

**BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COLUMBIA, SOUTH CAROLINA**

CM #18-20

June 27, 2018

2:05 ~ 3:05 P.M.

COMMISSION MEMBERS PRESENT: Swain E. WHITFIELD, *Chairman*; Comer H. ‘Randy’ RANDALL, *Vice Chairman*; and COMMISSIONERS John E. ‘Butch’ HOWARD, Elliott F. ELAM, Jr., Elizabeth B. ‘Lib’ FLEMING, Robert T. ‘Bob’ BOCKMAN, and G. O’Neal HAMILTON

COMMISSION MEMBERS ABSENT: —

ADVISOR TO COMMISSION: Joseph Melchers, Esq.
GENERAL COUNSEL

PRESENTING AGENDA: James Spearman, Ph.D.
EXECUTIVE ASSISTANT TO COMMISSIONERS

STAFF PRESENT: Jocelyn G. Boyd, Chief Clerk/Administrator; F. David Butler, Esq., Senior Counsel; B. Randall Dong, Esq., Josh Minges, Esq., and David W. Stark, III, Esq., Legal Advisory Staff; Douglas K. Pratt, William O. Richardson, and Thomas Ellison, Technical Advisory Staff; Melissa Purvis and Tricia DeSanty, Administrative Assistants to Commissioners; Deborah Easterling, Allison Minges, and Colanthia Alvarez, Clerk’s Staff; Patricia Stephens, Project Management Staff; Randy Erskine, Information Technology Staff; and Jo Elizabeth M. Wheat, CVR-CM/M-GNSC, Court Reporter.

**TRANSCRIPT / MINUTES
OF
COMMISSION BUSINESS MEETING**

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

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In accordance with S.C. Code § 30-4-80(E), the Public Service Commission hereby certifies that it has notified all persons, organizations, local news media, and all other news media requesting notification of the time, date, place, and agenda of this public meeting, by posting a copy of the Notice in its principal office, by e-mailing such Notice to all who request same, and by posting the Notice on the Commission's official Internet website.

P R O C E E D I N G S

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2 **CHAIRMAN WHITFIELD:** Please be seated. I'll
3 call this meeting to order and ask that we pause
4 for a moment of silent meditation.

5 [Brief pause]

6 Amen.

7 Dr. Spearman.

8 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
9 the first order of business would be to set the
10 next Commission Meeting. Next Wednesday is the
11 Fourth of July, which is a holiday. Therefore, I
12 propose that our next meeting be on Wednesday, July
13 11th, at 2 in the afternoon.

14 **CHAIRMAN WHITFIELD:** Wednesday, July 11th.
15 Sound all right with you, Mr. Vice Chairman?

16 **VICE CHAIRMAN RANDALL:** Yes, that works.

17 **CHAIRMAN WHITFIELD:** Sounds good, Dr.
18 Spearman.

19 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
20 on the Utility Agenda Item 1, Docket No. 2012-138-
21 C, TDS Telecom is requesting confidential
22 information of portions of its Universal Service
23 Report.

24 **COMMISSIONER ELAM:** Mr. Chairman?

25 **CHAIRMAN WHITFIELD:** Commissioner Elam.

26 **COMMISSIONER ELAM:** Mr. Chairman, I move we
27 grant confidential treatment of certain portions of
28 the Universal Service Certification Report as
29 requested by TDS Telecommunications Corporation.
30 The company asserts that this information is highly
31 sensitive and confidential, and would cause
32 substantial competitive harm to TDS if disclosed to

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carriers or the public. So moved.

CHAIRMAN WHITFIELD: Thank you.

You've heard Commissioner Elam's motion. Is there any discussion?

[No response]

If not, all those in favor of Commissioner Elam's motion, please, say "aye" at this time.

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed.

[No response]

Motion carries.

DR. SPEARMAN: Item 2, Docket No. 2018-113-C, Peak Tower, LLC's Application to provide telecommunications services. This is ready for disposition.

VICE CHAIRMAN RANDALL: Mr. Chairman.

CHAIRMAN WHITFIELD: Commissioner Randall.

VICE CHAIRMAN RANDALL: Mr. Chairman, I move that we approve the Application of Peak Tower, LLC, for a Certificate to provide resold and facilities-based local exchange, exchange access, and interexchange telecommunications services, including alternative and flexible regulation. ORS does not oppose the granting of this Certificate. So moved, Mr. Chairman.

CHAIRMAN WHITFIELD: Thank you.

You've heard Commissioner Randall's motion. Is there any discussion?

[No response]

Hearing none, all those in favor, please, say "aye"?

COMMISSIONERS: Aye.

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CHAIRMAN WHITFIELD: Any opposed.

[No response]

Motion carries.

Dr. Spearman.

DR. SPEARMAN: Item 3, Docket No. 2018-1-E, this is the fuel review for Duke Energy Progress. It's ready for disposition.

COMMISSIONER FLEMING: Mr. Chairman.

CHAIRMAN WHITFIELD: Commissioner Fleming.

COMMISSIONER FLEMING: In Docket No. 2018-1-E, I move that we adopt the proposed order of Duke Energy Progress, LLC, which is supported by Nucor Steel and is not objected to by the Office of Regulatory Staff.

Among other things to be specified in our Order, I would move that we find:

1) The fuel purchasing practices, plant operations, and fuel inventory management of DEP related to the historical fuel costs and revenues for the period ending February 28, 2018, are prudent.

2) The methodologies used by the company for determining the environmental cost component and the capacity-related cost component of the fuel factor are reasonable and prudent for the review period and the billing period.

3) The company's revisions to the 2018 Renewable Net Metering Rider are lawful, just, and reasonable, and shall become effective for service rendered from July 1, 2018, through June 30, 2019.

4) The company's calculation and method of accounting for the avoided and incremental costs

1 for NEM during the review period were reasonable
2 and prudent.

