (Ct. App. 1999). The appeal will be dismissed due to untimely filing and service of the notice of appeal when a party – instead of serving a notice of appeal – files a successive motion for rehearing and/or reconsideration when the order on the first rehearing and/or reconsideration motion does not result in a substantial alteration of the original judgment. *Elam*, 361 S.C. at 20, 602 S.E.2d at 778.

Here, the Commission's order denying Appellant's first petition for reconsideration and/or rehearing did not change any aspect of the original order, which was Order No. 2026-127. *See* **Exhibit B**. Rather, the Commission denied Appellant's petition. *Id.* As a result, Appellant had until May 26, 2026, to file and serve a Notice of Appeal from Order No. 2026-127. Appellant's decision to file a second petition for reconsideration and/or rehearing did not stay the May 26th appeal deadline. Thus, Appellant's Notice of Appeal filed and served on June 24, 2026, is untimely.

Conclusion

Appellant's untimely Notice of Appeal must be dismissed in accordance with Rule 203(d)(3), SCACR ("If the notice of appeal is not timely filed . . . the appeal shall be dismissed[] and shall not be reinstated except as provided by Rule 260").

Signature page attached

Respectfully submitted,

/s/ Michael J. Anzelmo

Michael J. Anzelmo
SC Bar No. 72933
McGuireWoods LLP
1301 Gervais Street, Suite 1310
Columbia, South Carolina 29201
Phone: (803) 251-2313
Email: manzelmo@mcguirewoods.com

and

K. Chad Burgess
Elizabeth L. Hutton
Dominion Energy South Carolina, Inc.
220 Operation Way – MC OSC 1A
Cayce, SC 29033
(803) 217-8141 (KCB)
(803) 217-7887 (ELH)
chad.burgess@dominionenergy.com
elizabeth.hutton@dominionenergy.com

Counsel for Dominion Energy South Carolina, Inc.

August 3, 2026

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Respectfully submitted,

/s/ Michael J. Anzelmo

Michael J. Anzelmo
SC Bar No. 72933
McGuireWoods LLP
1301 Gervais Street, Suite 1310
Columbia, South Carolina 29201
Phone: (803) 251-2313
Email: manzelmo@mcguirewoods.com

and

K. Chad Burgess
Elizabeth L. Hutton
Dominion Energy South Carolina, Inc.
220 Operation Way – MC OSC 1A
Cayce, SC 29033
(803) 217-8141 (KCB)
(803) 217-7887 (ELH)
chad.burgess@dominionenergy.com
elizabeth.hutton@dominionenergy.com

Counsel for Dominion Energy South Carolina, Inc.

August 3, 2026

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S.C. SUPREME COURT

EXHIBIT A

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2025-173-E - ORDER NO. 2026-127

MARCH 5, 2026

IN RE: Dominion Energy South Carolina, Inc.'s Request for Approval of Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers	)	ORDER APPROVING AND ADOPTING JOINT STIPULATION AND GRANTING REQUEST FOR APPROVAL OF PILOT DEMAND SIDE MANAGEMENT PROGRAM

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (Commission) on the Request of Dominion Energy South Carolina, Inc. (DESC) for approval of the Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers (Pilot Program). The Pilot Program specifically targets income-qualified, high-use, single family residential customers. DESC brings the Request pursuant to the Settlement Agreement executed in Docket No. 2024-34-E, approved by the Commission in Order No. 2024-610. The Commission grants the Request and approves the Pilot Program, as modified by and subject to the terms and conditions contained in the Stipulation (attached as Order Exhibit No. 1).

II. PROCEDURAL HISTORY

A. Request and Notice

DESC filed its Request on May 30, 2025. On June 12, 2025, the Commission Clerk's Office (Clerk's Office) issued a Notice of Filing (Notice). The Notice set forth the manner in which stakeholders could participate in the case, including the option to file a Petition to Intervene. The Clerk's Office instructed DESC to publish, by June 27, 2025, the Notice in newspapers of general circulation. On July 18, 2025, DESC submitted Affidavits demonstrating that the Notice was published in accordance with the instructions from the Clerk's Office.

B. Parties

Michael J. Anzelmo, Esquire, Chad K. Burgess, Esquire, and Elizabeth L. Hutton, Esquire, submitted a Notice of Appearance on behalf of DESC. Claire E. Benge, Esquire, and John C. Torri, Esquire, entered appearances on behalf of the South Carolina Office of Regulatory Staff (ORS).[1]

The South Carolina Coastal Conservation League and Southern Alliance for Clean Energy (SACE/CCL) timely filed a Petition to Intervene, which was granted.[2] Kate Mixson, Esquire, and Thomas Gooding, Esquire, appeared on behalf of SACE/CCL.

On July 21, 2025, Anthony G. Bryant (Mr. Bryant) submitted an email which included a Petition to Intervene and a Letter of Protest.[3] DESC responded with a Letter of Objection in Opposition to Mr. Bryant's intervention, asserting that his email did not meet

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[1] ORS is a party to this proceeding by operation of law. S.C. Code Ann. § 58-4-10(B) (Supp. 2025).
[2] The Petition to Intervene was granted by Order No. 2025-93-H, issued on September 3, 2025.
[3] Email From Anthony G. Bryant to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina, (July 21, 2025).

the requirements of the Commission's regulations pertaining to intervention.[4] *See* S.C. Code Ann. Regs. 103-825(A)(3). Mr. Bryant thereafter replied in support of his Petition to Intervene on July 30, 2025.[5] After considering Mr. Bryant's Petition to Intervene, the Commission issued Order No. 2025-518 on August 14, 2025, which denied Mr. Bryant's intervention, as his email did not meet the Commission's requirements for intervention as outlined in Commission Regulation 103-825(A)(3)."

On August 19, 2025, Thomas Michael Ragon Jr. filed a Petition to Intervene. On August 28, 2025, DESC filed a Letter in Opposition, alleging that Mr. Ragon was already adequately represented by ORS and Mr. Ragon's interests did not "differ from any other [DESC] customer."[6] DESC Letter at 2. On October 1, 2025, the Commission issued Order No. 2025-620, which granted Mr. Ragon's Petition to Intervene, but limited him to representing his own personal interest. Order No. 2025-620 at 4.

No other persons or entities sought to intervene in this proceeding.

