

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM THE PUBLIC SERVICE COMMISSION OF SOUTH
CAROLINA

Appellate Case No. 2019-001904

Duke Energy Progress, LLC,

Appellant-Respondent,

v.

Office of Regulatory Staff, Nucor Steel-
South Carolina, Cypress Creek
Renewables, LLC, SC Department of
Consumer Affairs, Sierra Club, South
Carolina Coastal Conservation League,
South Carolina Energy Users
Committee, South Carolina Solar
Business Alliance, Incorporated, The
South Carolina State Conference of the
National Association for the
Advancement of Colored People,
Upstate Forever, Vote Solar, and
Walmart, Inc.,

Respondents,

Of whom Office of Regulatory Staff is

Respondent-Appellant.

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S.C. SUPREME COURT

CONSENT MOTION TO CONSOLIDATE APPEAL WITH
APPELLATE CASE NUMBER 2019-001900 AND TO EXCEED PAGE
LIMITATIONS FOR PRINCIPAL BRIEFS

Respondent-appellant South Carolina Office of Regulatory Staff, with the consent of
appellant-respondent Duke Energy Progress, LLC, hereby moves, pursuant to South Carolina

Appellate Court Rule 214, to consolidate this appeal with Appellate Case Number 2019-001900, captioned Duke Energy Carolinas, LLC v. Office of Regulatory Staff et al.

Both this appeal and Appellate Case Number 2019-001900 arise out of rulings by the Public Service Commission of South Carolina (“Commission”) on applications for adjustments in electric rate schedules and tariffs filed by related public utility entities on the same day. The parties of record in both proceedings were substantially the same with a few exceptions. The Commission issued its orders on each application on the same day, and subsequently issued its orders on motions for rehearing and reconsideration in each case also on the same day. Consolidation of the appeals is appropriate because the issues on appeal in both cases substantially overlap. In addition, consolidation will be conducive to the orderly presentation of the parties’ arguments. Further, hearing and deciding the appeals together will allow for a more efficient use of the Court’s time than doing so separately. Consolidation would not affect the briefing schedule in either appeal, as the schedule the Court set for both is the same.

Due to the complexity of the issues on appeal and that, if consolidation is granted, the parties’ briefs will address both cases jointly, the parties also request they be allowed seventy-five (75) pages for their principal appellant and respondent briefs instead of the customary fifty (50) pages.

SIGNATURE ON FOLLOWING PAGE

January 24, 2020

Respectfully submitted,



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Duke Energy Progress, LLC,

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Office of Regulatory Staff, Nucor Steel-South Carolina, Cypress Creek Renewables, LLC, SC Department of Consumer Affairs, Sierra Club, South Carolina Coastal Conservation League, South Carolina Energy Users Committee, South Carolina Solar Business Alliance, Incorporated, The South Carolina State Conference of the National Association for the Advancement of Colored People, Upstate Forever, Vote Solar, and Walmart, Inc.,

Of whom Office of Regulatory Staff is

Respondents,

Respondent-Appellant.

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PROOF OF SERVICE

I certify that I have served the Consent Motion To Consolidate Appeal with Appellate Case Number 2019-001900 and to Exceed Page Limitations for Principal Briefs on the following parties on this 24th day of January 2020, by mailing a copy of the same via United States Mail, postage prepaid, to the following:

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