3 5) The 2018 component values for NEM
4 Distributed Energy Resource comply with the NEM
5 methodology approved by the Commission in Order No.
6 2015-194 and satisfy the requirements of South
7 Carolina Code Annotated 58-40-10 et seq. (2015).

8 6) DEP shall set its base fuel factor – not
9 including the applicable environmental cost
10 component, capacity-related cost component, and
11 DERP avoided cost component – at 2.384 cents per
12 kilowatt-hour for the Residential class, and 2.366
13 cents per kilowatt-hour for General Service, non-
14 demand and demand, and Lighting classes for service
15 rendered July 1, 2018, through June 30, 2019.

16 7) DEP shall set its environmental cost
17 component billing factor at 0.019 cents per
18 kilowatt-hour for the Residential class, 0.008
19 cents per kilowatt-hour for the General
20 Service/non-demand class, and 1.0 cent per kilowatt
21 for the General Service/demand class, for service
22 rendered July 1, 2018, through June 30, 2019.

23 8) DEP shall set its capacity-related cost
24 component at 0.681 cents per kilowatt-hour for the
25 Residential class, 0.426 cents per kilowatt-hour
26 for the General Service/non-demand class, 0.00
27 cents per kilowatt-hour for the Lighting class, and
28 88.0 cents per kilowatt for the General
29 Service/demand class for service rendered July 1,
30 2018, through June 30, 2019.

31 9) DEP shall set its DERP avoided cost
32 component at 0.003 cents per kilowatt-hour for the

1 Residential class, 0.001 cents per kilowatt-hour
2 for the General Service/non-demand class, and 0.00
3 cents per kilowatt for the General Service/demand
4 and Lighting classes, for service rendered July 1,
5 2018, through June 30, 2019.

6 10) DEP shall set its DERP charge at 0.72 per
7 month for the Residential class, \$1.27 per month
8 for the Commercial class, and \$100 per month for
9 the Industrial class, including gross receipts tax.

10 13) And DEP shall continue to file the monthly
11 reports as previously required.

12 Mr. Chairman, I so move.

13 **CHAIRMAN WHITFIELD:** Thank you.

14 You've heard Commissioner Fleming's motion.
15 Are there any questions regarding her motion or is
16 there any discussion?

17 [No response]

18 Hearing none, all Commissioners in favor of
19 Commissioner Fleming's motion, please, say "aye" at
20 this time.

21 **COMMISSIONERS:** Aye.

22 **CHAIRMAN WHITFIELD:** Any opposed.

23 [No response]

24 Motion carries.

25 Dr. Spearman.

26 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
27 Item 4, Docket No. 2018-198-E, Duke Energy
28 Carolinas is seeking approval of Unmetered Service
29 Rider US.

30 **COMMISSIONER HOWARD:** Mr. Chairman.

31 **CHAIRMAN WHITFIELD:** Commissioner Howard.

32 **COMMISSIONER HOWARD:** Thank you. I move we

1 approve the Unmetered Service Rider as proposed by
2 Duke Energy Carolinas, LLC. The new tariff applies
3 to unmetered service customers with electrical
4 requirements of 100 watts or less, where metered
5 service is deemed to be either impractical or
6 uneconomical. Also, grant DEC's request for waiver
7 of South Carolina Code Annotated Regulation 103-339
8 regarding bill forms, as meter reading will not be
9 provided. ORS has reviewed the tariff and does not
10 oppose its approval. So moved, Mr. Chairman.

11 **CHAIRMAN WHITFIELD:** Thank you, Commissioner
12 Howard.

13 You've heard Commissioner Howard's motion. Is
14 there any discussion?

15 [No response]

16 Hearing none, all those in favor, please, say
17 "aye"?

18 **COMMISSIONERS:** Aye.

19 **CHAIRMAN WHITFIELD:** Any opposed.

20 [No response]

21 Motion carries.

22 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
23 Items 5 and 6, Docket No. 2018-3-E, Duke Energy
24 fuel costs, we have Petitions to Intervene. Item 5
25 is the intervention of South Carolina Coastal
26 Conservation League and Southern Alliance for Clean
27 Energy, and Item 6 is the intervention of South
28 Carolina Energy Users Committee. We can take these
29 separately or together.

30 **CHAIRMAN WHITFIELD:** Let's take those
31 together, Dr. Spearman.

32 **COMMISSIONER HAMILTON:** Mr. Chairman.

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CHAIRMAN WHITFIELD: Commissioner Hamilton.

COMMISSIONER HAMILTON: Mr. Chairman, I will take them together, and at this time I would move we approve the Petitions to Intervene filed on behalf of the South Carolina Coastal Conservation League and the Southern Alliance for Clean Energy, and on behalf of the South Carolina Energy Users Committee. So move, Mr. Chair.

CHAIRMAN WHITFIELD: Thank you.

You've heard Commissioner Hamilton's motion regarding Items 5 and 6. Is there any discussion?

[No response]

Hearing none, all those in favor, please, say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed.

[No response]

Motion carries.

Dr. Spearman, back to you.

DR. SPEARMAN: Item 7, Docket No. 2017-370-E, we have a Petition to Intervene out of time, filed on behalf of Transcontinental Gas Pipe Line Company.

VICE CHAIRMAN RANDALL: Mr. Chairman, I move that we deny the Petition to Intervene. Transco failed to provide information showing that it meets the requirements of standing. Transco is engaged in the transportation and sale of natural gas in interstate commerce, which is under the jurisdiction of the Federal Energy Regulatory Commission, as are the contracts at issue. Also, even if the merger between SCANA Corporation and

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Dominion Energy is approved, SCE&G will remain a direct, wholly owned subsidiary of SCANA and will continue to exist as a separate legal entity. Therefore, SCE&G will continue to have the same rights and responsibilities as those that exist at the time the proposed business combination is closed; therefore, Transco's current contracts will be unaffected by the current proceeding. Again, I move that the Transco Petition to Intervene be denied, since Transco has not shown any direct nexus with this litigation. So moved, Mr. Chairman.

