

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS)
THIRTEENTH JUDICIAL CIRCUIT)

COUNTY OF GREENVILLE)

Jessica S. Cook, Corrin F. Bowers & Son, Cyril)
B. Rush, Jr., Bobby Bostick, Kyle Cook, Donna)
Jenkins, Chris Kolbe, and Ruth Ann Keffer, on)
behalf of themselves and all others similarly)
situated,)

CASE NO. 2019-CP-23-06675

Plaintiffs,)

NOTICE OF FILING)
AMENDED EXPERT OPINION OF)
INDEPENDENT COUNSEL)
REGARDING)
S.C. PUBLIC SERVICE)
AUTHORITY'S)
COMPLIANCE WITH THE)
COOK SETTLEMENT)

v.)

South Carolina Public Service Authority, an)
Agency of the State of South Carolina (also)
known as Santee Cooper); W. Leighton Lord, III,)
in his capacity as chairman and director of the)
South Carolina Public Service Authority;)
William A. Finn, in his capacity as director of the)
South Carolina Public Service Authority; Barry)
Wynn, in his capacity as director of the South)
Carolina Public Service Authority; Kristofer)
Clark, in his capacity as director of the South)
Carolina Public Service Authority; Merrell W.)
Floyd, in his capacity as director of the South)
Carolina Public Service Authority; J. Calhoun)
Land, IV, in his capacity as director of the South)
Carolina Public Service Authority; Stephen H.)
Mudge, in his capacity as director of the South)
Carolina Public Service Authority; Peggy H.)
Pinnell, in her capacity as director of the South)
Carolina Public Service Authority; Dan J. Ray, in)
his capacity as director of the South Carolina)
Public Service Authority; David F. Singleton, in)
his capacity as director of the South Carolina)
Public Service Authority; Jack F. Wolfe, Jr., in)
his capacity as director of the South Carolina)
Public Service Authority; Central Electric Power)
Cooperative, Inc.; Palmetto Electric Cooperative,)
Inc.; South Carolina Electric & Gas Company;)
SCANA Corporation, SCANA Services, Inc.,)

Defendants.)

_____)

Defendant South Carolina Public Service Authority (also known as Santee Cooper) gives notice of filing the Amended Expert Opinion of Independent Counsel regarding compliance with the *Cook* settlement.

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April 30, 2025

AMENDED EXPERT OPINION

Re: *Cook v. Santee Cooper*, Case No. 2017-CP-25-348, 2019-CP-23-0665, in the Court of Common Pleas, Thirteenth Judicial Circuit, Greenville County, South Carolina

We have been asked by the South Carolina Public Service Authority (Santee Cooper) to provide an independent expert opinion to assess the benefits to the Class from Santee Cooper's compliance with the Settlement Agreement and Release (Settlement Agreement)¹ in the above-referenced case over the past five years. This Amended Expert Opinion updates and expands upon our Expert Opinion of March 21, 2025, that was provided to the Court with the *Joint Memorandum in Support of Approval of Cook Settlement Disputes Resolution Agreement* submitted on March 21, 2025, and analyzes the *Cook v. Santee Cooper, South Carolina Public Service Authority 2024 Annual Compliance Report* (2024 Compliance Report).

We are competent, due to our qualifications and professional experience, to provide opinions on these questions. We collaborated on this report to leverage the widest array of our experiences. We give this legal opinion so that it may be submitted to the Court of Common Pleas in this settled class-action suit. We are aware of the provisions of criminal law regarding perjury, and our expert opinion, as signed below, will be regarded the same as testimony under oath, subject to the penalty of perjury.

Our opinions are based on the materials identified below and on our research and analysis of the information we have been provided and have independently obtained. Our opinions are subject to amendment or supplementation as warranted.

We understand that Santee Cooper has an annual obligation to give the Court a compliance report, and we will update our opinions accordingly as the implementation of the Settlement Agreement progresses.

Our Background and Qualifications

Wallace B. Jefferson

I am a named partner of the law firm Alexander Dubose & Jefferson LLP, in Austin, Texas, USA. Before joining the firm, I was the 26th Chief Justice of the Supreme Court of Texas, the highest civil court in the State of Texas. The Governor of Texas at that time, Rick Perry, appointed me to the Supreme Court in 2001 and named me Chief Justice in 2004. I was elected to both positions by the people of Texas and served on the Court until October 2013.

I served as president of the Conference of Chief Justices, an association of chief justices from the 50 states comprising the United States of America and the U.S. territories. While serving in that role, I gave a presentation to the Network of the Presidents of the Supreme Judicial Courts of the European Union, held at the European University Institute in Florence, Italy, about applying

¹ The Settlement Agreement is "Exhibit A" to the *Order Granting Preliminary Approval of Class Action Settlement and Continuing Stay of Pre-Trial Proceedings* at 6-7, in *Jessica S. Cook v. S. Carolina Pub. Serv. Auth.*, No. 2019-CP-23-06675 (Ct. Com. Pleas, Greenville, Mar. 17, 2020).

the rule of law among independent sovereigns. At the invitation of Chief Justice John Roberts of the Supreme Court of the United States, I served on the federal Judicial Conference Standing Committee on Rules of Practice and Procedure. I have also served on the Board of Advisors of the Justice Sandra Day O'Connor Judicial Selection Initiative. I was the Treasurer and am a member of the Council for the American Law Institute, an organization devoted to producing scholarly work to clarify, modernize, and improve the law. I am an elected member of the Philosophical Society of Texas and the American Academy of Appellate Lawyers. My CV is attached as Exhibit 1.

I graduated from the James Madison College at Michigan State University in 1985 and from the University of Texas School of Law in 1988. I have been a member of the State Bar of Texas since 1988. I have been certified in civil appellate law by the Texas Board of Legal Specialization since 1993.

During my tenure on the Supreme Court of Texas, I reviewed and voted on more than ten thousand petitions for review and mandamus petitions. The Court issued approximately 1,900 opinions during that time, and I participated in all of them, other than the few instances in which I voluntarily recused myself due to a possible conflict of interest. I authored 99 majority opinions, as well as numerous concurrences, dissents, and per curiam opinions.

While on the Supreme Court of Texas, I participated in numerous cases involving issues affecting public utilities. Since returning to private practice, I have represented a variety of industry stakeholders in litigation before the United States Court of Appeals for the Fifth Federal Circuit, the Supreme Court of Texas and other Texas courts—and my clients have included utilities, utility customers, and the Texas electric grid operator, the Electric Reliability Council of Texas—in a wide range of issues affecting the provision of and payment for utility services. Before becoming a judge, I practiced law at the San Antonio, Texas, USA, law firm of Groce, Locke & Hebdon from 1988 to 1991, and then at my own San Antonio appellate boutique firm, Crofts, Callaway & Jefferson, from 1991 until my appointment to the Supreme Court of Texas in 2001. My practice focused primarily on appellate matters, resulting in more than sixty reported appellate decisions, including two favorable decisions from cases I argued in the Supreme Court of the United States. I have also served as an expert witness on attorney's fees regarding a case argued in the Supreme Court of the United States and am currently serving as an expert witness on various issues of Texas law in proceedings in Israel. At Alexander Dubose & Jefferson, I have appeared dozens of times before intermediate appellate courts, the Texas Supreme Court, and the United States Court of Appeals for the Fifth Circuit.

