

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2020-147-E – ORDER NO. 2020-644  
OCTOBER 1, 2020

IN RE: Randy and Cheryl Gilchrist, ) ORDER DENYING  
Complainant/Petitioner v. Duke Energy ) PETITION FOR  
Carolinas, LLC, Defendant/Respondent ) REHEARING

This matter comes before the Public Service Commission of South Carolina (“the Commission”) on a Petition for Rehearing in this Complaint in Docket No. 2020-147-E, filed by the Complainant, Randy and Cheryl Gilchrist, (“the Gilchrists” or “Complainants”). On September 2, 2020, the Complainants filed a Motion for Rehearing of Commission Order No. 2020-562, which granted Duke Energy Carolinas, LLC’s (“DEC’s”) Motion to Dismiss Randy and Cheryl Gilchrist’s Complaint in this Docket.

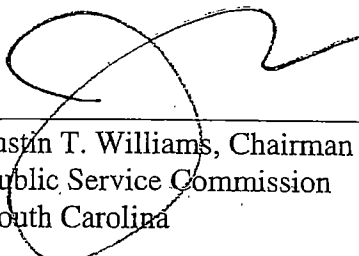
The Gilchrists’ Petition is deemed to be properly before the Commission, satisfying S.C. Code of Regs. 103-830 (3) and 103-854. However, the Petition does not state a claim upon which relief may be granted by the Commission, but rather, reiterates the same matters raised in the initial Complaint. To the extent that the Petition for Rehearing is reiterative of the initial Complaint, it fails to satisfy S.C. Code of Regs. 103-825 (A)(4). The Gilchrists’ Complaint centers around their opposition to the installation of a “smart meter” by DEC on their premises, and their disinclination to pay the fees required under Rider MRM in order to opt for a manually read meter. The Petition continues to assert their argument that the placement of such meters is a violation of privacy,

unlawful, and violates their constitutional protections. The terms and conditions under which a utility provides service are governed by its tariff and service regulations, not by contracts between the utility and individual customers. Service regulations and tariff provisions approved by the Public Service Commission have the force and effect of law and are binding on utility customers, regardless of whether an individual customer agreed to them. See, e.g., *Carroway v. Carolina Power & Light Co.*, 226 S.C. 237, 84 S.E. 2d 728 (1954).

In the Petition, the Gilchrists did not present a theory or claim upon which the Commission may grant relief. The reasoning for our conclusion dismissing the Gilchrists' Complaint in Order No. 2020-562 is unchanged and we reaffirm it here. Accordingly, the Gilchrists' Petition for Rehearing is denied.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Justin T. Williams, Chairman  
Public Service Commission  
South Carolina