CHAIRMAN WHITFIELD: Thank you, Commissioner Randall.

You've heard Commissioner Randall's motion. Is there any discussion?

COMMISSIONER BOCKMAN: Mr. Chairman?

CHAIRMAN WHITFIELD: Commissioner Bockman.

COMMISSIONER BOCKMAN: By way of discussion, I would like to offer an alternative motion, with all due respect to Commissioner Randall. My alternative motion is the following.

CHAIRMAN WHITFIELD: Okay. Go ahead, Commissioner Bockman.

COMMISSIONER BOCKMAN: Thank you, Mr. Chairman.

In our Directive No. 2018-400, dated June 6, 2018, which the Commission issued in response to my motion, the Commission required Transcontinental Gas Pipe Line Company, LLC, Transco, and South Carolina Electric & Gas Company, SCE&G, to submit briefs that addressed three questions concerning

1 Transco's possible standing to intervene out of
2 time in this proceeding. The propriety of
3 Transco's intervention has been the subject of a
4 series of pleadings and arguments, which Transco
5 and SCE&G have filed since May 7, 2018.

6 Essentially, Transco asserts that its
7 contracts with SCE&G for various natural-gas-
8 related services may be affected by the
9 Commission's decision on issues concerning the
10 proposed merger of SCE&G's parent company, SCANA
11 Corporation, with Dominion Energy. SCE&G disputes
12 Transco's claim and opposes its intervention. Both
13 Transco and SCE&G submitted briefs in response to
14 Directive 2018-400, responding to the three
15 "uncertainties" incorporated in that Directive.

16 Upon review of the respective positions of the
17 parties, I consider that the, quote,
18 "uncertainties," unquote, in Directive No. 2018-400
19 have been clarified, and I move to grant Transco's
20 Petition and allow its intervention as a party of
21 record. For example, in response to the first
22 "uncertainty," Transco has identified a number of
23 contracts with SCE&G over which the Commission has
24 jurisdiction under our Regulation 103-400, due to
25 SCE&G's pass-through to SCE&G's gas customers of
26 the costs SCE&G incurs under the contracts. Since
27 Dominion Energy provides competing interstate
28 pipeline services, Transco's contracts might well
29 be subject to adverse effects as a consequence of
30 the proposed merger and result in higher prices for
31 SCE&G's gas customers.

32 In this proceeding, I consider it appropriate

1 for the Commission to have the opportunity to
2 explore the nature and degree of Dominion's
3 potential control after the merger, if approved,
4 over SCE&G's distribution and transmission systems
5 and SCE&G's supply decisions. Should there be the
6 possibility of adverse effects on Transco and
7 SCE&G's customers, I feel it would be better for
8 the Commission to learn of them in this proceeding,
9 rather than later, and to impose proper safeguards
10 in advance, rather than seek remedies or redress
11 after adverse effects have occurred.

12 As I noted in the motion that resulted in
13 Directive No. 2018-400, the Commission has, quote,
14 "broad discretion," unquote, in reviewing
15 assertions in petitions to intervene. In addition
16 to the substantive reasons I have described, I
17 would state that I do not consider that any
18 existing party has similar interests to Transco's,
19 nor do I believe that Transco's participation as an
20 intervenor would prejudice the interests of any
21 other party, nor would the intervention impose any
22 delay in the conduct of this proceeding.

23 While I acknowledge SCE&G's cogent arguments
24 in opposition to Transco's intervention, I consider
25 the arguments that Transco has advanced in its two
26 separate Petitions to Intervene and in its response
27 to Directive No. 2018-400 to be sufficient to
28 warrant a decision to allow Transco's intervention.

29 And I would move, Mr. Chairman, that we
30 approve Transco's Petition to Intervene in this
31 proceeding, and I so move.

32 **CHAIRMAN WHITFIELD:** Thank you, Commissioner

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Bockman.

Is there any further discussion regarding Commissioner Randall's motion that is now before us or Commissioner Bockman's motion that's now before us?

VICE CHAIRMAN RANDALL: Well, let me just clarify a couple of things –

CHAIRMAN WHITFIELD: Yes, sir, Commissioner Randall.

VICE CHAIRMAN RANDALL: – Mr. Chairman.

You know, Transco is a large company. They know who's transporting gas, how much gas is being transported. The proposed merger was known in December 2017. The fact that Transco didn't decide to petition to intervene and hire South Carolina counsel until after the closing date for intervention is not really sufficient reason for us to grant out-of-time intervention.

You know, as I was looking through this, you know, with all these – Transco just doesn't meet any of the requirements for intervention. Now there's some negative impact, possibly, to Transco, but I think that, summarizing what I said, I think Transco has not provided a good reason for being out-of-time. Transco has not met the requirements for intervention, and any decision made by this Commission regarding the proposed merger of SCANA and Dominion would have no impact on current transaction contracts between SCE&G and Transco, and any future impacts on Transco resulting from a merger, if approved, are really speculative.

Thank you, Mr. Chairman.

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CHAIRMAN WHITFIELD: Thank you, Commissioner Randall.

Commissioner Bockman, I certainly respect your dissenting opinion or different motion here. I do have one question for you. I note you cite the Regulations, 103-400, that the Commission does have some jurisdiction through the pass-through, but would you not agree the Commission allows for a pass-through of FERC through interstate gas rates, but we do not approve or vote on such rates? Would you concur with that?