Marcy Hogan Greer

I am the managing partner at the law firm Alexander Dubose & Jefferson LLP, in Austin, Texas, USA. I have been a partner with Alexander Dubose & Jefferson LLP since January 2014. Prior to that time, I was an equity partner with Norton Rose Fulbright (US) LLP, having practiced with that firm for almost twenty years. Before joining Norton Rose Fulbright, I clerked for the Honorable Carolyn Dineen King of the U.S. Court of Appeals for the Fifth Circuit.

I was licensed to practice law in 1990, and the majority of my practice has been concentrated in complex litigation and appellate law. I have been certified in civil appellate law

by the Texas Board of Legal Specialization since 1997. I am also an elected member of the American Law Institute and a Fellow of the American Academy of Appellate Lawyers.

I have been admitted to practice before the U.S. Supreme Court, the Supreme Court of Texas, all of the U.S. circuit courts of appeal (except for the Sixth and D.C. Circuits), and all of the federal district courts in Texas, as well as the Northern District of Florida. I have been admitted to practice pro hac vice in individual cases before state and federal courts throughout the country where my expertise was utilized, particularly those involving class actions and mass torts.

I have negotiated, drafted, and implemented dozens of class-action and complex, mass-tort settlements. One example of such a settlement agreement and implementation was in *Texas v. Farmers*, No. GV-202501, in the 261st District Court of Travis County, Texas. Texas sued Farmers Group, Inc., and a number of corporate-related insurers on behalf of a class of millions of Texas policyholders, claiming that the insurers charged excessive rates for homeowner policies between 1999 and 2003, had improperly used credit scores and risk assessments in determining premiums, and failed to provide adequate notices under the Fair Credit Reporting Act to both homeowners and automobile policyholders. The case was settled with three sub-classes and a complex combination of remedies. After an unsuccessful seven-year appeal by certain objectors,² the parties had to renegotiate certain terms of the settlement agreement, and the trial court approved the amended settlement agreement that I helped negotiate and drafted. Full implementation of the *Farmers* settlement took several years, which I oversaw as outside counsel. In addition, I have been the lead settlement counsel in negotiating, drafting, and implementing a variety of class-action, mass-tort, and other complex settlements.

I am the National Editor of the American Bar Association's two-volume book, *A PRACTITIONER'S GUIDE TO CLASS ACTIONS* (1st ed. 2010; 2d ed. 2017, 3d ed. 2021). I have handled and consulted on a wide variety of class actions, including pharmaceutical products, insurance, environmental, consumer, food and alcohol labeling, securities, and employment matters. My current CV is attached as Exhibit 2.

Our Work in this Matter

We were retained as experts to testify regarding Santee Cooper's compliance with Sections IV.A and IV.B of the Settlement Agreement. In connection with our work, we performed the following:

- (a) We reviewed the Settlement Agreement, the Amended Final Order and Judgment (Judgment), the live pleadings, and the motions and briefing related to the trial court's approval of the Settlement Agreement downloaded from the Court's official website;
- (b) We prepared and submitted an Expert Opinion for FYE 2020 that analyzed the initial implementation of the Settlement Agreement and other business activities of Santee Cooper during FYE 2020 relative to the Settlement Agreement;

² *E.g.*, *Farmers Grp., Inc. v. Lubin*, 222 S.W.3d 417 (Tex. 2007); *Lubin v. Farmers Grp., Inc.*, No. 03-03-00374-CV, 2009 WL 3682602 (Tex. App.—Austin Nov. 6, 2009, no pet.).

- (c) We met and communicated with Santee Cooper’s counsel multiple times over the course of the next four years following our first report to discuss the continuation of the settlement-implementation process during FYE 2021, FYE 2022, FYE2023, and FYE2024;
- (d) We have reviewed almost 40,000 pages of documents received from Santee Cooper relating to the implementation of the Settlement Agreement, including annual reports, board packages and presentations, spreadsheets, emails and other correspondence, Act 90 materials, reports to and from the Office of Regulatory Staff (ORS) of South Carolina, customer bills, websites, and other materials;
- (e) Santee Cooper has agreed to continue our retention of Kevin M. Flaherty and Aaron Isch with the premier forensic accounting firm, Matson Driscoll & Damico LLP (MDD), to assist our review based on their extensive expertise and experience in utilities and finance;³ and
- (f) We conferred with MDD about what data, materials, and information would help us assess Santee Cooper’s compliance with the Settlement Agreement;
- (g) We conferred with Messrs. Flaherty and Isch and had internal discussions about Santee Cooper’s 2024 Compliance Report and all aspects of our March 21, 2025, Expert Opinion and this Amended Expert Opinion, as well as our research, analysis, and conclusions that form the bases of both; and
- (h) Together with Messrs. Flaherty and Isch, we have met with numerous Santee Cooper representatives and consultants relating to myriad aspects of Santee Cooper’s implementation of the Settlement Agreement. Santee Cooper has fully complied with all of our requests for documentation and to meet with its representatives and experts, and all of our questions have been answered to our satisfaction.

The Cook-Santee Cooper Settlement Agreement

The Settlement Agreement ended a lengthy and extensive dispute over the failed construction of two nuclear reactors at the V.C. Summer site in Jenkinsville, South Carolina (Project), by South Carolina Electric & Gas n/k/a Dominion Energy Southeast Services, Inc. (Dominion) and Santee Cooper. The plaintiffs are direct and indirect utility customers who claimed that they were improperly charged for amounts related to the Project’s construction.

The court certified the “Class” as:

All Santee Cooper residential, commercial, industrial, and other customers, both direct and indirect, who paid utility bills that included rates calculated, in part, to pay pre-construction, capital, in-service, construction, interest, and other pre-

³ A copy of Mr. Flaherty’s CV is attached as Exhibit 3, and Mr. Isch’s CV is attached as Exhibit 4.

operational costs associated with the V.C. Summer Nuclear Reactor Unit 2 and 3 Project from January 1, 2007, through January 31, 2020.

Settlement Agreement at § I.3.⁴

There are two primary forms of relief for Santee Cooper’s customers:

- a common benefit fund (Common Benefit Fund) for pro rata payments to the class members (§ IV.A); and
- a rate freeze consistent with the rates projected in Santee Cooper’s 1995 Reform Plan spanning 2020 through the end of 2024 (Rate Freeze) (§ IV.B).

