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THE STATE OF SOUTH CAROLINA  
In the Supreme Court

MAY 16 2018

S.C. SUPREME COURT

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APPEAL FROM THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

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Case No. 2017-32-E

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

v.

Duke Energy Carolinas, LLC, Appellant.

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DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

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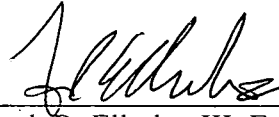
Appellant proposes the following be included in the Record on Appeal:

1. Public Service Commission Order No. 2017-774, Docket No. 2017-32-E (issued Dec. 21, 2017)
2. Public Service Commission Order No. 2018-101, Docket No. 2017-32-E (issued Feb. 13, 2018)
3. Public Service Commission Order No. E-976, Docket No. 13,277 (issued July 13, 1966)
4. *Payne v. Duke Power Co.*, No. 85-CP-24-381 (8th Cir. Mar. 22, 1990)
5. Act 1293 of 1966, 1966 Acts 3294
6. Pre-Filed Direct Testimony of Douglas T. Fowler
7. Pre-Filed Direct Testimony of Jesse S. Gonzalez
8. Pre-Filed Direct Testimony of Theo L. Lane
9. Pre-Filed Direct Testimony of Joel M. Lunsford
10. Pre-Filed Supplemental Testimony of Joel M. Lunsford
11. Transcript of Proceedings, Hearing #17-11605, Volume 1 (Apr. 5, 2017)
12. Transcript of Proceedings, Hearing #17-11605, Volume 2 (Apr. 19, 2017)

I certify that this designation contains no matter which is irrelevant to this appeal.

May 16, 2018

Respectfully submitted,



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ATTORNEYS FOR APPELLANT

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Tommy McCutcheon .....Respondent,

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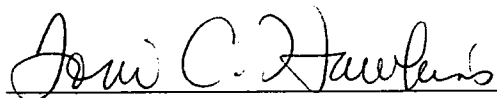
PROOF OF SERVICE

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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 **Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal on behalf of Duke Energy Carolinas, LLC** in the foregoing matter by placing copies 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

Dated this 16<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Toni C. Hawkins