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Mar 17 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 19-ALJ-17-0153-CC
Appellate Case No. 2020-001542

Duke Energy Corporation, Appellant,

v.

South Carolina Department of Revenue, Respondent.

**SECOND MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S
INITIAL BRIEF AND DESIGNATION OF MATTER**

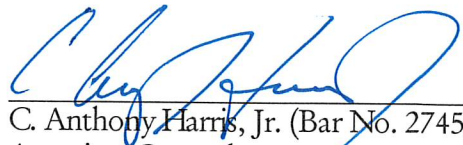
Pursuant to Rule 240 of the South Carolina Appellate Court rules, Respondent, South Carolina Department of Revenue, respectfully requests a ten (10) day extension of time to file its Initial Brief and Designation of Matter in the above-captioned matter. This is the second request for an extension of this deadline.

This request is necessitated because counsels' schedule and other case demands will make it difficult to complete the Respondent's Initial Brief and Designation of Matter within the current deadline. As an additional basis for this request, counsel for the Respondent is completing construction on a home and is moving his family from Cheraw, South Carolina, to Leesville, South Carolina, and this move is scheduled to take place on or about March 31, 2021. Counsel for Appellant does not object to this request.

The Respondent's Initial Brief and Designation are currently due on April 12, 2021. With the additional ten (10) day extension, Respondent's Initial Brief and Designation will be due on April 22, 2021.

Therefore, Respondent respectfully moves this Court for a ten (10) day extension of time to file its Initial Brief of Respondent and Designation of Matter in this matter until April 22, 2021.

RESPECTFULLY SUBMITTED,



C. Anthony Harris, Jr. (Bar No. 2745)

Associate Counsel

Jason P. Luther (Bar No. 78021)

Chief Legal Officer

P.O. Box 12265

Columbia, SC 29211-9979

Phone: 803-898-5278

Charles.Harris@dor.sc.gov

Attorneys for Respondent

South Carolina Department of Revenue

Columbia, South Carolina
March 17, 2021

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Duke Energy Corporation, Appellant,

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PROOF OF SERVICE

I, Tonie M. Miranda, hereby certify that I have caused to be mailed a copy of Respondent South Carolina Department of Revenue’s Second Motion for Extension of Time to File Initial Brief and Designation of Matter regarding the above-referenced case, by causing a copy of same to be deposited in the United States Mail, postage prepaid, *and via e-mail*, on March 17, 2021, addressed to the attorney(s) of record, Samantha K. Trencs, Esquire, samtrencs@eversheds-sutherland.com; Eversheds Sutherland (US) LLP, 700 Sixth Street, NW, Suite 700, Washington, DC 20001-3980; and Maria M. Todorova, Esquire, MariaTodorova@eversheds-sutherland.com; Eric S. Tresh, Esquire, erictresh@eversheds-sutherland.com; and Chris R. Lee, Esquire, ChrisLee@eversheds-sutherland.com; at Eversheds Sutherland (US), LLP; 999 Peachtree Street, NE, Suite 2300, Atlanta, GA 30309-3996; and by hand delivery to the Court of Appeals, 1220 Senate Street, Columbia, SC 29201.

Tonie M. Miranda, Paralegal for Respondent
Office of General Counsel
South Carolina Department of Revenue

STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
OFFICE OF THE GENERAL COUNSEL

Physical Address:
300A Outlet Pointe Blvd.
Columbia, SC 29210



Mailing Address:
PO Box 12265
Columbia, SC 29211-9979

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SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Duke Energy Corporation, Appellant, v. South Carolina Department of Revenue, Respondent
Appellate Case No. 2020-001542
ALC Docket No. 19-ALJ-17-0153-CC

Dear Ms. Kitchings:

Enclosed please find the original of the following documents in connection with the above-referenced matter:

1. Respondent's Second Motion for Extension of Time to File Initial Brief and Designation of Matter; and
2. Proof of Service.

My family and I are in the process of completing construction on a home and are scheduled to move from Cheraw to Leesville by the end of the month, which is an additional basis for this Motion.

Please accept in advance my thanks for the Court's consideration of our motion, and should you have any questions, please do not hesitate to contact me at 803-898-5278 or Charles.Harris@dor.sc.gov.

With kindest personal regards, I am

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March 17, 2021

Sincerely Yours,

OFFICE OF GENERAL COUNSEL FOR LITIGATION

A handwritten signature in blue ink, appearing to read "C. Anthony Harris, Jr.", is written over the typed name.

C. Anthony Harris, Jr.
Associate Counsel

c: Samantha K. Trencs, Esquire – via U.S. Mail & e-mail
Eric S. Tresh, Esquire – via U.S. Mail & e-mail
Maria M. Todorova, Esquire – via U.S. Mail & e-mail
Chris R. Lee, Esquire – via U.S. Mail & e-mail

Enclosures
CAH: tm