A. The Common Benefit Fund

The Common Benefit Fund was funded by co-defendant Dominion (\$320 million in common stock and cash) and Santee Cooper (\$200 million in three annual-installment payments of \$65, \$65, and \$70 million dollars). Santee Cooper agreed that its contribution to the Common Benefit Fund “will not be included in its revenue requirements or otherwise passed on to its customers by way of increased rates or charges, directly or indirectly, in its cost-of-service formula or otherwise passed on to its customers in any way either through increased rates or charges.” Settlement Agreement § IV.A. The Common Benefit Fund was designed to return to the customers the alleged overcharges associated with the V.C. Summer nuclear-reactor Project.

We analyzed this aspect of Class compensation in our April 22, 2021, Expert Opinion (2021 Expert Opinion) and updated that report in our April 28, 2023, Expert Opinion (2022 Expert Opinion), and our April 30, 2024, Expert Opinion (2023 Expert Opinion). Santee Cooper has fully funded its obligation under this provision of the Settlement Agreement, providing the Class Members with a \$200 million benefit. Santee Cooper has further detailed its ongoing efforts to distribute these benefits directly to the Class Members, which we find to be commendable and successful in that more than \$135 million of these payments (in the form of checks and credit payments) have been received by over 1 million Class Members, representing almost 84% of the disbursed funds. 2024 Compliance Report 7 & Exhibit E at 3.

B. The Rate Freeze

We have reported on Santee Cooper’s compliance with the Rate Freeze in all of our prior Expert Opinions and incorporate those opinions by reference.

The Rate Freeze has benefitted class members by suspending Santee Cooper’s rates “consistent with the rates projected in the Reform Plan, beginning in 2020 upon approval of the [Settlement] Agreement and extending through the end of 2024 (the ‘Rate Freeze Period’).” Settlement Agreement § IV.B. The rates during this period for its largest customer, Central Electric Power Cooperative (Central), have been the rates and charges on Schedule A to the Settlement

⁴ The Class definition excludes individuals and entities associated with the Defendants and the presiding judge. Agreement § I.3.

Agreement. *Id.* Santee Cooper’s retail customers’ rates during the Rate Freeze Period are set forth Schedule B. *Id.*

Santee Cooper agreed “not to defer any costs and expenses incurred or otherwise appropriately attributable to any year during the Rate Freeze Period to any other year or years during or after the Rate Freeze Period, except that Santee Cooper may defer to rates charged in years after the Rate Freeze Period ***just and reasonable costs and expenses incurred during the Rate Freeze Period resulting from***” certain enumerated circumstances. *Id.* § IV.B (emphasis added). Santee Cooper further stipulated that it would use “Good Utility Practices” as defined in its Coordination Agreement⁵ with Central.

Santee Cooper continued the Rate Freeze and has displayed that information on its website, along with frequently asked questions and answers, designed to better inform customers: <https://www.santeecooper.com/rates/rate-study> (last visited Apr. 29, 2025). On December 9, 2024, the Santee Cooper Board approved its first increase in base rates since 2017. *Id.* In addition, Santee Cooper produced examples of industrial, residential, commercial, lighting, and affected municipal customer bills from each year of the Rate Freeze, including 2024. *See, e.g.*, 2024 Compliance Report Exs. H-J. Santee Cooper complied with its obligations to Central in connection with the rates frozen according to Schedule A to the Settlement Agreement by entering the frozen components directly into Central’s billing system. *See id.* Ex. K. After the Rate Freeze expired, Santee Cooper made adjustments to Central’s billing units that are reflected in its April 2025 bill (for Central’s March 2025 usage). *Id.* at 12 & Exhibit L.

C. Exceptions to the Rate Freeze

With the assistance of the Court as mediator, the parties negotiated “Exceptions” to the Rate Freeze to allow Santee Cooper to recover the costs of specified events despite the Rate Freeze. These Exceptions anticipated and provided for certain contingencies outside of Santee Cooper’s control that might severely impair its ability to continue operations. Among the circumstances excepted from the Settlement Agreement’s prohibition against deferring costs and expenses until after the Rate Freeze are: (1) “Change in Law;” (2) “Named storm events, acts of God or the public enemy, flood, fire, strike, or catastrophic failure of equipment for reasons beyond Santee Cooper’s control;” (3) Changes in regulatory or governance requirements imposed by the Act 95 legislative process;” (4) “Deviations in Central’s actual loads.” Settlement Agreement § IV.B. The Court approved the Exceptions as well as the Settlement Agreement as a whole and ordered its implementation and retained ongoing jurisdiction to monitor compliance with the Settlement Agreement, including the Exceptions process. *See, e.g.*, Judgment at 32, 36-39; Settlement Agreement § IV.B.

Over the course of the last five years, a number of these Exceptions occurred, and Santee Cooper has both extensively reported on the circumstances of the Exceptions and quantified the financial impact of those Exceptions on its business in its 2020-2023 Compliance Reports.

⁵ *Power System Coordination and Integration Agreement Between South Carolina Public Service Authority and Central Electric Power Cooperative, Inc.* (Conformed through Dec. 31, 2015) (Coordination Agreement).

According to Greg McCormack, Director of Financial Forecast for Santee Cooper, in that period, Santee Cooper reported approximately \$716.9 million in costs directly resulting from the Exceptions. Central and Class Counsel have challenged certain Exceptions, and the trial court has determined that these disputes should be resolved after the Rate Freeze expired. Santee Cooper has identified another \$241.5 million in costs incurred in 2024 resulting directly from Exceptions that have been reported in prior years, and it has identified new Exceptions for 2024, including Named Storm Helene. Santee Cooper estimates it has spent \$21.5 million for the newly identified 2024 Exceptions. Consequently, the total amount of identified and quantified Exceptions for 2024 is approximately \$262.9 million.

A large percentage (65%) of these quantified Exceptions that have been reported to the Court so far are costs Santee Cooper incurred from the loss of the Sugar Camp Complex coal supply after an August 2021 Fire at the Sugar Camp Mine Complex operated by Foresight Coal Supply LLC—Santee Cooper’s primary coal supplier. Under the Exceptions Agreement, the Sugar Camp Mine Fire is a permitted, non-waived Exception.

We first analyzed this Exception in our 2021 Expert Opinion and continued to report on it in our 2022 and 2023 Expert Opinions. During this three-year period, Santee Cooper reported the fire and the resulting closure of the mine by the Mine Safety and Health Administration (MSHA) Order caused increased fuel costs to Santee Cooper of:

2021	\$ 31,342,473 ⁶
2022	\$294,243,572 ⁷
2023	\$135,276,799 ⁸
TOTAL:	\$460,862,844

These figures are calculated as the amounts Santee Cooper was required to spend for replacement coal and other costs restoring the power that Santee Cooper would have generated from the planned supply of coal from Foresight. *See* 2021 Expert Opinion at 9-10; 2022 Expert Opinion at 11; 2023 Expert Opinion at 10. They are supported by extensive modeling analyzed by nFront Consulting LLC (nFront), which was the subject of discussion in our prior reports. *See* 2021 Expert Opinion at 9-10; 2022 Expert Opinion at 11; 2023 Expert Opinion at 10. Santee Cooper has mitigated the losses occurring from the mine fire, including negotiating favorable prices for replacement coal with Foresight and other coal suppliers. *E.g.*, 2023 Expert Opinion at 10; *see also* 2024 Compliance Report at 21-22. In 2022—a year in which fuel costs skyrocketed for all utilities in the region as a result of the Russian-Ukraine War,⁹ Hurricane Ian and named Winter Storms Izzy, Jasper, and

⁶ Santee Cooper 2021 Compliance Report at 16, as updated by 2022 Compliance Report at 24.