COMMISSIONER BOCKMAN: Yes, I certainly agree with that, Mr. Chairman. That's been the Commission's practice. And even though the Commission would not have jurisdiction over those particular rates, I do think, in terms of the gas transmission/distribution and gas purchase practices of SCE&G, and with respect to Transco, would be something that may give rise to a concern or an interest of the Commission, on the presumption that the merger were to be approved. And I think it would be wise – prudent – for the Commission to be able to evaluate any of the effects of the merger in this merger proceeding, as opposed to waiting until sometime in the future.

But, certainly, your point is right about the Commission's traditional practice with respect to the pass-through. But I do think the more information the Commission has concerning the relationship between Transco and SCE&G, as might be affected by the merger, would be appropriate in this proceeding.

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And, if I might, just to respond to Commissioner Randall's point about the Petition to Intervene out of time, I certainly recognize that, and I do think the Commission must always be cautious about that intervening out of time. I don't think that, here, where you've got a party with what I consider to be a substantial interest, who has given us a considerable amount of information with respect to its interests and position, and particularly because an intervention out of time in this case I don't think would prejudice any other party – I think that's frequently something, when a party would petition to intervene out of time where a proceeding has advanced to a particular stage, where it might prejudice some other party, that is, a party comes in at the last minute, so to speak, you know, I think the Commission should be concerned about that. Here, I don't think that's the case.

But those would be my comments in response, Mr. Chairman.

CHAIRMAN WHITFIELD: Thank you, Commissioner Bockman. Would you also note that, in respect to Transco's rates that are filed through FERC, with any other entity – I'm talking about even outside entities, outside of our boundaries that we have no jurisdiction over – that the Commission historically is notified and we are made aware, certainly, of the ones in our jurisdiction, but, of course, others are posted with FERC, as well, and we would have knowledge of anything, but, certainly, would you agree that we don't have any

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say-so or any jurisdiction?

COMMISSIONER BOCKMAN: Yes, I would certainly agree with that statement, Mr. Chairman. Yes, sir.

CHAIRMAN WHITFIELD: Thank you.

Commissioner Elam.

COMMISSIONER ELAM: Mr. Chairman, I was just going to echo my comments from previously when this came up. You know, at that point, I believed that Transco had met its burden at that point for intervention. I'm not sure I've seen a bar set this high for intervention, even out of time, in my years here, and echo Commissioner Bockman, again, that if there is something here, as far as an issue regarding a going-forward relationship that will affect SCE&G customers, better to find out what it is now, before we have perhaps mooted any arguments by not addressing them in the merger proceeding. And, again, I'm where I was two – I guess it's two weeks ago, that I believe Transco's met its burden.

CHAIRMAN WHITFIELD: So noted, Commissioner Elam.

Commissioner Fleming.

COMMISSIONER FLEMING: Yes. And I joined Commissioner Elam in his vote last time, and I do – will support Commissioner Bockman's motion this time, for the reasons that they have both expressed. We do allow people to intervene out of time on a regular basis, if they have good supporting evidence to do so. And I do believe that this case is the most important case to come before this Commission, or will come before this Commission, and we need to hear from as many voices

1 that will be affected by and that can give us
2 additional information as possible. So I think we
3 should be very inclusive in this process of
4 allowing intervenors, if they can show good cause
5 to do so, which I believe Transco has done. So I
6 will be supporting them.

7 **CHAIRMAN WHITFIELD:** So noted, Commissioner
8 Fleming.

9 Commissioner Hamilton.

10 **COMMISSIONER HAMILTON:** Mr. Chairman, my
11 recollection is not quite as sharp as some of the
12 other Commissioners'. However, I do think
13 Commissioner Randall's motion is the prevailing
14 motion that was first made and deserves to be voted
15 on.

16 **CHAIRMAN WHITFIELD:** Certainly –

17 **COMMISSIONER HAMILTON:** I'd like to call –

18 **CHAIRMAN WHITFIELD:** Certainly –

19 **COMMISSIONER HAMILTON:** – the vote.

20 **CHAIRMAN WHITFIELD:** Certainly, I am going to
21 call for the question. I wanted to give the
22 Commissioners their opportunity to be heard.

23 Anybody else need to be heard or have a
24 question? If not, at this time, I'm going to do
25 what Commissioner Hamilton recommended, and I am
26 going to call for the question.

27 [No response]

28 Hearing no others that want to be heard from,
29 all in favor of Commissioner Randall's motion,
30 please say "aye" at this time.

31 **COMMISSIONERS RANDALL, HAMILTON, HOWARD,**
32 **WHITFIELD:** Aye.

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CHAIRMAN WHITFIELD: All those who oppose Commissioner Randall's motion, please say "no" at this time.

COMMISSIONERS BOCKMAN, ELAM, FLEMING: No.

CHAIRMAN WHITFIELD: Four to three, Commissioner Randall's motion carries.
Dr. Spearman.

DR. SPEARMAN: Mr. Chairman and Commissioners, Item 8, Docket No. 2018-199-E, is a renewable power purchase agreement that's been filed for acceptance.

COMMISSIONER BOCKMAN: Mr. Chairman?

CHAIRMAN WHITFIELD: Commissioner Bockman.

COMMISSIONER BOCKMAN: I have a motion that I'd like to offer in this matter, please, and I would move that the Commission accept for filing the renewable power purchase agreement between Innovative Solar 84, LLC, and South Carolina Electric & Gas Company. And I so move, Mr. Chairman.

CHAIRMAN WHITFIELD: Thank you, Commissioner Bockman.

You've heard Commissioner Bockman's motion in Item 8. Is there any discussion?

[No response]

Hearing none, all those in favor, please, say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed?

[No response]

Motion carries.

DR. SPEARMAN: In Item 9, Docket No.

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2013-386-W, JACABB Utilities requesting for a pass-through of increase from Clemson University.

VICE CHAIRMAN RANDALL: Mr. Chairman.