C. Prefiled Testimony and Hearing

On October 21, 2025, DESC prefiled the Direct Testimony and Exhibit of Sheryl K. Shelton, Manager of Demand Side Management/Energy Conservation for DESC. On November 4, 2025, ORS prefiled the Direct Testimony of Samuel W. Chirstmus, Program Manager of Energy Efficiency and Demand-Side Management for ORS. On November 4,

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[4] Letter from Michael J. Anzelmo, Esquire, to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina (July 23, 2025).
[5] Email From Anthony G. Bryant to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina (July 30, 2025).
[6] Letter from Michael J. Anzelmo, Esquire, to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina, at 1 (Aug. 28, 2025) (referenced herein as the DESC Letter).

2025, SACE/CCL prefiled the Direct Testimony and Exhibit of Jim Grevatt, Managing Consultant at Energy Futures Group.

On November 21, 2025, DESC filed a Stipulation (Stipulation) (attached as Order Exhibit No. 1) made between ORS, DESC, and SACE/CCL. On the same day, DESC prefiled the Settlement Testimony of Sheryl Shelton.

On December 10, 2025, Mr. Ragon filed a Motion for Extension to File Testimony and Motion to Compel Investigation of Safety Hazard and Supplemental Submission of Evidence (Motions). On December 11, 2025, the Commission issued Order No. 2025-172-H, holding the December 16, 2025 hearing in abeyance to allow time for the other parties of record to file a response to the Motions made by Mr. Ragon. On December 16, 2025, DESC filed a Response to Order No. 2025-172-H, proposing a procedural schedule and requesting that the Commission issue an order ruling on the approval of the Pilot Program.[7] On January 2, 2026, Mr. Ragon filed a Motion for Leave to File Out of Time (Nunc Pro Tunc); a Motion for Emergency Stay of Disconnection and Preservation of Evidence; a Reply to DESC's Response to Motion for Extension, Motion to Compel Investigation, and Submission of Supplemental Evidence; a Formal Challenge to Stipulated Agreement; a Forensic Audit and Evidentiary Schedule; Supplemental Evidence; and a Request for Expedited Review.

On January 16, 2026, the Commission issued Order No. 2026-46, which disposed of all outstanding motions made by Mr. Ragon and afforded him an opportunity to file Direct Testimony, while giving all other parties an opportunity to file responsive testimony.

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[7] Letter from Michael J. Anzelmo, Esquire, to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina, (Dec. 16, 2025).

On January 28, 2026, Mr. Ragon submitted his Direct Testimony.

On January 29, 2026, DESC filed the Rebuttal Testimony of Sheryl Shelton, responding to the issues asserted by Mr. Ragon in his Direct Testimony.

On February 5, 2026, the Commission voted to approve and adopt the Stipulation filed by and between DESC, SACE/CCL, and ORS, and granted the request for approval of the Pilot Program, as modified by and subject to the terms and conditions contained in the Stipulation.

III. APPLICABLE LAW

The laws governing the adoption of new Energy Efficient/Demand Side Management (EE/DSM) programs by regulated electrical utilities are found in S.C. Code Ann. sections 58-37-10 through – 58-37-40 (2015 & Supp. 2025). "Demand-side management program" is defined as "a program conducted or proposed by a producer, supplier, or distributor of energy for the reduction or more efficient use of energy requirements . . . through measures including, but not limited to, conservation and energy efficiency, load management, cogeneration, and renewable energy technologies." S.C. Code Ann. § 58-37-10(1).

Each DSM/EE program must be evaluated for cost-effectiveness as defined by S.C. Code Ann. section 58-37-10(3):

> "Cost-effective" means that the net present value of benefits of a program or portfolio exceeds the net present value of the costs of the program or portfolio. A program or portfolio is cost-effective if it passes any two of the following tests:
>
> (a) utility cost test;
> (b) total resource cost test;
> (c) participant cost test; or
> (d) ratepayer impact measure test.

S.C. Code Ann. § 58-37-10(3).

Pilot programs, such as the program proposed in this Docket, are defined as follows:

> "Demand-side management pilot program" means a demand-side management program that is of limited scope, cost, and duration and that is intended to determine whether a new or substantially revised program or technology would be cost-effective.

S.C. Code Ann. § 58-37-10(4).

In this proceeding, the Pilot Program is intended to benefit income-qualified participants. For such programs, there is an exception to the applicable cost-effectiveness definition:

> The commission may approve any program filed by a public utility if the program is found to be cost-effective. Furthermore, the commission may, in its discretion, approve any program filed by a public utility that is not cost-effective, so long as the proposed demand-side management program is targeted to low-income customers, provided that the public utility's portfolio of demand-side management programs is cost-effective as a whole.

S.C. Code Ann. § 58-37-20(B).

IV. REQUEST FOR APPROVAL

DESC asserts that the proposed Pilot Program is designed to improve the energy efficiency of single-family homes by offering free weatherization services leading to lower electric usage, reduced bills, and improved comfort in homes. Application at 3. The Pilot Program will target income-qualifying residential customers that have not previously been offered or qualified for weatherization through existing Company weatherization offerings. *Id.*

The free weatherization services will include the direct installation of whole-home measures such as air sealing, duct sealing, and attic insulation comparable to the energy efficiency measures provided within the Company's other programs. *Id.* Eligible customers will receive a free, comprehensive whole-home audit performed by a Building Performance Institute (BPI) certified implementation contractor located within the Company's service territory. *Id.* During the audit, the implementation contractor will identify the potential energy efficiency measures to be installed, explain the estimated energy savings, and discuss the details of scheduling the free installation. *Id.* The implementation contractor will be provided with Company badging, marketing materials, FAQs, and be able to direct customers to the website and/or reach out to the Company for any additional questions or concerns. *Id.*

The Pilot Program defines two eligibility requirements that customers must meet to participate in the program offerings. First, customers must have a household income level at or below 200% of the poverty guideline as defined by the U.S. Dept. of Health and Human Services or be able to provide proof of enrollment in a State or Federal Program with a similar income requirement, such as the Low-Income Home Energy Assistance Program (LIHEAP) enrollment. *Id.* The Company asserts it will endeavor to determine income based on the premise location within a defined census block. *Id.* This approach was designed to avoid individual customers having to provide household income to the Company. *Id.*

Second, the customer must have high-energy usage, which is defined as having electric usage over the customer's most recent twelve-month billing history that (a) is greater than 16,800 annual kilowatt hours (kWh) or (b) equal to 10.45 kWh or more per square foot. *Id.* By targeting the highest energy users within smaller census blocks, the Company can ensure that the program is being offered to customers who have the greatest need and would not readily have access to DESC's other weatherization offerings. *Id.* at 3-4. The Company proposes offering the Pilot Program until 1,000 low-income customers have received direct-installation weatherization over an anticipated three-year implementation period. *Id.* at 4.