⁷ Santee Cooper 2022 Compliance Report at 19, 24.

⁸ Santee Cooper 2023 Compliance Report at 27.

⁹ As explained in the *Cook v. Santee Cooper, South Carolina Public Service Authority 2022 Annual Compliance Report* (2022 Compliance Report) at 27-35, the United States’ sanctions against

Elliott,¹⁰ and regulatory changes resulting from the COVID pandemic and Effluent Limit Guidelines from the United States Environmental Protection Agency¹¹—Santee Cooper was nevertheless able to reduce the total costs by almost \$43 million in fuel-related cost that is not impacted by the Rate Freeze, yielding the \$294.2 million net figure. *See* Santee Cooper 2022 Compliance Report at 11, 23-24.

D. Resolution of Disputes Over the Exceptions

After having extensively negotiated their disputes over these Exceptions for more than two years, the parties have entered into a settlement agreement regarding the Exceptions. *See Cook Settlement Disputes Resolution Agreement* (Feb. 25, 2025) (Exceptions Agreement). Under this agreement, Santee Cooper will recover \$550 million of the \$979.9 million in Exceptions Costs or expenses incurred during the Rate Freeze (Resolution Amount) that it has identified relating to: (1) the Sugar Camp Mine Fire and MSHA Order closing it; (2) the Executive Order and other actions related to the Russian-Ukraine War; and (3) accrued interest during the Rate Freeze period to finance the Exceptions. *Id.* ¶ 1.a.¹² Santee Cooper has retained its right to collect debt service on the Change in Law Effluent Limit Guidelines by the EPA and has otherwise relinquished its rights to other identified Exceptions. *Id.* ¶ 1.b & c.

Rather than attempt to collect the entire amount in a single year, the Parties agreed that Santee Cooper should recover this amount over the course of 14.5 years and issue debt in the interim. *Id.* ¶ 3.a. The Parties agreed that the costs of this recovery and financing will be allocated 65.4% to Central and 34.6% to Santee Cooper’s other customers. *Id.* ¶ 3.d.

Spreading this recovery over 14.5 years is projected to significantly lessen the rate impact on Santee Cooper’s customers. If the entire \$550 million were recovered in a single year, the customers’ rates would increase by 25%. With the debt-finance mechanism in place, the Exception expenses will cause a rate impact of only 3%. If the Court approves this Exceptions Agreement, the typical residential customer will experience an average bill increase of a few dollars monthly.

E. Class Members’ Benefits From the Settlement Agreement

The Class has already received \$200 million from Santee Cooper in the form of the Common Benefit Fund.

The Rate Freeze has also significantly benefited the Class Members and Central over the past four years. In 2020, Class Counsel predicted that the Rate Freeze would provide Class

Russia and changes in policy as a result of the war directly affected the purchase price of domestic natural gas and increased Santee Cooper’s energy costs by over \$77 million.

¹⁰ *Id.* at 35-39.

¹¹ *Id.* at 13, 17-18.

¹² Collectively, these amounts are defined in the Exceptions Agreement as the “Recovery Amount.” Exceptions Agreement ¶ 3.a.

Members \$510 million in future relief. *See* Affidavit of John R. Alphin ¶ 7 (May 13, 2020), Ex. 2 to *Class Counsel's Application for Reimbursement of Expenses and a Contingency Fee Award*. Santee Cooper has projected the customer benefit (even with recovery of the Exceptions) to be \$504.7 million in fuel costs alone. In reality, the Rate Freeze has benefited both the Class Members and Central more appreciably because utility rates for Santee Cooper's competitors have increased significantly since the Settlement Agreement was approved, yet the Class Members' and Central's rates have remained frozen for four and a half years:

For example, according to ORS data, during the Rate Freeze, Santee Cooper's competitors have significantly raised their rates:

Company	Average Bill for 1000 kWh 2020 (RES)	Average Bill for 1000 kWh 2024 (RES)	Percentage Increase
Duke Energy Progress	\$120.30	\$154.01	28.02%
Duke Energy Carolinas	\$122.14	\$134.78	10.35%
Dominion Energy South Carolina	\$122.31	\$147.81	20.85%

<https://ors.sc.gov/sites/scors/files/Documents/Regulatory/electricNaturalGas/Electricity/Duke%20Energy%20Progress%20Rate%20History%20-%20Schedule%20RES.pdf> (last visited Apr. 28, 2025);

<https://ors.sc.gov/sites/scors/files/Documents/Regulatory/electricNaturalGas/Electricity/Duke%20Energy%20Carolinas%20Rate%20History%20-%20Schedule%20RS.pdf> (last visited Apr. 28, 2025);

[https://ors.sc.gov/sites/scors/files/Documents/Regulatory/electricNaturalGas/Electricity/Dominion%20Energy%20SC%20\(SCE%26G\)%20Rate%20History%20-%20Rate%208\(7-Year%20History\).pdf](https://ors.sc.gov/sites/scors/files/Documents/Regulatory/electricNaturalGas/Electricity/Dominion%20Energy%20SC%20(SCE%26G)%20Rate%20History%20-%20Rate%208(7-Year%20History).pdf) (last visited Apr. 28, 2025).

Santee Cooper's competitors' pricing has historically been much higher than its prices since 2022, which is attributable to the Rate Freeze (*e.g.*, 11% to 22% higher):

Comparison of Pricing to Other Utilities (\$/month)	
Utility	2022
Santee Cooper (RG)	110.49
Dominion Energy South Carolina (Rate 8)	130.50
Duke Energy Carolinas (RS)	122.16
Duke Energy Progress (RES)	126.96
EIA South Atlantic Average Data	134.40

South Carolina Public Service Authority, *Annual Electric Pricing Report to the South Carolina Office of Regulatory Staff for Calendar Year 2022* at 19 (Dec. 7, 2023) (residential billing).¹³

The \$550 million Recovery Amount that Santee Cooper will receive in compensation for its more than \$979.9 million in costs incurred from Exceptions during the Rate Freeze Period does not impact the benefits the Class Members have already received from the 2020 Settlement Agreement. The parties carved these Exceptions out of the Rate Freeze, and without the Exceptions Agreement, Santee Cooper, Central, and the Class would be plunged back into costly litigation regarding Santee Cooper's right to recover them and, if so, to what extent. Those proceedings would likely be protracted, as illustrated by the lengthy and complex post-settlement motions practice and settlement negotiations the parties have already endured. And Santee Cooper could recover a higher percentage of its almost \$1 billion costs from its customers. The benefit of the Exceptions Agreement is the certainty it affords both the Class Members and Santee Cooper.