CHAIRMAN WHITFIELD: Commissioner Randall.

VICE CHAIRMAN RANDALL: Mr. Chairman, I move that we approve the 5 cent per gallon_[sic] increase in pass-through rates from Clemson University as explained by Order No. 2014-166. So moved, Mr. Chairman.

CHAIRMAN WHITFIELD: Thank you, Commissioner Randall.

Commissioners, you've heard Commissioner Randall's motion. Is there any discussion?

[No response]

Hearing none, all those in favor, please, say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed?

[No response]

Motion carries.

DR. SPEARMAN: Mr. Chairman and Commissioners, that completes the Utility Agenda.

On the Transportation Agenda, Items 1 and 2 are Applications for Class C Certificates. Item 1 is the Application of Southern Helpers, LLC, and Item 2 is the Application of Lean on Me Consulting, LLC. We can take these separately or together.

COMMISSIONER HAMILTON: Mr. Chairman?

CHAIRMAN WHITFIELD: Let's take those together, Dr. Spearman.

COMMISSIONER HAMILTON: Thank you, Mr. Chairman. Mr. Chairman, I'd move that we approve

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the Applications filed by Southern Helpers, LLC, and Lean on Me Consulting, LLC. Thank you, sir.

CHAIRMAN WHITFIELD: Thank you.

You've heard Commissioner Hamilton's motion in Items 1 and 2. Is there any discussion?

[No response]

If not, all those in favor, please, say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed?

[No response]

Motion carries.

DR. SPEARMAN: Item 3, Docket No. 2018-122-T, Gentle Giant Moving Company's Application for a Class E Certificate.

COMMISSIONER BOCKMAN: Mr. Chairman?

CHAIRMAN WHITFIELD: Commissioner Bockman.

COMMISSIONER BOCKMAN: I move that, in Docket No. 2018-122-T, that the Commission approve the Application of Gentle Giant Moving Company (North Carolina), LLC, for a Class E (Household Goods) Certificate. I so move.

CHAIRMAN WHITFIELD: Thank you.

You've heard Commissioner Bockman's motion. Is there any discussion?

[No response]

Hearing none, all those in favor, please, say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed?

[No response]

Motion carries.

DR. SPEARMAN: Item 4, Docket No. 2016-350-T,

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Best Reliance Limo Service requesting cancellation of Certificate.

COMMISSIONER FLEMING: Mr. Chairman.

CHAIRMAN WHITFIELD: Commissioner Fleming.

COMMISSIONER FLEMING: For Docket No. 2016-350-T, I move to grant the request of Best Reliance Limo Service, LLC, to cancel its Class E (Charter) Certificate No. 9194

CHAIRMAN WHITFIELD: Thank you.

You've heard Commissioner Fleming's motion. Is there any discussion?

[No response]

If not, all those in favor of Commissioner Fleming's motion, please, say "aye."

COMMISSIONERS: Aye.

CHAIRMAN WHITFIELD: Any opposed?

[No response]

Motion carries.

DR. SPEARMAN: Item 5 consists of three dockets: Docket No. 2018-156-T, 2018-157-T, and 2018-158-T. We have a motion to withdraw the Applications.

COMMISSIONER HOWARD: Mr. Chairman.

CHAIRMAN WHITFIELD: Commissioner Howard.

COMMISSIONER HOWARD: Thank you. I move we grant the motion to withdraw, without prejudice, the Application to transfer Certificates in Dockets No. 2018-156-T, 2018-157-T, and 2018-158-T. That's my motion, Mr. Chairman.

CHAIRMAN WHITFIELD: Thank you, Commissioner Howard.

You've heard Commissioner Howard's motion. Is

1 there any discussion?

2 [No response]

3 If not, all those in favor of Commissioner
4 Howard's motion, please, say "aye."

5 **COMMISSIONERS:** Aye.

6 **CHAIRMAN WHITFIELD:** Any opposed?

7 [No response]

8 Motion carries.

9 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
10 that completes the business agenda for today.

11 **CHAIRMAN WHITFIELD:** Thank you, Dr. Spearman.

12 I would remind everyone in the audience we
13 have a special ceremony coming up as we extend our
14 meeting, but we are going to take a very, very
15 brief recess and we will resume in just a few
16 minutes. See you in a few minutes.

17 [WHEREUPON, a recess was taken from 2:32
18 to 2:42 p.m.]

19 **CHAIRMAN WHITFIELD:** Please be seated. I'll
20 call this meeting back to order, and we are in the
21 special part of our meeting and a happy day for
22 Commissioner Elect Ervin and a happy day for Vice
23 Chairman Randall and a happy day for me.

24 [Laughter]

25 I'd like to thank our court reporter for
26 putting up with me the last two years – Ms. Jo
27 Wheat – and I'd like to thank the Good Lord for
28 allowing me to make it. My family, my wife, is
29 here today. Amy is here. My children are not
30 here, but I'd like to thank them for bearing with
31 it the last two years. And I'd certainly like to
32 thank the entire Staff of the South Carolina Public

1 Service Commission. Each and every one of them
2 have been great and supportive, and just really
3 stuck together and supported all of us as
4 Commissioners, through, no doubt, what has probably
5 been the most tough economic time in the over-
6 hundred-year history of the South Carolina Public
7 Service Commission.

8 So, with that, I'm just going to say thank
9 you. And I want to recognize a few people.

10 Senator Karl Allen, I see you now in the
11 audience, and Representative Mark Willis,
12 Representative Bruce Bannister. At this time, I'm
13 going to turn it over to you, Representative
14 Willis, to administer the oath to our next
15 Chairman, Vice Chairman Randall.

16 **THE HON. MARK WILLIS:** Thank you. I'm going
17 to play a dual role here. Senator Verdin was not
18 able to be with us today. But it's my pleasure to
19 stand before this Commission. Thinking back, I
20 want to thank Swain for his dedication. Swain and
21 I went to college together, and that's not the boy
22 I knew in college.

