

The Supreme Court of South Carolina

Duke Energy Carolinas, LLC, Appellant-Respondent,

v.

Office of Regulatory Staff, Hasala Dharmawardena, CMC Recycling, 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, Inc., 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 South Carolina Energy Users Committee and The South Carolina Office of Regulatory Staff are Respondents-Appellants. AND 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 Conversation 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.

Appellate Case No. 2019-001900

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S.C. SUPREME COURT

ORDER

South Carolina Office of Regulatory Staff, with the consent of Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, and South Carolina Energy Users Committee, moves to withdraw the notice of appeal it filed in each of these cases. Further, it asks that no costs be taxed against it relating to its filing of these notices of appeal. No other party has filed a return to this motion.

The motion to withdraw the appeal is granted, and the notices of appeal filed by South Carolina Office of Regulatory Staff are dismissed. Further, based on the consent given and the failure of any other party to file a return,¹ the request regarding taxation of costs is granted. Regarding these dismissed notices of appeal, a partial remittitur will be sent as provided by Rule 221, SCACR.

FOR THE COURT

BY 
CLERK

Columbia, South Carolina

April 29, 2020

cc:

Frank Rogers Ellerbe, III, Esquire
Robert E. Stepp, Esquire
Sarah P. Spruill, Esquire
Jeffrey M. Nelson, Esquire
Jenny Rebecca Pittman, Esquire
Steven W. Hamm, Esquire
Laura Rebecca Dover, Esquire

¹ See Rule 240(j), SCACR ("Failure of a party to timely file a return may be deemed a consent by that party to the relief sought in the motion or petition.").

Carolyn Grube Lybarker, Esquire
Bess Jones DuRant, Esquire
Stephanie Underwood Eaton, Esquire
Richard L. Whitt, Esquire
Scott A. Elliott, Esquire
Alexander George Shissias, Esquire
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The Supreme Court of South Carolina

DANIEL E. SHEAROUSE, CLERK OF COURT

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NIXIE 296 SE 1 0105/02/20

RETURN TO SENDER
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