The Company does not anticipate the program will be cost-effective under the Total Resource Cost (TRC) test based on similar, historical program expenses, energy savings, and demand savings. *Id.*

V. STIPULATION

DESC, SACE/CCL, and ORS (the Stipulating Parties) agree with approval of the Pilot Program, subject to the terms of the Stipulation as follows:

> 6. The Stipulating Parties agree the Application complies with Commission Order No. 2024-610, S.C. Code Ann. §§ 58-37-10 and 58-37-20, and ORS determined that the public interest would be best served by approval of the IQ Pilot. Therefore, the Stipulating Parties agree to approval of the Pilot Program Application and corresponding tariff subject to the items set forth in Paragraphs 7-11 below.
>
> 7. The Stipulating Parties agree that ORS fully reserves its right to review applicable costs, net lost revenues ("NLR"), utility incentives, and benefits resulting from the proposed IQ Pilot through the Company's annual rider proceeding, in accordance with the Commission approved Revised EE/DSM Mechanism in Docket No. 2024-192-E, Order No. 2024-814, and make recommendations related to the administration and cost recovery of the IQ Pilot in subsequent dockets where the costs and benefits may be examined[.]
>
> 8. For the duration of the IQ Pilot, the Company will provide in its annual DSM update filed with the Commission

the following information: the number of participants in the IQ Pilot, along with the EE/DSM measures installed at each participant's residence, the estimated energy savings associated with each participant's installed measure, and a detailed account of all costs incurred by the Company including, but not limited to, program administration, marketing, and installed equipment.

9. The Company will provide all customer-facing materials, including terms and conditions, to the Commission, ORS, and CCL/SACE within 30 days of the final drafts being completed.

10. The Company will include a comprehensive assessment report of the IQ Pilot in the Company's first annual May evaluation, measurement, and verification ("EM&V") DSM filing after the completion of the IQ Pilot. The assessment will discuss program evaluation criteria, if the IQ Pilot was successful based on the Company's evaluation, specific IQ Pilot EM&V data evaluated by the Company, energy savings achieved annually per customer, actual costs to complete the IQ Pilot, cost-effectiveness of the IQ Pilot, and whether the Company seeks to commercialize the program.

11. In the Application, the Company proposed to offer the IQ Pilot to 1,000 eligible customers over a three-year implementation period. The Company agrees to modify these terms to offer the program until the earlier of (i) three years from Commission approval of the IQ Pilot, (ii) the enrollment under the IQ Pilot reaches 1,000 participants, or (iii) the Company reaches $5.5 million in program expenses. Additionally, if the IQ Pilot causes the Company's EE/DSM Electric Portfolio as a whole to no longer remain cost effective under two of the tests outlined in S.C. Code Ann. § 58-37-10(3) for determining cost effectiveness, the Company shall notify the Commission in writing within 30 days of such determination and request the Commission approve modifications to the IQ Pilot in order to ensure the Company's portfolio of EE/DSM programs is cost effective.

12. At the conclusion of the IQ Pilot pursuant to Paragraph 11(i), (ii), or (iii), the Company will discuss with the [Energy Efficiency Advisory Group] EEAG, including settling parties, expanding the IQ Pilot to a permanent

> program provided the entire portfolio remains cost effective as required by S.C. Code Ann. § 58-37-10(3).

Stipulation at 4-6, paras. 6-12.

VI. RAGON TESTIMONY AND RESPONSE

Witness Shelton's Rebuttal Testimony provides a response to allegations made in Mr. Ragon's Direct Testimony. Specifically, Witness Shelton testified that portions of Mr. Ragon's Direct Testimony "do not reflect his own personal interest, instead raising arguments on behalf of all residential citizens, do not reflect the work completed within the Advisory Group meetings to develop the Pilot Programs, and are unrelated to the issues in this docket. Shelton Rebuttal 3:12-18.

Neighborhood Energy Efficiency Program (NEEP) Fund Utilization

Mr. Ragon requested that the Pilot Program be funded using monies allocated for the Neighborhood Energy Efficiency Program (NEEP). Ragon Direct at 12. In response to Mr. Ragon's request regarding the NEEP infusion agreed to in the 2024 Settlement, Witness Shelton responded that "the 2024 Commission-approved comprehensive settlement agreement in Docket No. 2024-34-E, does not allow the Company to use the funds mentioned for Pilot Program, instead requiring the Company to provide $3 million in shareholder funds to be used for the existing NEEP program." Shelton Rebuttal 4:6-17.

Sufficiency of Proposed Bill Increase

Mr. Ragon asserted that the Pilot Program should add more than $0.08 per month to the bill of an average residential customer using more than 1,000 kWh/month. Ragon Direct at 22-23; 42-47. Witness Shelton responded that, "approval of the Pilot Program in and of itself does not increase the Company's currently approved rates and charges and the actual costs will be included in the Company's 2027 annual DSM filing. Shelton Rebuttal 5:1-10. Additionally, Witness Shelton asserted that, "Mr. Ragon's claim is based on an incorrect assumption that the bill impact is designed to recover all program related expenses for the duration of the Pilot Program. Per the Company's Application, the estimated bill impacts were based on only including 'the addition of the first-year expenses and savings for the Pilot Program'." Shelton Rebuttal 5:11-15.

Insufficiency of Program Measures and Offerings

Mr. Ragon's claimed that the Pilot Program measures and offerings are insufficient. Ragon Direct at 48-59. In response, Witness Shelton asserted that she believes that based on stakeholder input, the Advisory Group would disagree and the measures are well-received by customers. Shelton Rebuttal 6:1-11. Additionally, Witness Shelton testified that Mr. Ragon's preferred Program measures and offering costs would not be a reasonable or prudent use of DESC customer funds. Shelton Rebuttal 6:18-20.