23 [Laughter]

24 **CHAIRMAN WHITFIELD:** Hey, Representative
25 Willis, if I could just – our court reporter did
26 make a request, since everyone is facing away from
27 her today, if y'all could just slightly tilt where
28 she can see at least a slight angle of you? Still
29 face the audience, but she did ask that you try to
30 lean toward her, so she can get all this in the
31 record.

32 **THE HON. MARK WILLIS:** Yes, I do want her to

1 get in the record that you're not the Swain that I
2 knew when I was in college.

3 [Laughter]

4 **CHAIRMAN WHITFIELD:** I didn't mean that part.

5 **THE HON. MARK WILLIS:** And also that we're
6 both several pounds larger than we were when we
7 were 18 years old. But I'm very proud of Swain.
8 He's done a wonderful job and it's wonderful to see
9 classmates succeed, and Swain has definitely done
10 that.

11 It's my privilege also to be here with Tom
12 Ervin. We're very thankful for your friendship for
13 many years, and our families go back for 50 years,
14 probably, or greater, and it's wonderful to see
15 you, and representing Greenville County, my home
16 county.

17 But today I'm here for specific reasons. I'm
18 here to congratulate Randy Randall. Randy is quite
19 the character in our neck of the woods. I'm very
20 proud that he is my constituent. For those of you
21 who know him, he is quite the actor, quite the
22 speaker, quite the singer. He does a little bit of
23 everything. He dances and sings and slices and
24 dices. He's like the everything bag that used to
25 be years ago, where you could put everything in
26 your purse – I think Ms. Lackey can remember that.
27 But he is definitely committed to any cause that
28 comes his way. He is forever having opportunities
29 to show his many talents, whether they are singing
30 or whether they are acting in the community
31 theater, or whether they are here in this room.
32 He's a very talented man and a very bright man, and

1 it's my honor today to be able to administer the
2 oath to him.

3 And we'd love for his – I'd like to recognize,
4 and I know you will be, your parents. I believe
5 they just celebrated their 65th? Is that right?

6 **INCOMING CHAIRMAN RANDALL:** Getting close.

7 **THE HON. MARK WILLIS:** Getting close.

8 **MS. JO RANDALL:** In September.

9 **THE HON. MARK WILLIS:** In September, they'll
10 be celebrating their 65th wedding anniversary. And
11 it's nice to have Kim, Commissioner Randall's wife,
12 with us today, too.

13 **INCOMING CHAIRMAN RANDALL:** Let's see, how can
14 we – I've got to put this left hand on the Bible.

15 **MS. KIM RANDALL:** [Indicating.]

16 **THE HON. MARK WILLIS:** Okay. Do you solemnly
17 swear to tell the truth and nothing but the truth?

18 [Laughter]

19 Oh, that's the wrong one. That's the wrong
20 one.

21 **INCOMING CHAIRMAN RANDALL:** So help me God.

22 [Laughter]

23 **THE HON. MARK WILLIS:** Okay. Mr. Randall,
24 please place your left hand on the Bible and raise
25 your right hand –

26 **INCOMING CHAIRMAN RANDALL:** [Indicating.]

27 **THE HON. MARK WILLIS:** – and repeat after me.

28 [WHEREUPON, Rep. Willis administered and
29 Incoming Chairman Randall took the
30 following oath:

31 I do solemnly swear, as Chairman of
32 the Public Service Commission of South

1 Carolina, I'm duly qualified according to
2 the Constitution of this State to
3 exercise the duties of the office to
4 which I have been elected, and that I
5 will, to the best of my ability,
6 discharge the duties thereof and
7 preserve, protect, and defend the
8 Constitution of this State and of the
9 United States, so help me God.]

10 **THE HON. MARK WILLIS:** Congratulations.

11 **INCOMING CHAIRMAN RANDALL:** Thank you.

12 [Applause]

13 **CHAIRMAN WHITFIELD:** Vice Chairman Randall, if
14 you want to go ahead and we'll swear in
15 Commissioner Ervin, and then both of you are going
16 to be expected to make some remarks. So, at this
17 time, I'll call on Senator Karl Allen and
18 Representative Bruce Bannister to come forth and
19 administer the oath to Commissioner Elect Tom
20 Ervin.

21 **THE HON. KARL B. ALLEN:** It certainly is my
22 pleasure, Mr. Chairman, to be before you after all
23 these years of seeing you come and be around us.

24 [Laughter]

25 It is certainly challenging to hear my
26 colleague, Representative Willis, tell us about
27 some days with you. But I would be remiss if I
28 didn't call you – I just want to do it from my
29 heart – call you Swainey.

30 [Laughter]

31 I never had that opportunity.

32 **CHAIRMAN WHITFIELD:** I'll take it.

1 **THE HON. KARL B. ALLEN:** And to the reporter,
2 we're going to spell that "Swainey."

3 But it's also my pleasure to be very brief and
4 to the point, to participate at the Public Service
5 Commission of South Carolina's installation of the
6 Officers. One must ask yourself the same question
7 that we, up in the Upstate, asked ourselves when we
8 were looking at candidates. I'm reminded, I
9 believe Martin Luther King entitled a book *What*
10 *Manner of Man*. And so, what manner of a Commission
11 member that we speak on today is one that we know
12 has integrity, one that we and the community
13 vouches for the trustworthiness of a Boy Scout, one
14 that we know is very diligent in the task that they
15 have before them. I speak of none other than Tom
16 Ervin – or Judge Ervin, as some would say. And
17 that brings me to another point. Why would you
18 come out of Anderson and why would you aspire to do
19 great things in life? Why would you want public
20 service? Why would you want to improve the quality
21 of life for others? The steps to a Boy Scout? The
22 steps to education? The steps to becoming a judge
23 and serving South Carolina? And the answer – as
24 Representative Bannister looks at me now and says,
25 "I thought you were going to be brief."

