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Feb 15 2022

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.

MOTION FOR EXTENSION BY RESPONDENT

Respondent South Carolina Department of Revenue respectfully moves the Court, pursuant to Rule 240, SCACR, for an Order granting a thirty (30) day extension from March 7, 2022 to April 6, 2022, to file Respondent's Brief in response to the *Amicus Curiae* Brief of the South Carolina Chamber of Commerce in this matter. Counsel certifies that all opposing counsel have consented to the requested extension.

RESPECTFULLY SUBMITTED,



C. Anthony Harris, Jr., Esquire (Bar No. 2745)
Associate Counsel
Jason P. Luther (Bar No. 78021)
Chief Legal Officer
300A Outlet Pointe Blvd.; Columbia, SC 29210
Phone: 803-898-5278
Charles.Harris@dor.sc.gov
Attorneys for Respondent
South Carolina Department of Revenue

Columbia, South Carolina
February 15, 2022

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PROOF OF SERVICE

I, Tonie M. Miranda, hereby certify that I have caused to be served a copy of Respondent South Carolina Department of Revenue's Motion for Extension to file its response to the *Amicus Curiae* Brief of the South Carolina Chamber of Commerce regarding the above-referenced case, by causing a copy of same to be deposited in the United States Mail, postage prepaid, and by electronic mail, on February 15, 2022, addressed to the attorney(s) of record addresses, 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 (Attorneys for Appellant); and to C. Mitchell Brown, Esquire, mitch.brown@nelsonmullins.com; Nelson Mullins, 1320 Main Street, 17th Floor, Columbia, SC 29201; and John C. von Lehe, Jr., Esquire,

John.vonlehe@nelsonmullins.com; and Bryson M. Geer, Esquire, bryson.geer@nelsonmullins.com, at P.O. Box 1806, Charleston, SC 29402-1806 (Attorneys for S.C. Chamber of Commerce); and by electronic mail and U.S. Mail to the Court of Appeals, ctappfilings@sccourts.org, 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 GENERAL COUNSEL

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February 15, 2022

VIA U.S. MAIL & ELECTRONIC MAIL - CTAPPFILINGS@SCCOURTS.ORG

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. Motion for Extension to File Brief of the Respondent in response to the *Amicus Curiae* Brief of the South Carolina Chamber of Commerce; and
2. Proof of Service.

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 regards, I am

Sincerely yours,

OFFICE OF GENERAL COUNSEL


C. Anthony Harris, Jr.
Associate Counsel

c: Samantha K. Trencs, Esquire – via e-mail & U.S. Mail
Eric S. Tresh, Esquire – via e-mail & U.S. Mail
Maria M. Todorova, Esquire – via e-mail & U.S. Mail
Chris R. Lee, Esquire – via e-mail & U.S. Mail
C. Mitchell Brown, Esquire – via e-mail & U.S. Mail
John C. von Lehe, Jr., Esquire – via e-mail & U.S. Mail
Bryson M. Geer, Esquire – via e-mail & U.S. Mail
Enclosures - CAH: tm