Discrimination Against Coastal Homes

Mr. Ragon claimed that the Pilot Program discriminates against coastal homes because the program has a flat threshold of 16,800 kWh/year. Ragon Direct at 9, 114, 125. Witness Shelton responded that, "the Application clearly sets forth that a customer must have high-energy usage to participate in the Pilot Program which is defined as 'having electric usage over the customer's most recent 12-month billing history that (a) is greater than 16,800 annual kilowatt hours ("kWh") or (b) equal to 10.45 kWh or more per square foot'." Shelton Rebuttal 7:1-9.

Witness Shelton testified that the remaining portions of Mr. Ragon's testimony are either irrelevant, unrelated, or unhelpful to the issues, and that those portions left unaddressed by her rebuttal testimony should not be construed as agreement by the Company. Shelton Rebuttal 8:3-7.

VII. FINDINGS OF FACT

The Commission finds, after consideration of the record of the proceeding that:

1) The approval of the Pilot Program, as amended by the Stipulation, is just, reasonable, and in the public interest.

2) The Stipulation executed between the Stipulating Parties, is just, reasonable, and in the public interest, and should be approved.

VIII. CONCLUSIONS OF LAW

The Commission concludes, after consideration of the filings in this proceeding that:

1) The Application complies with Commission Order No. 2024-610, and S.C. Code Ann. sections 58-37-10 and 58-37-20.

2) The Pilot Program, as amended by the Stipulation, is just, reasonable, and in the public interest.

3) Waiver of hearing is appropriate pursuant to S.C. Code Ann. section 58-27-870(F), since the tariff in question does not require a determination of the entire rate structure and overall rate of return.

IX. ORDERING PROVISIONS:

1. The Pilot Program is approved, as modified by the Stipulation.

2. The Stipulation, as adopted and approved, is incorporated herein as Order Exhibit No. 1. The Stipulating Parties shall abide by the terms of the Stipulation.

3. The hearing is waived pursuant to S.C. Code Ann. section 58-27-870(F).

4. This Order shall remain in full force and effect until further order of the Commission.

Delton W. Powers, Jr., Chair
Public Service Commission of
South Carolina

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2025-173-E

Dominion Energy South Carolina, Inc.'s Request for Approval of Pilot Demand Side Management Program for Income Qualified, High-Use Residential Customers	)))))	**JOINT STIPULATION**

Pursuant to S.C. Code Ann. § 1-23-320(F), and all other applicable statutes and regulations, this Stipulation ("Stipulation") is made by and between the South Carolina Office of Regulatory Staff ("ORS"), Dominion Energy South Carolina, Inc. ("DESC" or "Company"), and the South Carolina Coastal Conservation League and Southern Alliance for Clean Energy ("CCL/SACE"), collectively referred to herein as the "Stipulating Parties;"

WHEREAS, on May 30, 2025, DESC filed its Application in the above-captioned docket to approve its Pilot Demand Side Management Pilot Program for Income Qualified, High-Use Residential Customers ("IQ Pilot") in accordance with Order No. 2024-610 issued by the Public Service Commission of South Carolina ("Commission") in Docket No. 2024-34-E;

WHEREAS, the Commission established the above-captioned proceeding in response thereto, and ORS and DESC are statutory parties of record in the above-captioned docket;

WHEREAS, ORS is charged by law with the duty to represent the public interest of South Carolina pursuant to S.C. Code Ann. § 58-4-10(B);

WHEREAS, the Commission granted CCL/SACE's petition to intervene in this docket by Hearing Officer Directive No. 2025-93-H on September 3, 2025;

WHEREAS, the Stipulating Parties have engaged in discussions to determine if a stipulation addressing approval of the IQ Pilot would be in their best interests and, in the case of ORS, in the public interest; and

WHEREAS, following these discussions, the Stipulating Parties determined that their interests, and ORS determined that the public interest would be best served by stipulating approval of the IQ Pilot under the terms and conditions set forth herein;

NOW, THEREFORE, the Stipulating Parties hereby stipulate and agree to the following terms:

A. STIPULATION OF TESTIMONY AND WAIVER OF CROSS-EXAMINATION

1. The Stipulating Parties agree to stipulate into the record before the Commission the pre-filed testimony and exhibits (collectively, the "Stipulated Testimony") of the below witnesses who have pre-filed testimony to date, including any testimony and exhibits supporting approval of this Stipulation pre-filed with the Commission subsequent to the execution of this Stipulation, without objection, change, or amendment, with the exception of changes comparable to those that would be presented via an errata sheet or through a witness noting a correction consistent with the Stipulation. The Stipulating Parties also agree to waive cross-examination of all Stipulating Party witnesses. Further, the Stipulating Parties reserve the right to engage in redirect examination of their respective witnesses (identified below) as necessary to respond to issues raised by the examination of their witnesses, if any, by non-parties, parties that are not signatories to this Stipulation, or the Commission.

DESC Witness

Sheryl K. Shelton (Direct and Settlement)

ORS Witness

Samuel W. Christmus (Direct)

CCL/SACE Witness

Jim Grevatt (Direct)

2. The Stipulating Parties agree to offer no other evidence in the proceeding other than the Stipulation Testimony and Exhibits and this Stipulation unless the additional evidence is to support the Stipulation, consists of changes comparable to that which would be presented via an errata sheet or through a witness noting a correction or clarification, consists of a witness adopting the testimony of another is permitted by the Commission, or is responsive to issues raised by examination of the Stipulating Parties' witnesses by non-Parties, parties which are not signatories to the Stipulation, the Commission, or by late-filed testimony by non-Parties. The Stipulating Parties agree that nothing herein will preclude each party from advancing its respective positions in the event that the Commission does not approve the Stipulation in its entirety.

B. TERMS OF STIPULATION

3. This Stipulation is a compromise of all the positions advanced by the Stipulating Parties. The Stipulating Parties agree to and accept the proposal set out immediately below, and this proposal is hereby adopted, accepted, and acknowledged as the final agreement of the Stipulating Parties in this proceeding.

4. The Stipulating Parties agree that this Stipulation is comprehensive and non-severable. This Stipulation is the result of extensive negotiation and compromise among the Stipulating Parties, and it resolves all issues presented. The Stipulating Parties agree that if the Commission declines to approve the Stipulation in its entirety and without modification, any Stipulating Party may withdraw from the Stipulation and be released from its terms without penalty or obligation.

