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**SCREENING HEARINGS**

*May 03, 2023*

**State Regulation of Public Utilities Review Committee**

**Public Service Commission**

REPORTER: Kathryn Bostrom

1 STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE

2  
3 PUBLIC SERVICE COMMISSION

4 SCREENING HEARINGS

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8 The within hearings, before the Public Utilities  
9 Review Committee, reported by Kathryn B Bostrom, Court  
10 Reporter and Notary Public in and for the State of South  
11 Carolina; said hearings were taken at the Gressette  
12 Building, Room 207, Columbia, South Carolina, on Wednesday,  
13 the 3rd day of May, 2023, commencing at the hour of 9:15  
14 a.m.

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APPEARANCES:

Committee Members:

- Senator Thomas C. Alexander, Chairman
- Representative William E. Sandifer, Vice Chairman
- Senator C. Bradley Hutto
- Representative Joseph H. Jefferson, Jr.
- Senator Floyd Nicholson
- Senator Luke A. Rankin
- Representative John T. West

Committee Staff:

- Breeden John, Esquire
- Bryan Triplett, Esquire

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14 Court Reporter's Legend:  
15 dashes [--] Intentional or purposeful]  
16 interruption  
17 [ph] Denotes phonetically written  
18 [sic] Written as said  
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1 P-R-O-C-E-E-D-I-N-G-S

2 SEN. ALEXANDER: I will call the Public Utility Review  
3 meeting to order on this May 3, Wednesday. Good  
4 morning and the purpose of today's meeting is to  
5 screen candidates for the appointment to the  
6 Public Service Authority Board of Directors. We  
7 have six candidates on the agenda today. The  
8 screening subcommittee met on April 26th to  
9 question the candidates and all of you have a  
10 copy of that transcript. At this time, I'll turn  
11 it over to the Screening Subcommittee Chairman,  
12 Senator Rankin, to provide an overview of the  
13 subcommittee meeting and their work as I also  
14 declare that a quorum is present for us to  
15 conduct the business of today. Senator from  
16 Horry, Senator Rankin is recognized.

17 SENATOR RANKIN: All right, thank you, Mr. Chairman.  
18 And just for the benefit of the non-sub members,  
19 which was myself, Representative Jefferson, and  
20 Senator Nicholson, we met to take up the  
21 governor's nominees and applicants, or I guess  
22 nominees, for appointments to vacancies in the  
23 various circuits -- judicial circuits of -- that  
24 we're taking up individually and so we -- we have  
25 five, I believe, maybe a total of six. Five

1 voting, one non-voting. And so each candidate, I  
2 will say for the record, obviously, meets the  
3 educational requirements and appears to satisfy  
4 the requirements pertaining to their background  
5 and areas of expertise. We had a right  
6 exhaustive interview with these candidates each.  
7 Did not break for more, and Ms. Bostrom will  
8 attest to the fact that we kind plowed right  
9 through and broke only when she said we needed  
10 to, which was I think never. So but we were able  
11 to spend a good bit of time with them and this  
12 morning y'all have before you a transcript, which  
13 I trust each of you will read and pore over with  
14 great, great attention. And also today have the  
15 ability to ask your own questions. And so we got  
16 -- and no offense but a compliment to the  
17 government's staff, Mr. Linehouse, who is here,  
18 we've never seen a faster help in getting these  
19 names and their information once they got these  
20 names, read across the Senate desk, which was  
21 just not many weeks ago.

22 SEN. ALEXANDER: It wasn't.

23 SENATOR RANKIN: Not many weeks ago. So we tried to  
24 do it as quickly and thoroughly as we could.  
25 Each candidate, of course, each of us on the



1 subcommittee asked various questions including  
2 their role, operations, general thoughts on the  
3 direction of Santee Cooper, it's relationship  
4 with it's various customer classes central,  
5 direct, and industrial, et cetera, and their  
6 vision and hope for what they would like to see  
7 accomplished within their time frame. Of note,  
8 and again it's in this transcript, that my theme  
9 I invoked was -- I don't remember who wrote it,  
10 Charles Dickens, was the best of times the worst  
11 of times. This slate of candidates is arguably  
12 coming in at the best of times with the politics  
13 of this state moving on having decided that we  
14 are not selling Santee Cooper. We now, and each  
15 of these have understood, and under oath  
16 confirmed their vision that they want to make  
17 Santee Cooper thrive and continue it's role of  
18 being an economic developer or a facilitator for  
19 this state's economic development as well as  
20 their fiduciary duty to the board and to the  
21 various classes of rate payer. Anyway, so with  
22 that, our focus and yours today, if you will,  
23 each of these folks understand the relationship,  
24 understand that we, with Act 90 in 2021, required  
25 some light transparency with what goes on with

1 Santee Cooper and -- and so that's the -- that's  
2 the best of the times that they come in and are  
3 before you today to be taken up and screened. So  
4 with that, Mr. Chairman, I think that's all that  
5 I had introductory wise.

