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October 20, 2017

Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Public Service Commission of South Carolina
101 Executive Center Dr., Suite 100
Columbia, SC 29210

To Whom it Concerns:

I am writing to you as a former intervenor in Docket 2008-196-E (*Combined Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order for the Construction and Operation of a Nuclear Facility in Jenkinsville, South Carolina*) and current participant in other dockets related to SCE&G's nuclear project.

Per the Baseload Review Act and per requirements in Order No. 2009-104, South Carolina Electric and Gas (SCE&G) is required to file quarterly reports concerning the status of its reactor construction project at the V.C. Summer site. Such reports are to be filed no later than 45 days after the close of the previous quarter. As of October 20, 2017, no report has been filed for the third quarter of 2017.

As construction took place in July 2017 prior to the termination of the project and as unknown construction-related activities took place in August and September 2017, it appears that SCE&G is late in filing its report.

A review of Docket 2008-196-E does not show any order has been issued by the Public Service Commission which abrogates SCE&G from filing a report for the third quarter 2017.

Here is the pertinent section of South Carolina law which contains the requirement for quarterly reports:

<http://www.scstatehouse.gov/code/t58c033.php>

Title 58 - Public Utilities, Services and Carriers

CHAPTER 33

Utility Facility Siting and Environmental Protection

ARTICLE 4

Base Load Review Act

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SECTION 58-33-277. Reports; contents; on-going monitoring by Office of Regulatory Staff.

(A) After issuance of a base load review order approving rate recovery for capital costs related to the plant, the utility will file reports with the Office of Regulatory Staff quarterly until the plant begins commercial operation. These reports must be filed no later than forty-five days after the close of a quarter, shall not be combined with any other filing, and shall contain the following information:

- (1) the progress of construction of the plant;
- (2) updated construction schedules;
- (3) schedules of the capital costs incurred including updates to the information required by Section 58-33-270(B)(5);
- (4) updated schedules of the anticipated capital costs; and
- (5) other information as the Office of Regulatory Staff may require.

(B) The Office of Regulatory Staff shall conduct on-going monitoring of the construction of the plant and expenditure of capital through review and audit of the quarterly reports under this article, and shall have the right to inspect the books and records regarding the plant and the physical progress of construction upon reasonable notice to the utility.

I thus request clarity about this matter and, at the least, an explanation as to why no report has been filed by SCE&G to cover the last full month of construction. As there are efforts to revive the project, activities at the site in August and September are pertinent and should be detailed in the third quarter report. Activities in August and September incurred an unknown amount of unauthorized capital costs and must be reflected in the quarterly report.

While SCE&G may think that it can unilaterally determine that it no longer needs to file reports I do not see in the PSC record that this is the case. I thus request that ORS and the PSC direct SCE&G to file a report for the third quarter 2017. Such report should include both an update about construction activities in June and unknown activities that have taken place in August and September to secure the site and the cost of such activities.

As no filing has been made by SCE&G about the costs incurred after July 31, it is imperative that SCE&G be required to report on all costs incurred in the third quarter. In any event, it is clear that spending at the site which took place in August and September has neither been authorized by the PSC nor determined to be prudent and thus is taking place at SCE&G's own risk.

Sincerely,

A handwritten signature in black ink that reads "Tom Clements". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Tom Clements