

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

66574

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 09-ALC-07-0377-CC

Duke Energy Carolinas, LLC ..... Respondent,

v.

South Carolina Department of Health and Environmental  
Control, South Carolina Attorney General, American Rivers, and  
The South Carolina Coastal Conservation League. .... Defendants,

Of whom South Carolina Department of Health and Environmental  
Control and American Rivers and The South Carolina Coastal  
Conservation League are. .... Appellants.

**RESPONDENT DUKE ENERGY CAROLINAS, LLC'S MOTION FOR  
EXTENSION OF TIME TO FILE PETITION FOR REHEARING**

**RECEIVED**

DEC 14 2012

**SC Court of Appeals**

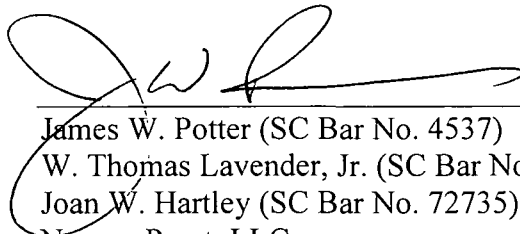
Respondent Duke Energy Carolinas, LLC (“Duke”) moves, pursuant to Rule 240, SCACR, for an extension of time to file a petition for rehearing of Opinion No. 5062, issued by this Court on December 12, 2012 (“December 12, 2012 Opinion”). Pursuant to Rule 221(a), SCACR, a petition for rehearing of the December 12, 2012 Opinion is due on December 27, 2012. Duke requests a 15-day extension of time to January 11, 2013, to file a petition for rehearing of the December 12, 2012 Opinion. The grounds for this Motion are that due to the upcoming holidays, counsel for Duke needs additional time to prepare and consult with Duke on the petition for rehearing. The time in which Duke is required to file a petition for rehearing of

the December 12, 2012 Opinion has not been previously extended by this Court.

Counsel for Duke has consulted with counsel for Appellant South Carolina Department of Health and Environmental Control and counsel for Appellants American Rivers and The South Carolina Coastal Conservation League, both of whom have advised counsel for Duke that they take no position on this Motion.

WHEREFORE, Duke respectfully requests a 15-day extension of time to January 11, 2013, to file a petition for rehearing of the December 12, 2012 Opinion.

December 14, 2012



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James W. Potter (SC Bar No. 4537)  
W. Thomas Lavender, Jr. (SC Bar No. 3143)  
Joan W. Hartley (SC Bar No. 72735)  
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**PROOF OF SERVICE**

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I certify that I have served the Respondent Duke Energy Carolinas, LLC's Motion for Extension of Time to File Petition for Rehearing on counsel of record for South Carolina Department of Health and Environmental Control, American Rivers and The South Carolina Coastal Conservation League by depositing a copy of it in the United States Mail, postage prepaid, on December 14, 2012, addressed to:

Stephen P. Hightower, Esquire  
Office of General Counsel  
South Carolina Department of Health  
and Environmental Control  
2600 Bull Street  
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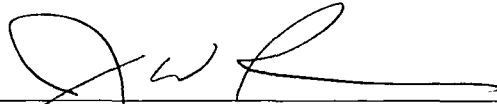
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