F. Exceptions for 2024

As noted, under the Exceptions Agreement Santee Cooper (1) will recover certain agreed amounts through future rates relating to the Sugar Camp Mine Fire, the Ukraine War, and accrued interest it incurred during the Rate Freeze to finance the Exceptions and (2) retained its right to seek recovery for the debt service on its Change in the Law Exception for costs in complying with a rule change in the steam electric power generating Effluent Limit Guidelines (ELG) by the U.S. Environmental Protection Agency (EPA). Santee Cooper has reported on its costs and expenses related to the Ukraine War in its 2022 Compliance Report and is not reporting any costs and expenses associated with that Exception that were incurred in 2024.

1. Sugar Camp Mine Fire

For 2024, Santee Cooper reports \$28,121,904 in costs attributable to the Sugar Camp Mine Fire. *See* 2024 Compliance Report at 17. Santee Cooper has provided extensive documentation to support its reported costs attributable to this Exception.

Although this Exception did not impact the dispatch of Santee Cooper's resources in 2024, it did have an impact on its fuel costs because the higher-cost coal Santee Cooper had to procure as a result of the mine fire was still in its stockpiles during 2024 and was used during 2024. *Id.* at

¹³ [2023-Santee-Cooper-Annual-Pricing-Report-for-CY-2022.pdf](#) (last visited Apr. 28, 2025).

22-23. Santee Cooper modeled its actual fuel costs for 2024 and compared the model to the fuel costs it would have incurred if the coal supply from Foresight had not been cut off as a result of the fire—\$29,385,730. *Id.* As it has done in past years, Santee Cooper lowered this figure by over \$1 million to account for fuel-related costs paid by certain customers in 2024 that, based on variances in their agreements, included rates or components that were not included in the Rate Freeze. *Id.* at 23. The net impact is \$28,121,904. *Id.*

Santee Cooper’s 2024 costs and analysis related to this Exception were reviewed again this year by nFront Consulting LLC, which concluded that “the analyses prepared by Santee Cooper of the impacts on its fuel costs and revenue of the Coal Mine Event:

1. Are based on reasonable methods and approaches;
2. Consider the appropriate and pertinent factors necessary to determine cost and revenue impacts of the Coal Mine Event; and
3. Provide a reasonable assessment of the impacts of the Coal Mine Event on Santee Cooper during 2024.”

2024 Compliance Report Ex. U (nFront Report) at 5. We have reviewed both Santee Cooper’s analysis and the nFront report, and all of our questions have been answered to our satisfaction.

2. Changes in EPA ELGs

As discussed in Santee Cooper’s 2022 and 2023 Compliance Reports and our 2022 and 2023 Expert Opinions, EPA published a final rule for steam electric power generating ELGs in 2020. *See* Steam Electric Reconsideration Rule, 85 FR 64,650 (Oct. 13, 2020) (codified at 40 C.F.R. 423). The new rule imposed performance standards that required Santee Cooper to incur costs and expenses in installing additional wastewater treatment systems at two generating stations—Winyah and Cross. Santee Cooper began work in 2021 to comply with the rule change by implementing a pilot study at the Cross generating station and reported on that work in its 2021 Compliance Report at 13-14. Central has agreed that the ELG compliance costs were required by a “Change in Law” and thus are an Exception to the Rate Freeze. 2024 Compliance Report at 19. Central has provided input on Santee Cooper’s compliance with the ELG rules, and the parties have agreed to certain compliance options for the Winyah and Cross generating stations. *Id.* The EPA promulgated another rule in 2024 “Steam Electric Power Generating Effluent Guidelines – 2024 Final Rule,” 40 C.F.R. part 423. <https://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines-2024-final-rule> (last visited Apr. 28, 2024); *see also* 2024 Compliance Report at 18 & Exhibit R, which allows Santee Cooper to comply with the 2020 final rule as long as it retires the Winyah and Cross generating stations by 2034. 40 C.F.R. 423.19(h).

To implement these rule changes starting in 2023 and continuing through the 2024 reporting period, Santee Cooper has incurred substantial costs, including consulting fees, related to the design and construction of wastewater technology treatment systems for the Winyah and Cross generating stations. *See id.* at 19 & Exhibit S.

As noted above, Santee Cooper and Central have agreed in the Exceptions Agreement that Santee Cooper can recover the debt service costs for its ELG compliance. For 2024, costs related ELG compliance were \$180,463,505. *Id.* at 19 & Exhibit S.

G. Other Compliance Obligations

Revenue-Cost Analysis. Santee Cooper is not entitled to recover costs and expenses that exceed its revenues during the Rate Freeze Period. Settlement Agreement § IV.B. In its *Summary of 2024 Reporting Period Actual Costs v. Revenues*, Santee Cooper demonstrates that its costs and expenses did not exceed revenues in 2024. 2024 Compliance Report at 23-24 & Exhibit V. In fact, its revenues exceeded its costs and expenses by \$41.3 million for 2024. *Id.* at 24 & Exhibit V.

Regulatory Asset. The Santee Cooper Board has authorized the use of regulatory accounting for Exceptions identified in its prior years' Compliance Reports, including any future adjustments to those exception amounts (Regulatory Asset). *See, e.g.,* 2022 Compliance Report at 41 & Exhibit XX at 160-61. This accounting treatment is allowed when particular expenses are incurred in a period other than when they will be collected. In June 2024, Santee Cooper's Board approved regulatory accounting for new 2023 Exceptions that had not been approved earlier. 2024 Compliance Report at 25 & Exhibit W. The parties agreed in the Exceptions Agreement that Santee Cooper would adjust the balance of the Regulatory Asset to \$550 million, which it has done, realizing a net expense of \$153.8 million that had been previously deferred. *Id.* & Exhibit D (2024 Santee Cooper Annual Report) at 43, 93-94.