26 [Laughter]

27 – the answer to that is very clear. Why does
28 Judge Ervin take the steps that he takes? And it's
29 very clear and a simple answer. The steps of a
30 good man is ordered by God. And so, today, we are
31 honored – on behalf of Senator Verdin, who got the
32 short straw and was able to stay while I came to

1 participate – we are honored today to participate
2 in the swearing-in and your administration of the
3 oath, to give service to the great State of South
4 Carolina.

5 I'll turn it over to Representative Bannister.

6 **INCOMING COMMISSIONER ERVIN:** I want you to
7 hold this with your good arm [indicating].

8 [Laughter]

9 **MS. KATHRYN WILLIAMS:** [Indicating.]

10 **THE HON. BRUCE W. BANNISTER:** If you will,
11 place your left hand on the Bible and raise your
12 right hand –

13 **INCOMING COMMISSIONER ERVIN:** [Indicating.]

14 **THE HON. BRUCE W. BANNISTER:** – and repeat
15 after me.

16 [WHEREUPON, Rep. Bannister administered
17 and Commissioner Elect Ervin took the
18 following oath:

19 I do solemnly swear, as a
20 Commissioner of the Public Service
21 Commission of South Carolina, that I am
22 duly qualified according to the
23 Constitution of this State to exercise
24 the duties of the office to which I have
25 been elected, and that I will, to the
26 best of my ability, discharge the duties
27 thereof and preserve, protect, and defend
28 the Constitution of this State and of the
29 United States, so help me God.]

30 **THE HON. BRUCE W. BANNISTER:** Thank you, Tom.

31 **INCOMING COMMISSIONER ERVIN:** Thank you.

32 [Applause]

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Do my remarks come now, or later?

CHAIRMAN WHITFIELD: Why don't you go ahead? Commissioner Randall's nodding. Why don't you go ahead and make your remarks now, and we'll get him back up.

INCOMING COMMISSIONER ERVIN: Mr. Chairman, congratulations. I had the pleasure of meeting you and we had a nice chat about college football, high school football, and growing up in rural South Carolina, and I look forward to working with you. I had the pleasure of meeting your parents.

And I'm so impressed with your son's achievements. I had a common friend that worked with him at Presbyterian College, and so I'd already heard about him, but I now have the pleasure of working with him.

So it's indeed an honor to be on the same program with you today.

I want to also thank Outgoing Commissioner Lib Fleming, from Spartanburg. She chose not to run for re-election, and so I'll be trying to fill those shoes and that chair. But Lib has been a faithful member of the Commission, and let's give her a hand as she retires.

[Applause]

And, Chairman Whitfield, I want to thank you and your Staff for the kindnesses and courtesies you've shown me as a new member. I feel right at home already. I was shown around, and Jocelyn and the Staff have just been so kind and courteous in accepting me as a new member of the family.

And to those in attendance today, I look

1 forward to working with all of you. I know many of
2 you, some better than others, and some I've met for
3 the first time. But, you know, we're honored to
4 have good leadership in this State, and I can't
5 tell you how thankful I am to be represented by
6 Senator Karl Allen and Bruce Bannister, up in
7 Greenville, as well as Representative Willis, who
8 has part of Greenville County. They're fine men,
9 and we are grateful for their service to the State.

10 I am a man of faith and as Karl knows, because
11 we've been supporting Boy Scouts – I serve on the
12 Board up there on Blue Ridge Council, Boy Scouts,
13 and Karl comes to all of our banquets and some of
14 our meetings, and when he can, when his schedule
15 permits. But, you know, I believe in God and
16 Country. I think that's really what brought me to
17 public service.

18 I got an opportunity to work with the pastor
19 at my church, who is no longer with us, Rev. Jim
20 Barrett, who left to go become the first president
21 of Spartanburg Junior College, it was called then.
22 But Jim Barrett took the time to work with me as a
23 young teenager, and he encouraged me and pushed me
24 to finally get my God and Country award and then my
25 Eagle Scout award. And so that's meant a lot to me
26 over the years. And I think that it's time for me
27 to try to continue to give back to our community,
28 not just to Greenville but throughout the State, to
29 promote good values and citizenship and public
30 service.

31 And, so, I'm looking forward to this
32 opportunity to serve with you all and with the new

1 Commissioner that's now on active duty in Korea,
2 and Commissioner Elect Williams could not be with
3 us today. We hoped to have him here, but he's
4 serving our country. He'll be joining us next
5 month when he finishes his duties and
6 responsibilities in Korea.

7 But thank you for coming and thank you for
8 your support of the Commission. And, Staff, thank
9 you for all that you do to make our job easier.

10 [Applause]

11 **CHAIRMAN WHITFIELD:** Thank you, Commissioner
12 Ervin, and welcome aboard.

13 And now we'll hear from our new Chairman,
14 Commissioner Randy Randall.

15 **INCOMING CHAIRMAN RANDALL:** Thank you, Mr.
16 Chairman – still, until the 30th.

17 [Laughter]

18 I wrote something down, because Kim made me,
19 because if I didn't, you know, I freestyle and I do
20 like a microphone, so...

21 I do want to thank all my fellow Commissioners
22 for electing me to the chairmanship, especially
23 coming at such a slow time with not much going on
24 in utility regulation.