6 SEN. ALEXANDER: Senator from Orangeburg, Senator  
7 Hutto.

8 SENATOR HUTTO: I know that we've got six before us  
9 but there are a few more who looks like their  
10 terms would run out before we meet again. Are  
11 there other appointments forthcoming?

12 SENATOR RANKIN: Well, there was one for the 7th  
13 Congressional district that would replace Merl  
14 Floyd. That applicant withdrew.

15 SENATOR HUTTO: Okay.

16 SENATOR RANKIN: So there's a vacancy. I don't know  
17 if we'll have a name.

18 MR. LINEHOUSE: As soon as possible.

19 SENATOR RANKIN: So their -- And then the 3rd is --  
20 his is -- for whatever reason -- no, no, no. Chris  
21 Clark is being -- let's see.

22 SEN. ALEXANDER: No.

23 SENATOR RANKIN: Not being replaced at this point. He  
24 is --

25 SEN. ALEXANDER: Yeah, there's certain dates on there

1           that they --

2    SENATOR RANKIN:  Some of these -- again, that one is  
3           not being --

4    SENATOR HUTTO:  Okay.

5    SENATOR RANKIN:  There's been no nominee for that one  
6           -- for that replacement yet.

7    SENATOR HUTTO:  Okay.

8    SENATOR RANKIN:  All right.  So, Mr. Chairman, if --

9    SEN. ALEXANDER:  I think we are ready for our first --

10   SENATOR RANKIN:  Right.

11   SEN. ALEXANDER:  -- individual?  En route.

12   SENATOR RANKIN:  We'll have these cued as soon as  
13           y'all give use a signal.  One of us will go have  
14           them ready or text and tell them to come on.  
15           Who's going to help us?  So somebody will be --  
16           Elizabeth will be our -- our emissary.  And let  
17           me -- while we're waiting, I'm going to pass out  
18           to y'all individually one chart that shows the  
19           rate -- just pass these down -- that I asked each  
20           of these about.  And that being the cost to  
21           Central over the last, what, nine or so years.  
22           Last first.  Weren't you the last?

23   MR. BASHA:  Yes, sir.

24   SEN. ALEXANDER:  Okay, with that we will welcome our  
25           first candidate, Mr. Paul Basha, and swear you

1 in.

2 WHEREUPON:

3 ERNEST PAUL BASHA, being duly sworn and  
4 cautioned to speak the truth, the whole truth and  
5 nothing but the truth, testifies as follows:

6 SEN. ALEXANDER: Okay. At this point, I'm going to --  
7 Mr. John to provide some background and ask you a  
8 few questions please.

9 MR. BASHA: Yes, sir.

10 MR. JOHN: Thank you, Mr. Chairman.

11 EXAMINATION

12 BY MR. JOHN:

13 Q. Good morning, Mr. Basha.

14 A. Good morning.

15 Q. All right, let's see. We received your complete  
16 appointment packet and responses to a set of  
17 preliminary screening questions. Are there any  
18 changes or is there any additional information that  
19 you would like to provide for your appointment packet  
20 or statement of economic interest?

21 A. No, sir.

22 Q. Very good. And the preliminary questions, if we asked  
23 you these questions today, would your answers be the  
24 same?

25 A. Yes, sir.

1 Q. And did you discuss the preliminary screening  
2 questions with any third parties or consult with  
3 anyone in formulating your responses?

4 A. As my -- in my previous hearing, I mentioned I did get  
5 some factual information from central but that was  
6 all.

7 MR. JOHN: At this time, Mr. Chairman, I would ask  
8 that Mr. Basha's appointment packet and  
9 preliminary screening questions be entered into  
10 the record as exhibits.

11 SEN. ALEXANDER: Without objection, so ordered. It's  
12 in the record.

13 (EXHIBIT NO. 1 MARKED FOR  
14 IDENTIFICATION PURPOSES (17 pages)  
15 preliminary questions)

16 Q. Mr. Basha is here today to be screened for appointment  
17 to the Santee Cooper Board of the Directors for the  
18 ex-officio seat appointed by the Chairman of Central  
19 Electric Cooperative. Mr. Basha is replacing Rob  
20 Hochstetler in this seat. If he is found qualified by  
21 the committee, Mr. Basha would serve the remainder of  
22 Mr. Hochstetler's unexpired term from May 20, 2023,  
23 through July 13th, of this year and Mr. Basha would go  
24 on to serve a full two year term expiring July 13,  
25 2025, as provided by South Carolina Code section 58-

