

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

70864

Ralph K. Anderson III, Administrative Law Judge

RECEIVED

Case No. 10-ALJ-17-0270-CC

JAN 03 2014

SC Court of Appeals

Duke Energy Corporation..... Appellant,

v.

South Carolina Department of Revenue..... Respondent.

APPELLANT’S MOTION FOR EXTENDED ARGUMENT TIME

Duke Energy Corporation Appellant (the “Appellant”) hereby requests, pursuant to this Court’s Oral Argument Notification, that the argument times allotted to Appellant and to Respondent South Carolina Department of Revenue (the “Respondent”) be extended from ten minutes for each party to twenty minutes for each party, and additional ten minutes allotted to the Appellant in reply.

Appellant’s request for extended time is justified for several reasons. Appellant has raised (and both parties have briefed) three distinct and independent issues on appeal, claiming numerous substantive errors by the Administrative Law Court below. These issues involve interpretations of complex tax statutes (both former and current versions), case law, regulations and other administrative guidance that will require significant discussion and may engender several inquiries from this Court. Additionally, the appellate record is unusually extensive (spanning 24 years and consisting of eighteen

volumes that contain more than 8,200 pages), with several filings and court opinions at issue on appeal.

WHEREFORE, Appellant respectfully requests the additional time for both parties in order to address both the extensive record and the several issues on appeal.

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January 3, 2014
Columbia, South Carolina

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In The Court of Appeals

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Ralph K. Anderson III, Administrative Law Judge

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2012-213180

Duke Energy Corporation..... Appellant,

v.

South Carolina Department of Revenue Respondent.

PROOF OF SERVICE

I hereby certify that I have served the foregoing Motion for Extended Argument Time on counsel for Respondent, as shown below, by depositing a copy of same in the United States Mail, postage prepaid, on this the 3rd day of January 2014.

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