5. The Stipulating Parties agree that this Stipulation pertains to matters addressed in this case, and unless specified otherwise, nothing in this Stipulation binds Stipulating Parties from taking an alternative position in any current or future proceeding in South Carolina or any other jurisdiction. The Stipulating Parties agree that the Stipulation terms agreed upon in this case are reasonable, in the public interest, and in accordance with South Carolina law and regulatory policy. The Stipulating Parties' agreement that the terms of the Stipulation are reasonable as a whole does not in any way indicate any Stipulating Party's position as to the reasonableness of any single term taken out of the context of the Stipulation.

Stipulation Terms and Conditions

6. The Stipulating Parties agree the Application complies with Commission Order No. 2024-610, S.C. Code Ann. §§ 58-37-10 and 58-37-20, and ORS determined that the public interest would be best served by approval of the IQ Pilot. Therefore, the Stipulating Parties agree to approval of the Pilot Program Application and corresponding tariff subject to the items set forth in Paragraphs 7-11 below.

7. The Stipulating Parties agree that ORS fully reserves its right to review applicable costs, net lost revenues ("NLR"), utility incentives, and benefits resulting from the proposed IQ Pilot through the Company's annual rider proceeding, in accordance with the Commission approved Revised EE/DSM Mechanism in Docket No. 2024-192-E, Order No. 2024-814, and make recommendations related to the administration and cost recovery of the IQ Pilot in subsequent dockets where the costs and benefits may be examined

8. For the duration of the IQ Pilot, the Company will provide in its annual DSM update filed with the Commission the following information: the number of participants in the IQ Pilot, along with the EE/DSM measures installed at each participant's residence, the estimated energy

savings associated with each participant's installed measure, and a detailed account of all costs incurred by the Company including, but not limited to, program administration, marketing, and installed equipment.

9. The Company will provide all customer-facing materials, including terms and conditions, to the Commission, ORS, and CCL/SACE within 30 days of the final drafts being completed.

10. The Company will include a comprehensive assessment report of the IQ Pilot in the Company's first annual May evaluation, measurement, and verification ("EM&V") DSM filing after the completion of the IQ Pilot. The assessment will discuss program evaluation criteria, if the IQ Pilot was successful based on the Company's evaluation, specific IQ Pilot EM&V data evaluated by the Company, energy savings achieved annually per customer, actual costs to complete the IQ Pilot, cost-effectiveness of the IQ Pilot, and whether the Company seeks to commercialize the program.

11. In the Application, the Company proposed to offer the IQ Pilot to 1,000 eligible customers over a three-year implementation period. The Company agrees to modify these terms to offer the program until the earlier of (i) three years from Commission approval of the IQ Pilot, (ii) the enrollment under the IQ Pilot reaches 1,000 participants, or (iii) the Company reaches $5.5 million in program expenses. Additionally, if the IQ Pilot causes the Company's EE/DSM Electric Portfolio as a whole to no longer remain cost effective under two of the tests outlined in S.C. Code Ann. § 58-37-10(3) for determining cost effectiveness, the Company shall notify the Commission in writing within 30 days of such determination and request the Commission approve modifications to the IQ Pilot in order to ensure the Company's portfolio of EE/DSM programs is cost effective.

12. At the conclusion of the IQ Pilot pursuant to Paragraph 11(i), (ii), or (iii), the Company will discuss with the EEAG, including settling parties, expanding the IQ Pilot to a permanent program provided the entire portfolio remains cost effective as required by S.C. Code Ann. § 58-37-10(3).

REMAINING STIPULATION TERMS AND CONDITIONS

13. The Stipulating Parties agree that this Stipulation is reasonable, is in the public interest, is in accordance with law and regulatory policy, and agree to support the resolution of issues agreed to herein and not to undertake any action to undermine that support. This Stipulation in no way constitutes a waiver or acceptance of the position of any Stipulating Party or its affiliates in any current or future proceeding. Except to the extent specifically provided otherwise previously herein, the Stipulation does not establish any precedent with respect to the issues resolved herein and in no way precludes any Stipulating Party from advocating for an alternative position in any current or future proceeding.

14. ORS is charged by law with the duty to represent the public interest of South Carolina before the Commission as it pertains to:

> (1) the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer; and
>
> (2) preservation of the continued investment in and maintenance of utility facilities so as to provide reliable and high-quality utility services.

ORS believes this Stipulation reached among the Stipulating Parties serves the public interest, as defined above.

15. Except as necessary to effectuate the terms of this Stipulation, the Stipulating Parties agree that signing this Stipulation: (a) will not constrain, inhibit, impair, or prejudice their arguments held in future or collateral proceedings; (b) will not constitute a precedent or evidence

of acceptable practice in future proceedings; and (c) will not limit the relief, rates, recovery, or rates of return that any Stipulating Party may seek or advocate in any future proceeding. If the Commission declines to approve this Stipulation in its entirety and without modification, then any Stipulating Party may withdraw from the Stipulation without penalty or further obligation.

16. The Stipulating Parties agree this Stipulation must be read and construed as a whole, and to cooperate in good faith with one another in recommending and advocating to the Commission that this Stipulation be accepted and approved by the Commission in its entirety as a fair, reasonable and full resolution of the above-captioned proceeding, and to take no action inconsistent with its adoption by the Commission. The Stipulating Parties agree to use their best efforts before any reviewing court in the event of an appeal to defend and support any Commission order issued approving this Stipulation and the terms and conditions contained herein.

17. The Stipulating Parties ask the Commission to approve this Stipulation in its entirety without exception, modification, or additional provisions.

18. This Stipulation shall be interpreted according to South Carolina law.

19. This Stipulation contains the final and complete agreement of the Stipulating Parties. There are no other terms or conditions to which the Stipulating Parties have agreed that require approval of the Commission.

20. The Stipulating Parties on behalf of themselves and their agents (including but not limited to their attorneys, hired consultants, and any independent contractors) agree that they have entered into this Stipulation freely and voluntarily and that none of them have been pressured or unduly encouraged to enter into this Stipulation. The Stipulating Parties further agree not to make statements or comments disparaging 1) the negotiation process between the Parties; 2) the

Stipulation or the terms and conditions herein; or 3) the public utility regulatory environment in South Carolina as it pertains to this Stipulation.

21. The Stipulating Parties represent that the terms of this Stipulation are based upon full and accurate information known as of the date this Stipulation is executed. If, after execution, but prior to a Commission decision on the merits of this proceeding, a Stipulating Party is made aware of information that conflicts, nullifies, or is otherwise materially different than that information upon which this Stipulation is based, any Stipulating Party may withdraw from the Stipulation with written notice to the other Stipulating Parties.