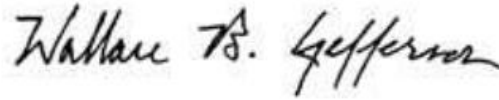
Debt Update. On May 28, 2024, the Joint Bond Review Committee (JBRC) of the South Carolina Assembly approved Santee Cooper's management's request for the issuance of up to \$445 million par of new bonds for capital expenditures through mid-2025. Santee Cooper issued additional debt in 2024 (Series 2024ABC) to pay for capital expenditures over the next couple of years and refinance certain tax-exempt debt. 2024 Compliance Report at 25 & Exhibit Y. The \$445 million of Series A tax-exempt bonds and Series C taxable bonds will be used to fund capital improvements to Santee Cooper's systems and ensure environmental compliance. *Id.* With the Series B tax-exempt bonds, Santee Cooper refinanced \$925 million of outstanding debt yielding a net present value savings for its customers of \$101.7 million over the life of the bonds. *See* 2024 Compliance Report Exhibit D at 26; *see also id.* Exhibit Y. To fund a portion of the Exception costs included in the Regulatory Asset, Santee Cooper borrowed approximately \$481 million through its Commercial Paper and Direct Pay Letters of Credit programs. 2024 Compliance Report at 26 Exhibit Z. The cost to service the debt on that portion of the Exception costs included the Regulatory Asset in 2024 was \$25,905.443.10. *Id.*

In sum, we conclude that Santee Cooper has complied with its reporting and current obligations under the Settlement Agreement, which has provided significant benefits to the Class Members and Central.

Respectfully submitted,



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April 30, 2025

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SUMMARY:

Wallace B. Jefferson is a partner at Alexander Dubose & Jefferson. Prior to joining the firm in October 2013, he served as Chief Justice of the Supreme Court of Texas. Appointed to the Supreme Court in 2001 and named Chief Justice in 2004, Jefferson made Texas judicial history as the Court's first African-American Justice and Chief Justice. He led the Court's efforts to fund access to justice programs; helped reform juvenile justice; and inaugurated a statewide electronic filing system for Texas courts. During his time on the bench, Jefferson was elected President of the Conference of Chief Justices, an association of chief justices from the 50 states and U.S. territories.

A graduate of the James Madison College at Michigan State University and the University of Texas School of Law, Jefferson is the namesake for *Wallace B. Jefferson Middle School* in San Antonio.

Jefferson is Chair of the Texas Commission to Expand Civil Legal Services, a Fellow of the by-invitation-only American Academy of Appellate Lawyers, and a Council member of the American Law Institute. He serves on the Board of Lexitas and the Project on Government Oversight. Jefferson has been certified in Civil Appellate Law by the Texas Board of Legal Specialization since 1993 and has twice won cases he argued in the Supreme Court of the United States.

He is licensed to practice in the United States Supreme Court, the Supreme Court of Texas, the United States Court of Appeals for the Fifth Circuit, and the United States Court of Appeals for the Federal Circuit.

EDUCATIONAL BACKGROUND:

- B.A., James Madison College, Michigan State University, 1985
- J.D., University of Texas School of Law, 1988

HONORARY DEGREES:

- J.D., Austin College, 2012
- J.D., University of New Hampshire School of Law, 2011
- J.D., Michigan State University, 2009
- J.D., Hofstra Law School, 2009
- J.D., Pepperdine University School of Law, 2006

PROFESSIONAL BACKGROUND:

- Chief Justice, Supreme Court of Texas, 2004-2013
- Associate Justice, Supreme Court of Texas, 2001-2004
- Partner, Crofts, Callaway and Jefferson, 1991-2001
- Associate, Groce, Locke and Hebdon, 1988-1991

BOARD CERTIFICATION:

- Board certified in civil appellate law by the Texas Board of Legal Specialization, 1993 to present

PROFESSIONAL HONORS AND AWARDS:

- Distinguished Lawyer Award, Austin Bar Association, 2020
- Presidential Citation Award, University of Texas, 2016
- Lifetime Achievement Award, Texas Lawyer, 2015
- Jurisprudence Award, Anti-Defamation League Austin, 2015
- Inaugural Wallace B. Jefferson Award, Texas Access to Justice Foundation, 2014
- J. Chrys Dougherty Good Apple Award, Texas Appleseed, 2014
- Chief Justice Jack Pope Professionalism Award, Texas Center for Legal Ethics, 2014
- Texan of the Year, Texas Legislative Council, 2014
- Outstanding Public Service Award, National Forum for Black Public Administrators, 2014
- Outstanding Texas Leader Award, John Ben Shepperd Public Leadership Institute, 2014
- MLK Association of Texas – Wallace B. Jefferson LSAT Prep Scholarship – 2014
- Texas Hero, Texas NAACP, 2013
- Distinguished Alumnus Award, University of Texas, 2013
- Lifetime Achievement Award, Texas Minority Council Program, 2013
- Morton A. Brody Distinguished Judicial Service Award, Colby College, 2012
- Namesake for Wallace B. Jefferson Middle School, San Antonio, 2007
- Outstanding Alumnus, Michigan State University, 2007
- Robert L. Hainsworth Outstanding Service Award, Houston Lawyer's Association, 2006
- Outstanding Alumnus, University of Texas School of Law, 2005
- Distinguished Alumnus, James Madison College, 2002
- President's Award, San Antonio Bar Association, 2001
- Outstanding Young San Antonian Distinguished Service Award, Rotary Club of San Antonio, 2000
- "Pillars of the Foundation Award, Northside Independent School District, 1999
- Outstanding Young Lawyer, San Antonio Lawyers Association, 1997
- "40 Under 40 Rising Stars," San Antonio Business Journal, 1996
- African American Lawyers Section of the State Bar of Texas – Chief Justice Wallace B. Jefferson Trailblazer Award

PROFESSIONAL ACTIVITIES

- Brennan Center for Justice, State Court Report Advisory Board, 2023-present
- Office of American Possibilities, National Leadership Council for Frontline Justice, 2023-present
- Board of Trustees, Texas State History Museum Foundation, 2023-present
- Trusted Driver, Inc., Chief Community Officer, 2023
- American Bar Association, Task Force on Law, Society and the Judiciary, 2022-present
- Project on Government Oversight, Board, 2022-present; Task Force on Federal Judicial Selection, Member, 2019-present

- Lexitas, Board of Directors, 2020-Present
- American Law Institute, Member, 2001-present
 - Council, 2011-present
 - Executive Committee, 2014-present
 - Executive Compensation Committee, 2014-present
 - Membership Committee, 2013-present
 - Outreach Committee, 2011-2013
 - Restatement Third, Law of Consumer Contracts, Adviser, 2012-present
 - Treasurer, 2014-2023
 - Awards Committee, Chair, 2023-Present
- Texas Commission on Judicial Selection, Member, 2019-present
- Texas 2036, Member, 2019-Present
- American Academy of Appellate Lawyers, Fellow, 2018-present
- American Academy of Arts and Sciences, Commission on the Practice of Democratic Citizenship, Member, 2018 – present
- Federal Judicial Evaluation Committee, 2017-present
- Texas Commission to Expand Civil Legal Services, Chair, 2015-present
- Texas Historical Commission, Commissioner, 2015-2021
- Michigan State University College of Law, Board of Trustees, 2016-2019
- American Bar Association, Commission of the Future of Legal Services, 2014-2015
- University of Texas Law School Foundation, Board of Trustees, 2009-present; Chair of Communications Committee, 2014
- Holdsworth Center, Governing Board, 2015-present; Governance and Nominating Committee Chair, 2021
- University of Texas Development Board, 2014-present
- Friends of the University Political Action Committee Board, The University of Texas at Austin, 2014-present
- Institute for the Advancement of the American Legal System, Justice Sandra Day O'Connor Judicial Selection Initiative, Board of Advisors, 2009-2020
- Federal Judicial Conference of the United States, Committee on Rules of Practice and Procedure, 2010-2014
- American Bar Foundation, Board of Directors, 2012-2014
- Conference of Chief Justices, President, 2010-2011; Amicus Brief Review Team, 2004-2013
- Legal Services Corporation, Pro Bono Task Force, 2011
- San Antonio Public Library Foundation, Director, 1997-2001
- Texas State Commission on Judicial Conduct, 1999-2001
- San Antonio Bar Association, President, 1998-1999
- William S. Sessions American Inn of Court, President, 1999
- Alamo Area Big Brothers Big Sisters, Director, 1995-1999
- Supreme Court of Texas Advisory Committee

