

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE PUBLIC SERVICE COMMISSION

Appellate Case No. 2019-001354

Stephen and Beverly Noller and Michael and Nancy Halwig, ..... Appellants,

v.

Daufuskie Island Utility Company, Incorporated and South Carolina Office of Regulatory Staff,  
.....Respondents.

**RESPONDENT DIUC’S MOTION (WITH CONSENT) FOR  
LEAVE TO FILE AN AMENDED FINAL BRIEF**

Pursuant to South Carolina Appellate Court Rules 240 and 211, the Respondent Daufuskie Island Utility Company, Inc. requests leave of this Court to file an Amended Final Brief. The relief requested is necessary to correct certain references to the Record on Appeal.

Just before the deadline for filing the Final Brief, it seems there was some confusion among the parties regarding the final version of the Record on Appeal. Two different versions of the Record were exchanged, but they had different page numbers. The Respondent’s Final Brief refers to a version of the Record that was not filed.

Therefore, the Respondent seeks leave to file an Amended Final Brief with correct citations to match the Record on Appeal as ultimately filed by the Appellant. Counsel for the Appellants and the Respondent South Carolina Office of Regulatory Staff have consented to this Motion, as indicated by their signatures below.

/s/ Thomas P. Gressette, Jr.

**Thomas P. Gressette, Jr. (SC Bar # 14065)**

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**ATTORNEYS FOR THE RESPONDENT,  
DAUFUSKIE ISLAND COMPANY, INC.**

July 23, 2020 Charleston,  
South Carolina

WE SO MOVE:

/s/ Andrew Bateman

Andrew Bateman, Esq.

Jeffrey M. Nelson, Esq.

Office of Regulatory Staff

1401 Main Street, Suite 900

Columbia, South Carolina 29201

*Counsel for Respondent*

*S.C. Office of Regulatory Staff*

July 23, 2020

Dated

WE SO CONSENT:

/s/ Newman Jackson Smith

Newman Jackson Smith

Nelson Mullins Riley & Scarborough, LLP

151 Meeting Street, 6th Floor

Charleston, SC 29401

*Counsel for Appellants*

*Noller and Halwig*

July 23, 2020

Dated

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Jul 23 2020

SC Court of Appeals

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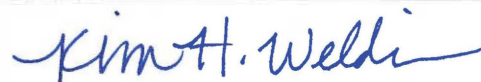
v.

Daufuskie Island Utility Company, Incorporated and South Carolina Office of Regulatory Staff,  
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**PROOF OF SERVICE**

The undersigned hereby certifies that on this 23<sup>rd</sup> day of July, 2020, in Charleston, South Carolina, a copy of **RESPONDENT'S MOTION (WITH CONSENT) FOR LEAVE TO FILE AN AMENDED FINAL BRIEF** was served on counsel of record, by placing same in the United States Mail, first class postage prepaid as follows:

<p>Andrew Bateman, Esq. Jeffrey M. Nelson, Esq. Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, South Carolina 29201 <i>Counsel for Respondent</i> <i>S.C. Office of Regulatory Staff</i></p>	<p>Newman Jackson Smith Nelson Mullins Riley &amp; Scarborough, LLP 151 Meeting Street, 6<sup>th</sup> Floor Charleston, SC 29401 <i>Counsel for Appellants</i> <i>Noller and Halwig</i></p>
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Kim H. Weldin