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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2017-32-E

RECEIVED

MAR 15 2018

SC Court of Appeals

3109 Hwy. 25 S. L.L.C. d/b/a 25 Drive-In and
Tommy McCutcheon Respondents,

vs.

Duke Energy Carolinas, LLC Appellant.

NOTICE OF APPEAL

Duke Energy Carolinas, LLC (“DEC”) in Docket Number 2017-32-E before the Public Service Commission of South Carolina (“Commission”) hereby appeals Commission Orders 2017-774 dated December 21, 2017 and 2018-101 dated February 13, 2018. Order Number 2017-774 is attached as **Exhibit 1**. DEC petitioned for rehearing and/or reconsideration of the Order on January 2, 2018. The Commission denied the petition for rehearing and/or reconsideration by Order No. 2018-101 on February 13, 2018. The Order is attached as **Exhibit 2**. DEC received written notice of the entry of Order 2018-101 on February 14, 2018.

Dated this 15th day of March, 2018.

[SIGNATURES FOLLOW ON NEXT PAGE]

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and



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Duke Energy Carolinas, LLCAppellant,

vs.

3109 Hwy. 25 S. L.L.C. d/b/a 25 Drive-In and
Tommy McCutcheon Respondents.

PROOF OF SERVICE

This is to certify that I, Toni C. Hawkins, a Paralegal with the law firm of Sowell Gray Robinson Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below the **Notice of Appeal on behalf of Duke Energy Carolinas, LLC** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

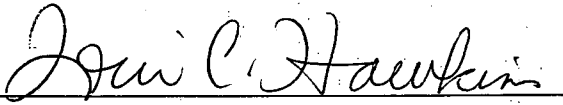
Alexander G. Shissias, Esquire
John J. Fantry Jr., Esquire
The Shissias Law Firm, LLC
1727 Hampton Street
Columbia, South Carolina 29201

Public Service Commission of South Carolina
101 Executive Center Dr., Suite 100
Columbia, South Carolina 29210

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Shannon Bowyer Hudson, Counsel
Andrew M. Bateman, Counsel
SC Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201

Dated this 15th day of March, 2018.


Toni C. Hawkins

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SC Court of Appeals



**SOWELL GRAY
ROBINSON**

Litigation + Business

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fellerbe@sowellgray.com

March 15, 2018

VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Calhoun Building
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

**Re: 3019 Hwy. 25 S. LLC d/b/a 25 Drive-In and Tommy McCutcheon
v. Duke Energy Carolinas, LLC, SCPSC Docket No.: 2017-32-E.**

Dear Ms. Kitchings:

Enclosed for filing please find a Notice of Appeal and Certificate of Service in the above referenced matter. Our check in payment of the \$100 filing fee is also enclosed. Please stamp the extra copy provided and return it with our courier. Should you have any questions, please contact me.

Yours truly,

Frank R. Ellerbe, III

FRE:tch

Enclosures

cc: Public Service Commission of South Carolina (via electronic filing)
Alexander G. Shissias, Esquire (via email & US Mail)
John J. Fantry, Jr., Esquire (via email & US Mail)
Shannon Bowyer Hudson, Counsel, SC ORS (via email & US Mail)
Andrew M. Bateman, Counsel, SC ORS (via email & US Mail)
Heather Shirley Smith, Deputy General Counsel (via email)
Rebecca J. Duliin, Senior Counsel (via email)