PUBLICATIONS:

- *The Constitution Imparts Responsibilities as Well as Rights*, Journal of the Texas Supreme Court Historical Society, Vol. 7, No. 4, pp. 21-25 (Summer 2018)

- *Reform the Partisan System*, 79 Tex. B.J. 90 (2016)
- *Reflections on the Principle of Stare Decisis from the Perspective of Judge and Advocate*, 73 The Advocate 9 (2015)
- *Foreword*, Texas Practitioner's Guide to Civil Appeals (2014)
- 19th Annual Justice William J. Brennan Lecture on State Courts and Social Justice, *Liberty and Justice for Some: How the Legal System Falls Short in Protecting Basic Rights*, 88 New York University Law Review 1953 (2013)
- *Recognizing and Combating the "School-to-Prison" Pipeline in Texas*, National Center for State Courts (2012)
- William C. Vickrey, Douglas G. Denton, and Hon. Wallace B. Jefferson, Executive Session for State Court Leaders in the 21st Century, *Opinions as the Voice of the Court: How State Supreme Court Can Communicate Effectively And Promote Procedural Fairness* (2012)
- *Reform from Within: Positive Solutions for Elected Judiciaries*, 33 Seattle University Law Review 625 (2010)
- Chief Justice Wallace B. Jefferson & Rebecca Love Kourlis, *An Analysis of Accountability in Judicial Selection: Recounting the Peril of Straight Party Voting*, 53 The Advocate (Texas) 8 (2010)
- *Visions of Best Practices for Texas Courts*, 51 South Texas Law Review 1021 (2010)
- Op-Ed, *Why Not Elect Judges on Merit, Not Whim?*, Dallas Morning News (Mar. 12, 2009)
- Barbara Rodriguez Mundell & Wallace B. Jefferson, Executive Session for State Court Leaders in the 21st Century, *Herding Lions: Shared Leadership of State Trial Courts*, National Center for State Courts (2008)
- *Access to Justice*, 70 Texas Bar Journal 687 (2007)
- Wallace B. Jefferson, Gib Walton, & Larry Sager, *Thinking Like a (Pakistani) Lawyer*, Austin American Statesman (Dec. 7, 2007)
- *Legal Malpractice in Texas: Examining Selected Cases and Forecasting Future Trends*, 35 St. Mary's Law Journal 979 (2004)
- *Stare Decisis*, 8 Texas Review of Law and Politics 271 (2004)
- *State of the Judiciary*, 2005, 2007, 2009, 2011, 2013, all of which were published in the Texas Bar Journal



MARCY HOGAN GREER

Partner

512.716.8310 – phone

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Marcy Hogan Greer understands that real people are affected by everything she does as an appellate attorney. She believes her role is to help her clients get the result they need, solving the problem at hand in a way that most effectively addresses her clients' needs. Sometimes that means her decisions go against her own best interests. Getting the case resolved quickly and efficiently means fewer legal fees, but if it means peace of mind and resolution for her client, that's the most important outcome. Her distinguished career falls in the footsteps of her father, who was also a lawyer and law professor. As managing partner with Alexander Dubose & Jefferson, Marcy is recognized for her work in federal and state trial and appellate courts throughout the country. Her practice includes class action and mass tort cases, including federal and state multidistrict litigation. This experience, and her conscientious attention to the needs of her clients have contributed to her recognition by the Texas Bar Association with the 2021 Gregory S. Coleman Outstanding Appellate Lawyer Award from the Texas Bar Foundation, which honors Greg Coleman's legacy to the appellate bar, requiring that the recipient demonstrate an outstanding appellate practice while maintaining a strong commitment to providing legal services for the underserved, dedication to mentoring young attorneys, and a strong moral compass to guide both professional and personal pursuits. She additionally received the 2022 Pro Bono/Community Service Award from the University of Houston Law Center Alumni Association.

EDUCATION

- University of Houston Law Center, J.D., 1990
Cum Laude
- Emory University, B.A. in History and French, 1986

Court Admissions

U.S. Supreme Court

U.S. Courts of Appeals, 1st, 2nd, 3rd, 4th, 5th, 7th, 8th, 9th, 10th, 11th Circuits and U.S. District Courts, W.D., E.D., S.D., N.D.

State Bar of Texas

Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization since 1997

Honors and Distinctions

Austin Bar Foundation's Distinguished Lawyer Award (2024)

Pro Bono/Community Service Award (2022), University of Houston Law Center Alumni Association

Gregory S. Coleman Outstanding Appellate Lawyer Award (2021), Texas Bar Foundation

Louise B. Raggio Award (2017), Women and the Law Section, Texas Bar Association

Frank J. Scurlock Award for Outstanding Legal Services to the Poor (2011), Texas Bar Association

Chambers Guide to America's Leading Lawyers for Business (2016-2024)

Best Lawyers in America — Appellate, Bet-the-Company, and Commercial Litigation (2007-2025)

Lawyer of the Year (2016 and 2012), Austin Appellate Practice by Best Lawyers in America

Lawyer of the Year (2015), Austin Best-the Company Litigation by Best Lawyers in America Selected by Texas Super Lawyers — Appellate, (2003-2024), Top 100 Texas Lawyers, Top 50 Central Texas Lawyers, Top 50 Women Lawyers, Thomson Reuters

Published Works

National Editor, A Practitioner's Guide to Class Actions (2d ed. 2017), American Bar, original 2010 edition and 2012 supplement

Professional Memberships

Fellow, American Academy of Appellate Lawyers (invitation only)

Chair-Elect, Vice-Chair, Secretary, and Diversity Officer, Tort Trial and Insurance Practice Section of the American Bar Association

Serves on multiple TIPS committees and task forces and Co-Chaired the TIPS Section Conference in 2021

Course Director, State Bar of Texas' 33rd Annual Advanced Appellate Course (2019)

American Law Institute

Founder, Center for Women in Law

Greenhill Fellow, Texas Supreme Court Historical Society

Vice Chair, Texas Supreme Court Advisory Committee (SCAC)

Chair of the SCAC Sub-committees for the Business Court and Fifteenth Court of Appeals (2023-2024)

Community Involvement

Member of the Helping Hand Home Society (2019-present)

Lead Pro Bono Partner with Texas Appleseed on a major project for the Supreme Court of Texas focused on improving the lives of foster children in Texas (2010)

Secretary and Board Member for Marathon Kids (2012-2023)

Founded Girl Scout troop for second-grade girls (including her youngest daughter) in 2015 and was the Troop Leader (2015-2020)



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Kevin Flaherty

CPA, CVA | Chief Operating Officer – Americas

Kevin joined MDD Forensic Accountants in 1988, is a Partner at the firm’s Boston office and COO for the Americas.

