

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

IN THE COURT OF COMMON PLEAS  
THIRTEENTH JUDICIAL CIRCUIT

Jessica S. Cook, Corrin F. Bowers & Son, Cyril )  
B. Rush, Jr., Bobby Bostick, Kyle Cook, )  
Donna Jenkins, Chris Kolbe, and Ruth Ann )  
Keffer, on behalf of themselves and all others )  
similarly situated, )

CASE NO. 2019-CP-23-6675

Plaintiffs, )

v. )

**ORDER APPROVING FORM  
OF NOTICE AND NOTICE PLAN**

South Carolina Public Service Authority, an )  
Agency of the State of South Carolina (also )  
known as Santee Cooper); W. Leighton Lord, )  
III, in his capacity as chairman and director of )  
the South Carolina Public Service Authority; )  
William A. Finn, in his capacity as director of )  
the South Carolina Public Service Authority; )  
Barry Wynn, in his capacity as director of the )  
South Carolina Public Service Authority; )  
Kristofer Clark, in his capacity as director of )  
the South Carolina Public Service Authority; )  
Merrell W. Floyd, in his capacity as director of )  
the South Carolina Public Service Authority; J. )  
Calhoun Land, IV, in his capacity as director of )  
the South Carolina Public Service Authority; )  
Stephen H. Mudge, in his capacity as director )  
of the South Carolina Public Service )  
Authority; Peggy H. Pinnell, in her capacity as )  
director of the South Carolina Public Service )  
Authority; Dan J. Ray, in his capacity as )  
director of the South Carolina Public Service )  
Authority; David F. Singleton, in his capacity )  
as director of the South Carolina Public Service )  
Authority; Jack F. Wolfe, Jr., in his capacity as )  
director of the South Carolina Public Service )  
Authority; Central Electric Cooperative, Inc.; )  
Palmetto Electric Cooperative, Inc.; South )  
Carolina Electric & Gas Company; SCANA )  
Corporation, and SCANA Services, Inc., )

Defendants. )

Having been advised by the United States District Court, of which the case had been removed, that the case has now been remanded to State court, I now pass the following order.

This matter is before the Court on Plaintiffs' motion for approval of their proposed form of notice of class certification and notice plan. For the reasons set forth, the Court grants Plaintiffs' motion.

On October 8, 2019, this Court granted Plaintiffs' motion for class certification pursuant to Rule 23, SCRCP, certifying the following class:

All Santee Cooper residential, commercial, small industrial, and other customers, both direct and indirect, who paid utility bills that included rates calculated, in part, to pay pre-construction, capital, in-service, construction, interest, and other pre-operational costs associated with the V.C. Summer Nuclear Reactor Unit 2 and 3 Project from January 1, 2007 to July 25, 2019.

To enable Class Counsel to provide notice of class certification in accordance with this order, Defendants Santee Cooper and Central Electric Cooperative, Inc. are ordered to produce Class member contact information. Class Counsel and their agents, including Epiq Class Action & Claims Solutions, Inc. and its other divisions and subsidiaries, such as Hilsoft Notifications, will use the data Defendants provide only for the purpose of providing notice to Class members, will maintain the confidentiality of the data for so long as the data are in their possession, and will not distribute the data to other persons. The parties will agree on the disposition of the data upon the conclusion of the class action, but in no event shall the data be used for purposes other than providing notice to Class members.

The Court further orders notice be provided in the manner set forth in Plaintiffs' motion. Specifically, Class Counsel will send a Summary Notice to each Class member who can be reasonably identified by mailing and/or e-mailing to the last known address and/or e-mail address of those Class members. In addition to providing direct notice, Class Counsel will provide

publication notice and internet banners and will establish a toll-free line and a dedicated website on which the Detailed Notice and other pertinent case documents will be available. Both the Summary Notice and Detailed Notice will explicitly advise the Class members on how to exclude themselves from the Class by submitting the Request for Exclusion form.

The notice period will extend from January 21, 2020 through February 10, 2020 and those Class members who have not requested exclusion will be included in the Class and be bound by the proceedings.

**IT IS SO ORDERED.**

By: \_\_\_\_\_  
Jean Hofer Toal  
Chief Justice, Retired  
Acting Circuit Court Judge  
jtoal@sccourts.org

Columbia, South Carolina  
January 21, 2019



Greenville Common Pleas

**Case Caption:** Jessica S Cook vs. Santee Cooper , defendant, et al

**Case Number:** 2019CP2306675

**Type:** Order/Class Certification

IT IS SO ORDERED.

s/ Jean H. Toal #2758