



South Carolina

DEPARTMENT OF CONSUMER AFFAIRS

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Henry D. McMaster
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August 3, 2026

RECEIVED

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S.C. SUPREME COURT

VIA ELECTRONIC FILING

The Honorable Patricia A. Howard
Clerk of Court
Supreme Court of South Carolina
1231 Gervais Street
Columbia, South Carolina 29201
supctfilings@sccourts.org

RE: In re: Application of Duke Energy Progress, LLC to Have the Terms of the Electric Rate Stabilization Adjustment Apply to the Company's Rates and Charges for Retail Electric Service
PSC Docket No. 2026-78-E
Appellate Case No. 2026-001613

Dear Ms. Howard:

Please find enclosed for filing on behalf of the South Carolina Department of Consumer Affairs the Motion to Dismiss Appeal and Memorandum in support thereof. As indicated on the Certificate of Service, all parties of record will be served via electronic mail.

As noted in the Motion and Memorandum, the Appeal should be dismissed because:

1. DEP has not exhausted its administrative remedies available under the eRSA.
2. Review at the Commission is not futile and Commission Order No. 2026-394 describes a pathway for review.
3. Potential prejudice to other parties may result from granting DEP's appeal.

Along with its Notice of Appeal, Duke Energy Progress, in the alternative, also filed a Petition for Original Jurisdiction and a Common-Law Writ of Certiorari. The petition was assigned Appellate Case No. 2026-001614 and the Department is separately filing a Motion to Dismiss that petition.

Please advise if anything else is required for filing.

Regards,

/s/Roger P. Hall
Roger Hall, Esq.
Deputy Consumer Advocate