A specialist in the evaluation and quantification of economic damages, Kevin has worked on assignments of all sizes – from claims of \$5,000 to those in excess of \$800 million.

Over the years, Kevin has focused on a variety of matters involving shareholder disputes, **divorce**, **business valuations**, Ponzi and embezzlement matters. His wide-ranging industry experience focuses on engagements involving the evaluation and quantification of damages with a focus on **lost profits** and damaged property. Notably, he was retained to evaluate **construction damages** related to the “Big Dig” in Boston and the events surrounding 9/11, including the collapse of World Trade Center 7.

Kevin has been retained as a consultant on litigation matters and has also qualified as an expert witness in both state and Federal courts and is also the head of its U.S. litigation services group.

Kevin graduated from Babson College with a Bachelor of Science degree.

Industry Experience

- > Construction
- > Financial Services
- > Power Generation
- > Healthcare
- > Manufacturing
- > Pharmaceuticals
- > Professional Services

Practice Areas

- > Business Disputes & Shareholder Disputes
- > Business Valuation
- > Construction Litigation
- > Fidelity Claims
- > Fraud & Investigations
- > Litigation Support
- > Surety Bond Matters

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Aaron Isch

CPA, CVA | Manager

Aaron joined MDD Forensic Accountants Boston office in 2014. He is a manager at the firm.

Aaron has worked on assignments across most of our practice areas concentrating on **business interruption, cyber risks, business disputes & shareholder disputes, business valuation, personal injury & wrongful death, lost profits, and post-acquisition disputes.** He is also actively involved in the **catastrophe services** area, quantifying economic damages resulting from natural disasters, including hurricanes Harvey, Irma, Maria & Ida, California Wildfires, and the 2021 freeze in Texas.

His industry experience includes **financial services, food services, healthcare, hospitality & tourism, manufacturing, professional services, and retail.**

Aaron provides litigation support services to clients and has given expert witness testimony at depositions.

He has presented seminars on business interruption and liability losses.

Aaron recently completed a six-month secondment as a Claims Manager within Beazley's Cyber and Technology group.

He received his Bachelor of Science in Accounting & Master of Business Administration from Salve Regina University.

Industry Experience

- > Financial Services
- > Food Services
- > Healthcare
- > Hospitality & Tourism
- > Manufacturing
- > Professional Services
- > Retail

Practice Areas

- > Business Disputes & Shareholder Disputes
- > Business Interruption
- > Business Valuation
- > Cyber Risks
- > Lost Profits
- > Personal Injury & Wrongful Death
- > Post-Acquisition Disputes



***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2019CP2306675

Official File Stamp: 04-30-2025 03:02:35 PM
Court: CIRCUIT COURT
Common Pleas
Greenville
Case Caption: Jessica S Cook vs. Santee Cooper , defendant, et al
Document(s) Submitted: Notice/Other
- Exhibit/Filing of Exhibits
Filed by or on behalf of: Allen Mattison Bogan

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Jamie A. Khan for Jessica S Cook
Clayton B. McCullough for Jessica S Cook
J. Emory Smith, Jr. for State Of South Carolina, Ex Rel Wilson, Attorney General
Margaret Nicole Fox for Steve Byrne
James L. Ward, Jr. for Jessica S Cook
Elizabeth Halligan Black for South Carolina Electric & Gas
James Mixon Griffin for Steve Byrne
Leah B. Moody for South Carolina Electric & Gas
J. Edward Bell, III for Jessica S Cook
Kevin Kendrick Bell for Central Electric Power Cooperative, Inc
Gabrielle Anna Sulpizio for Jessica S Cook
Donald Jay Davis, Jr. for Palmetto Electric Cooperative, Inc
William A. Coates for Jimmy Addison
Samuel W. Outten for Santee Cooper, South Carolina Public Service Authority
Robert Yates Knowlton, Sr. for South Carolina Electric & Gas
Daniel A. Speights for Jessica S Cook
Michael A. Molony for Palmetto Electric Cooperative, Inc
Daniel E. Henderson for Palmetto Electric Cooperative, Inc
Robert E. Stepp for Central Electric Power Cooperative, Inc
Vincent Austin Sheheen for Jessica S Cook
Frank Rogers Ellerbe, III for Central Electric Power Cooperative, Inc
Gregory Michael Galvin for Jessica S Cook
Benjamin Rush Smith, III for Santee Cooper, South Carolina Public Service Authority
Algernon Gibson Solomons, III for Jessica S Cook
William Coleman Hubbard for Santee Cooper, South Carolina Public Service Authority
John K. DuBose, III for Fairfield Electric Cooperative, Inc.
Allen Mattison Bogan for Santee Cooper, South Carolina Public Service Authority
Carmen Harper Thomas for Santee Cooper, South Carolina Public Service Authority
Ian Douglas McVey for Scottmadden, Inc. (Movant)
James Y. Becker for South Carolina Electric & Gas
Whitney Boykin Harrison for Jessica S Cook
Manton M. Grier for South Carolina Electric & Gas
Jasmine D. Wyman for Scana, South Carolina Electric & Gas

Steven James Pugh for Scana, South Carolina Electric & Gas
Donna Ojetta Tillis for Santee Cooper, South Carolina Public Service Authority
Jerry Hudson Evans for Jessica S Cook
Edward J. Westbrook for Jessica S Cook
Daniel Scott Haltiwanger for Jessica S Cook
James Edward Cox, Jr. for Century Aluminum Of South Carolina, Inc.
Terry E. Richardson, Jr. for Jessica S Cook
Joseph Preston Strom for Jessica S Cook
Wallace K. Lightsey for Century Aluminum Of South Carolina, Inc.
John R. Alphin for Jessica S Cook
Jessica Lerer Fickling for Jessica S Cook
Mario Anthony Pacella for Jessica S Cook
David Andrew Maxfield for Rusty Wannamaker, Justin M. Tedder, Travis B Renwick, Lindsey F
Smith, Peggy E Dantzler, William E Robinson, Caroline Robinson
Ross A. Appel for Jessica S Cook

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

The Electric Cooperatives Of South Carolina
Paul Spence