22. This Stipulation shall bind and inure to the benefit of the signatories hereto and their representatives, predecessors, successors, assigns, agents, shareholders, officers, directors (in their individual and representative capacities), subsidiaries, affiliates, parent corporations, if any, joint ventures, heirs, executors, administrators, trustees, and attorneys.

23. The Stipulating Parties agree that any party to this proceeding not currently a signatory to this Stipulation may join in the Stipulation.

24. The terms and conditions herein fully represent the final and complete agreement of the Stipulating Parties. There are no other terms to which the Stipulating Parties have agreed. Therefore, each Stipulating Party acknowledges its consent and agreement to this Stipulation, by affixing its signature or by authorizing its counsel to affix his or her signature to this document where indicated below. Counsel's signature represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any Stipulating Party. This document may be signed in counterparts, with the various signature pages combined with the body of the document constituting an original and provable copy of this Stipulation.

Representing the South Carolina Office of Regulatory Staff

Claire Benge

John C. Torri, Esquire
Claire E. Benge, Esquire
South Carolina Office of Regulatory Staff
1901 Main Street, Suite 1500
Columbia, South Carolina 29201
Phone: (803) 737-0803
(803) 737-0106
Email: ctorri@ors.sc.gov
cbenge@ors.sc.gov

Representing Dominion Energy South Carolina, Inc.

K. Chad Burgess, Esquire
Elizabeth L. Hutton, Esquire
Dominion Energy Services, Inc.
220 Operation Way – MC C222
Cayce, South Carolina 29033
Phone: (803) 217-8141
(803) 217-5359
Email: chad.burgess@dominionenergy.com
elizabeth.hutton@dominionenergy.com

Michael J. Anzelmo, Esquire
McGuireWoods, LP
1301 Gervais Street, Suite 1310
Columbia, South Carolina 29201
Phone: (803) 251-2313
Email: manzelmo@mcguirewoods.com

Representing Coastal Conservation League and Southern Alliance for Clean Energy

Kate Mixson

Kate Mixson
Southern Environmental Law Center
525 Bay Street, Suite 200
Charleston, SC 29403
Phone: (843) 720-5270
Email: kmixson@selc.org

Thomas Gooding
Southern Environmental Law Center
136 East Rosemary Street, Suite 500
Chapel Hill, NC 27514
Phone: (919) 967-1450
Email: tgooding@selc.org

EXHIBIT B

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2025-173-E – ORDER NO. 2026-242

APRIL 23, 2026

IN RE:

Dominion Energy South Carolina, Inc.'s Request for Approval of Pilot Demand Side Management Program for Income-Qualified, High-Use, Residential Customers	))))	ORDER DENYING RECONSIDERATION

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (Commission) on the Petition for Reconsideration of Order No. 2026-127 (Petition) filed by Thomas Michael Ragon Jr. (Mr. Ragon). The Commission denies Mr. Ragon's Petition for the reasons set forth below.

II. PROCEDURAL HISTORY

On May 30, 2025, Dominion Energy South Carolina, Inc. (DESC or the Company) filed a request with the Commission seeking approval of the Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers (Pilot Program).[1] DESC requested that that the Commission add the Pilot Program to its existing suite of electric DSM programs for the five-year period ending in December 2029 and that

[1] Letter from Michael J. Anzelmo, Esquire, to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina (May 30, 2025) (herein referenced as the Request). As explained in the Request, DESC had "develop[ed] and file[d] for Commission approval a pilot program that specifically targets income-qualified, high-use, single family residential customers" in accordance with Paragraph 46 of the Settlement Agreement reached in Docket No. 2024-34-E. Request at 1; *see also* Order No. 2024-610 at 116, Docket No. 2024-34-E (Aug. 29, 2024).

the Commission reaffirm the inclusion of the Pilot Program in the DSM Rate Rider, as approved in Order No. 2024-814, Docket No. 2024-192-E. Request at 5.

On August 19, 2025, Mr. Ragon filed a Petition to Intervene, asserting grounds for his intervention in the Docket. On September 11, 2025, the Commission granted Mr. Ragon's intervention over DESC's objection. Notwithstanding the granted intervention, the Commission limited Mr. Ragon to representing his own interests.[2]

On November 21, 2025, DESC filed the Joint Stipulation[3] executed between the Company, the South Carolina Office of Regulatory Staff (ORS),[4] the South Carolina Costal Conservation League, and the Southern Alliance for Clean Energy (CCL/SACE).[5]

During the pendency of the proceeding, Mr. Ragon filed several motions in this Docket.[6]

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[2] Order No. 2025-620 at 4, Docket No. 2025-173-E (Oct. 1, 2025).
[3] Letter from Michael J. Anzelmo, Esquire, to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina (Nov. 21, 2025).
[4] ORS is a party to all proceedings before the Commission by operation of law. S.C. Code Ann. § 58-4-10(B) (Supp. 2025).
[5] CCL/SACE were granted intervention on September 3, 2025, via Order No. 2025-93-H.
[6] Mr. Ragon's filed motions include the following: 1) Motion to Compel Immediate Investigation of Safety Hazard and Supplemental Submission Evidence with the Commission; 2) Motion for Extension of Time to File Intervenor Testimony and a Notice of Filing containing several video exhibits; and 3) Motion for Emergency Stay of Disconnection and Preservation of Evidence. On December 11, 2025, the Commission issued Order No. 2025-172-H, holding hearing scheduled for December 16, 2025, in abeyance to give DESC and all other parties of record a meaningful opportunity to respond to the motions filed by Mr. Ragon. DESC filed a Letter in Response to Directive Order No. 2025-172-H on December 16, 2025; see Letter from Michael J. Anzelmo, Esquire, to The Honorable Jocelyn G. Boyd, Chief Clerk & Executive Director, Public Service Commission of South Carolina (Dec. 16, 2025). After considering the various motions filed by Mr. Ragon and the Company's responsive letter, the Commission issued Order No. 2026-46, which addressed Mr. Ragon's previously filed motions. The Commission denied Mr. Ragon's Motion to Compel, asserting that the request was best addressed through the normal Complaint process. The Commission declared the December 10, 2025, Motion for Extension of Time moot, as it was superseded by Mr. Ragon's request to file testimony out-of-time. The Commission granted Mr. Ragon's January 2, 2026, Request to file statements and testimony out of time, *nunc pro tunc*. The Commission denied Mr. Ragon's Motion for Emergency Stay of Disconnection and Preservation of Evidence, as that motion did not pertain to the instant Pilot Program. The Commission accepted Mr. Ragon's comments objecting to the Stipulated Agreement and Mr. Ragon's statements regarding his forensic audit for filing. Finally, the Commission granted Mr. Ragon until January 22, 2026, at 4:45 p.m. to submit his complete Direct Testimony and allowed DESC until January 29 at 4:45 p.m. to file any response to Mr. Ragon's Direct Testimony. On January 24, 2026, Mr. Ragon emailed the