1 31-20. At this time, I'll give just a very brief  
2 summary of Mr. Basha's background. He attended  
3 Clemson, where he obtained a Bachelor of Science  
4 degree and is a certified professional engineer. He  
5 has been president and CEO of York Electric Co-op  
6 since 2003. He previously worked for York as a  
7 planning engineer from 1989 to 1993 and was Manager of  
8 Engineer from '93 to 2003. Mr. Basha currently serves  
9 as chairman of the board of directors for Central  
10 Electric Power Cooperative. He also has served on  
11 numerous industry and economic development boards and  
12 commissions. He's an active member of Westminister  
13 Presbyterian Church and is involved in several  
14 charitable and civic organizations. A background  
15 check indicated no criminal record. There were no  
16 issues with his credit report. And there was no  
17 concerning information from his driving record. Mr.  
18 Basha, would you like to give a very brief opening  
19 statement at this time?

20 A. Yes. Basically, I've been in South Carolina my whole  
21 life. Been in the power industry my whole life. And  
22 working at a co-op, our whole focus is to look out for  
23 the member. And so our whole reason for existing is  
24 to look out for the customer, the member at the end of  
25 the line, and so that's what we do every day. As a

1 matter of fact, today we're having our annual meeting  
2 back at York where members get to come in and vote and  
3 -- and, you know, vote on by-law changes, vote on  
4 board members, and so I appreciate y'all letting me go  
5 first so I can get back and be amongst the members.  
6 Thank you.

7 Q. Very good. Thank you. All right, now I've got a  
8 series of questions for you. Some of them may sound  
9 familiar but for the benefit of the full committee,  
10 we'll ask them again -- most of them again. Have you  
11 ever been disciplined or cited for a breach of ethics  
12 or unprofessional conduct by any court, agency,  
13 association, or professional group?

14 A. No, sir.

15 Q. How long have you lived in South Carolina?

16 A. 57 years and some months.

17 Q. Are you registered to vote?

18 A. I am, sir.

19 Q. Are you an official with a political party?

20 A. No, sir.

21 Q. Are you currently a lobbyist or do you engage in any  
22 lobbying activity?

23 A. No, sir. By virtue of my role, I'm a lobbyist  
24 principle but I'm not a lobbyist.

25 Q. Do you or a member of your immediate family who

1 resides with you have any holdings or other financial  
2 interest in any electrical utility or other entities  
3 that may impacted by a decision of the Santee Cooper  
4 Board?

5 A. Not that I'm aware of. Some of my retirement dollars  
6 may be invested in utility. I'm not aware. I did a  
7 little research. I couldn't find any but it's very  
8 possible that's there.

9 Q. Do you have any direct or indirect business  
10 relationships with Santee Cooper or any of it's  
11 wholesale power customers aside from, you know, your -  
12 - your role at the co-ops?

13 A. No. The only thing I disclosed, my brother works for  
14 Terracon Engineering and has had a long-term working  
15 relationship with Santee Cooper in the engineering  
16 function.

17 Q. Do you have any financial conflicts of interest that  
18 can result from your appointment?

19 A. No, sir.

20 Q. Does your affiliation with any professional, civic,  
21 charitable, or similar organization present a conflict  
22 with your appointment?

23 A. Not that I'm aware of, sir.

24 Q. What would you do if a conflict arose?

25 A. The first thing is disclose it immediately. And then



1 get counsel to give guidance on what I need to do at  
2 that point.

3 **Q. Can you please provide an overview of your view of the**  
4 **role of a director on the Santee Cooper board and, you**  
5 **know, the role of an ex-officio member compared to a**  
6 **voting member?**

7 A. Well, I think, first of all, I hope I can answer both  
8 questions together. The only difference I think  
9 between the ex-officio and a regular board member is  
10 the right to vote and I understand why we don't have  
11 that. To me, I think, my role is for care of the  
12 organization. Concern for the organization. I don't  
13 mean to be doing the Cs here but confidentiality.  
14 Keeping information confidential. But also to be of  
15 counsel to the other board members on matter that  
16 pertains to Central and maybe, from my background, the  
17 power industry.

18 **Q. Very good. And a few questions about electric utility**  
19 **operations in general and Santee Cooper. How is**  
20 **Santee Cooper's business model different from investor**  
21 **owned utilities in the state?**

22 A. Well, investor owned make money for stockholders.  
23 Santee Cooper is there to serve for the benefit of the  
24 whole state of South Carolina and does not pay  
25 stockholders. It does give, I think last year, it was

1 17.1 million dollars back to the state. But there  
2 law is more kind of like a -- that of a co-op. It's  
3 about serving the greater good, not stakeholders.