25 [Laughter]

26 I'm proud to be a member of this Commission.
27 Every day these Commissioners consider facts and
28 try to stay above a lot of chatter out there by a
29 lot of folks who don't really know what we do, on a
30 wide range of issues. And despite some things you
31 hear every now and then, this is one of the best
32 and brightest groups and one of the best-qualified

1 groups of Commissioners in the country. You know,
2 in my five years I've been here, there's a real
3 attention to the law of this State, to ethical
4 considerations, and to the service to the people of
5 South Carolina. Those are paramount. The laws of
6 this State matter, and I can guarantee we follow
7 the law, every time, that's passed by the General
8 Assembly. We've been reminded, many times, we
9 don't make the law, but we do follow it. And I
10 think it's great, even when we disagree, that we do
11 it with courtesy and respect. And I'm honored to
12 have served with each of you, and to continue
13 serving with you.

14 I want to say a special thanks to
15 Commissioners Bockman and Fleming. Gonna miss you.
16 And that's one of those things, see, even though
17 they voted against my motion, we still love each
18 other.

19 [Laughter]

20 And that's all right. It's okay to disagree.
21 You know, we do some things revolutionary, every
22 now and then, like compromise, and we're glad to
23 see folks who can do that.

24 I just want to welcome Commissioner Ervin.
25 We're looking forward to having you here with us.
26 And also Commissioner Williams, when he returns;
27 we'll be swearing him in pretty soon.

28 I want to also say thank you to the entire
29 Staff of this Commission. This is one of the
30 brightest and best-educated, well-trained groups of
31 people that I've ever worked with. You know, our
32 Staff is the real backbone of this organization.

1 And I appreciate, to all the Staff that are
2 listening, more than you know, the hard work it
3 takes to advise the Commissioners and make sure we
4 make the best decisions for the citizens of South
5 Carolina. And I'll say that, with me as Chair,
6 probably your greatest challenge is ahead. Melissa
7 Purvis is the person who gets the brunt of dealing
8 with me, every day, and she's a champion at keeping
9 me moving forward without having to really take me
10 out back and shoot me, probably, so thanks to her.
11 I also want to say thanks – Senator Allen had to
12 leave, but I appreciate him being here. Also,
13 Representative Bannister, thank you, for being
14 here. My friend, Mark Willis. Sorry, we didn't –
15 we actually – we scheduled Danny Verdin. You know,
16 I sing every Monday night in a quartet with Danny
17 Verdin – with Senator Verdin. Y'all probably
18 didn't know that. So it's best that he didn't want
19 to come here and try to strike up a tune, anyway,
20 so, but we miss having him here. These guys know
21 what we do, they listen to me, and when I'm in
22 their ear a lot. And I've told Representative
23 Willis many times, I say, "I hope you don't mind me
24 being so direct on this," and so, so far, he's said
25 okay, and we like that. So I appreciate what you
26 do, what all of you do, every day.

27 Most importantly, I want to thank my family.
28 My parents are here today, Buzzy and Bug. That's
29 what my grandchildren call them; that's their
30 nicknames. Buzzy and Jo. But, you know, they've
31 been teaching me – they've taught me many things
32 and are still teaching me. I spoke at a thing one

1 time and told people in Washington, Georgia, where
2 I'm from. I said, "You know, when I was in high
3 school and when I was a little kid, I had a drug
4 problem." People looked up and said, "What?" I
5 said, "Yeah," I said, "I got drug to church, I got
6 drug to school, I got drug all kind of places I
7 didn't want to go, that were good for me," and I'm
8 glad I did have that problem from mom and dad, and
9 I sure do appreciate it. I appreciate everything
10 that y'all do and are keeping on doing for me.

11 Now, special thanks to Kim. Kim and I have
12 been married for 39 years. And, you know, we have
13 two beautiful daughters. And I left one of them
14 out last time, so I'll make sure I say it. And
15 then four grandchildren, who consume every bit of
16 time that's not here.

17 Now, Kim has been on the entire public service
18 journey with me, from city council to mayor to this
19 Commission. And she's had to listen to everything.
20 And I just really do appreciate – you know, most of
21 the time, she agrees with me. She's one of the
22 smartest people I know. She's a great sounding
23 board for me. And she's really good about
24 supporting me when she thinks I'm right. And that
25 one time I was wrong, she was really not very shy
26 about telling me. So thank you, darling.

27 **MS. KIM RANDALL:** You're welcome.

28 **INCOMING CHAIRMAN RANDALL:** All right.
29 Something tells me that this fall is going to be
30 kind of interesting here. We have hearings on
31 every facet of utility regulation coming up, and on
32 some of the most important, complicated issues this

1 State has ever faced. I've been in the middle seat
2 many times in my career, but I'm sure this is going
3 to be a real baptism in judicial proceedings. And
4 so it should be pretty interesting and kind of
5 unpredictable, but that's okay. You know, I heard
6 the great guitarist Ry Cooder – not many of y'all
7 probably know who Ry Cooder is, but a lot of you do
8 – I heard him on-stage one night a couple of years
9 ago say, "You know, we're going to play a song that
10 we've never done before," he said, "but I ain't
11 never been afraid of screwing up in public."

12 [Laughter]

13 And so, I pretty much never have either. So
14 I'm sure that, with our Staff here, and with the
15 finest group of Commissioners I know, that we'll
16 stay above the noise, we'll pay attention to detail
17 and to the law, and we'll serve this State and our
18 citizens very well. Thank you, very much.

19 And I'll turn it back over to Swain.

20 [Applause]

21 **CHAIRMAN WHITFIELD:** Well, thank you, Mr.
22 Chairman. You have certainly been a wonderful Vice
23 Chairman. But you have one more duty to do, before
24 we close this meeting. You need to come over here
25 and bang this gavel and close this meeting.

26 **INCOMING CHAIRMAN RANDALL:** With pleasure. We
27 are adjourned [indicating].

28 [Laughter]

29 [WHEREUPON, at 3:05 p.m., the proceedings in
30 the above-entitled matter were adjourned.]

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Date: 7/3/18 .

Jo Elizabeth M. Wheat, CVR-CM/M-GNSC
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