On February 5, 2026, during a regularly scheduled Commission Business Meeting, the Commission approved and adopted the Joint Stipulation and granted the Company's Request regarding the Pilot Program, as modified by and subject to the terms and conditions contained in the Joint Stipulation. The Commission's decision was memorialized in Order No. 2026-127, which contained findings of fact and conclusions of law.

III. PETITION FOR RECONSIDERATION

On March 17, 2026, Mr. Ragon filed the instant Petition, which requests reconsideration of Order No. 2026-127. Mr. Ragon asserted that the Commission failed to address evidence admitted into the record. Petition for Reconsideration at 2. Mr. Ragon alleged that specific evidence he submitted, including Direct Evidence, Supplemental Evidence, a formal challenge to the Stipulated Agreement, a challenge to ORS's statutory compliance, a forensic audit and evidentiary schedule, and a Reply to DESC's Response, were not addressed by the Commission in Order No. 2026-127. *Id.*

IV. DESC'S RESPONSE

On March 20, 2026, DESC filed a letter in response to Mr. Ragon's Petition for Reconsideration (Response).[7] DESC asserted that Mr. Ragon's Petition failed to set forth any basis for rehearing. Response at 1. DESC further asserted that the claims made by Mr. Ragon lacked merit because Order No. 2026-127, issued on March 5, 2026, fully addressed

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Commission Clerk's Office asserting he filed his Direct Testimony on January 22, 2026. On January 28, 2026, the Clerk's Office emailed Mr. Ragon to make him aware that they had not received his testimony. Mr. Ragon filed his Direct Testimony on January 28, 2026. Attached to his Direct Testimony, Mr. Ragon provided a Certificate of Technical Failure or Technical Difficulties and Exhibits, which requested that the Commission deem his filing as timely.

[7] Letter from Michael J. Anzelmo, Esquire, to the Honorable Jocelyn G. Boyd, Chief Clerk and Executive Director, Public Service Commission of South Carolina (Mar. 20, 2026).

all issues raised by the parties and intervenors in this Docket and complied with the requirements of S. Code Ann. § 58-3-250(A)(1) and (2). *Id.*

V. APPLICABLE LAW

Title 58, Chapter 3 of the South Carolina Code of Laws outlines the general provisions for the Commission. The statutes address final orders and decisions issued by the Commission, and prescribe the contents therein, as provided below:

(A) All final orders and decisions of the commission must be sufficient in detail to enable the court on appeal to determine the controverted questions presented in the proceedings and must include:

(1) findings and conclusions, and the reasons or bases therefor, upon all the material issues of fact or law presented in the record; and

(2) the appropriate rule, order, sanction, relief, or statement of denial thereof.

S.C. Code Ann. § 58-3-250(A) (2015 & Supp. 2025).

Under Title 58 of the South Carolina Code of Laws, parties may request rehearing of Commission decisions. The applicable statute provides:

After an order or decision has been made by the Commission, any party to the proceedings may within ten days after service of notice of the entry of the order or decision apply for a rehearing in respect to any matter determined in such proceedings and specified in the application for rehearing, and the Commission may, in case it appears to be proper, grant and hold such rehearing. S.C. Code Ann. § 58-27-2150 (2015).

Pursuant to the Commission's regulations, a Petition for Rehearing or Reconsideration shall set forth clearly and concisely:

(a) The factual and legal issues forming the basis for the petition;

(b) The alleged error or errors in the Commission order;

(c) The statutory provision or other authority upon which the petition is based.

S.C. Code Ann. Regs. 103-825(A)(4) (2012).

The Commission's regulations specify that a Petition for Reconsideration is "subject to the same statutory parameters as a Petition for Rehearing." S.C. Code Ann. Regs. 103-854(B) (2012).

"The purpose of a Petition for Rehearing is not intended as a procedure for rearguing ... [a] case merely because the non-prevailing parties disagree with the original decision." *In re BellSouth BSE, Inc.*, Docket No. 97-361-C, Order No. 98-66 at 1-2. Rather, petitions for rehearing or reconsideration are to allow the Commission to identify and correct specific errors and omissions in its orders. Nor can a party raise issues in a motion to reconsider that could have been presented prior to the decision on the merits or that are raised for the first time in a petition for rehearing.[8]

VI. ANALYSIS

Mr. Ragon summarized the relief sought in his Petition in six parts:

1. RECONSIDER ORDER NO. 2026-127.
2. ISSUE FINDINGS on all material issues raised in filings accepted under ORDER NO. 2026-46.
3. ISSUE FINDINGS on the Intervenor's challenge to ORS's statutory compliance.
4. ISSUE FINDINGS on the Intervenor's challenge to the stipulation.

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[8] *See Kiawah Prop. Owners Group v. Pub. Serv. Comm'n*, 359 S.C. 105, 113, 597 S.E.2d 145, 149 (2004); *Hickman v. Hickman*, 301 S.C. 455, 456, 392 S.E. 2d 481, 482 (Ct. App. 1990); *Patterson v. Reid*, 318 S.C. 183, 185, 456 S.E.2d 436, 437 (Ct. App. 1995); *McGee v. Bruce Hosp. Sys.*, 321 S.C. 340, 468 S.E.2d 633 (1996).

> 5. DETERMINE whether the stipulation remains lawful and valid after consideration of the full record.
>
> 6. AMEND OR VACATE ORDER NO. 2026-127 as required to comply with TITLE 58 and CHAPTER 103.

Petition for Reconsideration at 9.

The Commission notes for context, this proceeding concerns the Company's Request for Approval of a Pilot Demand-Side Management Program. Mr. Ragon's filings in this matter were often not relevant, or beyond the scope of the matter being conducted in this proceeding. Nonetheless, the Commission has endeavored to respond to the assertions and filings contained in the Petition that are germane to the Docket and the Request. In this context, the Commission addresses each enumerated relief sought, starting with the request to reconsider Order No. 2026-127.

Reconsider Order No. 2026-127

The Commission finds that this plea refers to the following five enumerated requests for relief. Nevertheless, to the extent that it stands alone as a prayer for relief, the Commission finds that there is no articulated and relevant reason to reconsider Order No. 2026-127.

Issue Findings on Material Issues

Mr. Ragon requested the Commission issue findings on "all material issues in filings accepted under Order No. 2026-46." Petition at 9. The Commission has already evaluated and weighed the arguments made by Mr. Ragon that were relevant to this proceeding. As DESC Witness Shelton stated in her Rebuttal Testimony, "[t]he remainder of Mr. Ragon's direct testimony is irrelevant, unrelated, or unhelpful to the issues in this docket and should be rejected by the Commission." Shelton Rebuttal 8:3-4. The Commission agrees and finds that, other than the issues discussed in Order No. 2026-127, the remainder of the arguments raised by Mr. Ragon are irrelevant, unrelated, or unhelpful to the issues in this Docket.

Issue Findings on Challenge to ORS's Statutory Compliance

Mr. Ragon requested the Commission issue findings on the "Intervenor's challenge to ORS's statutory compliance." Petition at 9. Mr. Ragon's testimony does not make an allegation or challenge to ORS's statutory compliance. To the extent that a non-evidentiary statement was made through a mechanism that does not require action from the Commission, it would not now be proper to consider it as evidence. Therefore, any challenge to ORS's statutory compliance is properly dismissed.[9]

Issue Findings on Challenge to Stipulation and Determination of Lawfulness

Mr. Ragon requested the Commission issue findings on the "Intervenor's challenge to the stipulation." Petition at 9. The pertinent assertion in Mr. Ragon's testimony is as follows:

> I formally CHALLENGE the Joint Stipulation with the Office of Regulatory Staff (ORS). The evidence will show that the Stipulating Parties have agreed to a budget with a confirmed $3.4 million deficit and a scope of work that violates building science safety standards, creating a liability trap for ratepayers.

Ragon Direct Testimony at 7.

[9] Upon review of Mr. Ragon's testimony, it is possible that this allegation is intended be a reference to Section 1.6 of Mr. Ragon's testimony at page 133. In this section of testimony, Mr. Ragon asserts that DESC committed procedural malfeasance and has engaged in "a systemic pattern of regulatory manipulation that renders this application legally and procedurally defective." *Id.* In its review of the record, the Commission finds that this assertion to be meritless.

The Commission understands that Mr. Ragon objects to the Stipulation; however, the Commission weighed the evidence in the record of this proceeding and finds that the parties to the Stipulation demonstrated that the Stipulation is just, reasonable, and in the public interest. Additionally, the Commission finds that the Stipulation is lawful and valid, as incorporated into and approved by Order No. 2026-127.

Amend or Vacate Order No. 2026-127

The Commission finds both as matter of fact and a matter of law that there is no compelling reason raised by Mr. Ragon to amend or vacate Commission Order No. 2026-127. DESC demonstrated that its proposed Pilot Program, in the context of the Stipulation approved and adopted by the Commission in Order No. 2026-127, is just, reasonable, and in the public interest. Moreover, DESC properly sought and was lawfully granted approval of its Pilot Program.

VII. CONCLUSION

For the reasons set forth above, the Commission concludes that Mr. Ragon's Petition should be denied.

VIII. ORDERING PROVISIONS

IT IS THEREFORE ORDERED:

1. Thomas Michael Ragon's Petition for Reconsideration is hereby denied.

2. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

Delton W. Powers, Jr., Chairman
Public Service Commission
of South Carolina

EXHIBIT C

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER	☐	DATE	**May 14, 2026**
MOTOR CARRIER MATTER	☐	DOCKET NO.	**2025-173-E**
UTILITIES MATTER	☑	ORDER NO.	**2026-273**

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

Directive Order Denying Petition for Reconsideration

SUBJECT:
DOCKET NO. 2025-173-E - Dominion Energy South Carolina, Inc.'s Request for Approval of Pilot Demand Side Management Program for Income-Qualified, High-Use Residential Customers - Staff Presents for Commission Consideration Thomas Michael Ragon, Jr.'s Petition for Reconsideration of Commission Order No. 2026-242.

COMMISSION ACTION:
I move the Commission deny Mr. Ragon's Petition for Reconsideration filed on May 5, 2026. S.C. Code Ann. Section 58-27-2150 does not permit a second petition for reconsideration. Similarly, the applicable Commission regulation – S.C. Code Ann. Regs. 103-854 – does not allow for a second petition for reconsideration.

On March 5, 2026, the Commission issued Order No. 2026-127, which approved and adopted the Joint Stipulation executed by and between Dominion Energy South Carolina, Inc., the South Carolina Coastal Conservation League and Southern Alliance for Clean Energy, and the Office of Regulatory Staff. Accordingly, Dominion Energy South Carolina, Inc.'s Pilot Demand Side Management Program for Income Qualified, High-Use Residential customers was approved, subject to the terms and conditions contained in the Joint Stipulation.

On March 17, 2026, Mr. Ragon filed a Petition for Reconsideration of Order No. 2026-127. By Order No. 2026-242 dated April 23, 2026, the Commission denied Mr. Ragon's Petition for Reconsideration. Mr. Ragon now seeks a second reconsideration of Order No. 2026-127 as well as reconsideration of Order No. 2026-242. However, this second Petition for Reconsideration is procedurally improper and must be denied.

PRESIDING: Powers | SESSION: Regular | TIME: 1:00 p.m.

	MOTION	YES	NO	OTHER
BELSER	☑	☑	☐	Present in Hearing Room
BRITT	☐	☑	☐	Present in Hearing Room
CASTON	☐	☑	☐	Voting via WebEx
HENNELLY	☐	☑	☐	Present in Hearing Room

POWERS	☐	☑	☐	Present in Hearing Room
WHITFIELD	☐	☑	☐	Present in Hearing Room
WILLIAMS	☐	☑	☐	Present in Hearing Room

RECORDED BY: J. Schmieding