4 **Q. Thank you. And same question about contrasting the**  
5 **electric co-op business model.**

6 A. Very similar to Santee Cooper but we are owned and we  
7 are -- have an obligation to take care of the members  
8 of the co-op and so that's the little bit of a  
9 difference. And then any monies we make that we don't  
10 need for operations, returned back to our -- the  
11 member co-op. Like, for instance, right now we just  
12 sent out checks to our members for 2.6 million dollars  
13 of money back to the folks who are members and  
14 customers.

15 **Q. What is Santee Cooper's current generation mix and, if**  
16 **you -- if you, are aware, highlighting the relative**  
17 **age with the base load fleet.**

18 A. Mainly coal. I had a few notes on that. I think  
19 about -- I think last year 37 percent was coal.  
20 There's a mixture too of nuclear with the one unit in  
21 -- near Columbia. And then hydroelectric and natural  
22 gas, renewables, and purchase power. Recently,  
23 purchase power's been a large part of it mainly coming  
24 from natural gas.

25 **Q. Given current, you know, -- I guess, current**

1           uncertainty and federal regulatory arena, and you  
2           know, market structure in South Carolina and beyond,  
3           what challenges would you say Santee Cooper's  
4           generation fleet presents as a -- as a board member?

5   A.   Well, a few things that this -- I think is there is  
6       risk. There's policy risk if carbon were to be taxed.  
7       There is supply risk. You know, natural gas could be  
8       restrained. We had that happen back with Katrina many  
9       years ago. And there's also pressure on the -- on  
10      Santee Cooper because you read -- all of us read about  
11      the electrification of the economy and electric cars  
12      and those kind of things. And then you've got issues  
13      with economic development, which is great for the  
14      state but every time, a load comes, we've got to the  
15      have the generation capacity for it. So I think those  
16      are things. Also trying to do more with renewables.  
17      But renewables aren't perfect yet. But if we can --  
18      as y'all know, if we could -- we could pair solar with  
19      batteries that's a good fit. But I think the bottom  
20      line comes down, in my mind, that we need to be as  
21      clean as we possibly be and have rates as good as  
22      possible, but without sacrificing liability. We got  
23      to keep all three of those balls in the air at the  
24      same time.

25   Q.   All right, thank you.

1 A. I hope that answer wasn't too long. I know Senator  
2 Rankin --

3 Q. **No, it wasn't. You actually answered my --**

4 A. -- asked -- asked about being brief.

5 Q. **-- next three questions --**

6 A. Oh, that's amazing.

7 Q. **-- regarding renewable energy, energy efficiency, and  
8 balancing diversification of generation.**

9 SEN. RANKIN: He's really got to go, guys.

10 Q. **So moving on ahead here, let's see. What are your  
11 thoughts generally on generating electricity in South  
12 Carolina then selling outside the state?**

13 A. Generating in the state --

14 Q. **For Santee Cooper if they're able to sell outside,  
15 kind of what are your thoughts on that?**

16 A. I think that's a business decision but I would tell  
17 you, an environment that we see now with constraint on  
18 capacity, I don't see where Santee Cooper would be  
19 selling anything outside the state. I think there's  
20 going to be more and more need for capacity. But that  
21 would be a decision that the board would have to  
22 address based on the economics and those kind of  
23 things. But I would be concerned because I think  
24 we're going to need in the state, not out of the  
25 state.

1 Q. How important is it for Santee Cooper to deliver -- to  
2 deliver at prices that are as reasonable as possible?  
3 And what factors would you consider in looking at the  
4 reasonableness of rates?

5 A. I think it's very important because -- and I can tell  
6 you from York. But 74 cents out of every dollar that  
7 York collects go to wholesale power costs. And so  
8 when Santee Cooper can keep rates down, we can keep  
9 our rates to our members down, which is very  
10 important. And so I think it's -- we don't want to  
11 sacrifice reliability but it's very important. Could  
12 you explain the second question a little more? I  
13 didn't follow it totally.

14 Q. All right. In judging the reasonableness of rates,  
15 what would you -- what are some primary  
16 considerations?

17 A. Yeah, I think benchmarking is important where you  
18 compare where other wholesale providers are and, you  
19 know, we'd like for Santee Cooper to be in that  
20 ballpark with those and, hopefully, less. As you  
21 know, Central gets power from -- a little bit of power  
22 from Duke but also majority comes from Santee Copper.  
23 So our rates are blended.

24 Q. What role should Santee Cooper play in economic  
25 development in the state?

1 A. Well, they currently play a big role and I think that  
2 should continue because economic development, if done  
3 right, benefits not just Santee Cooper but it benefits  
4 everybody in the state. So I think that if Santee  
5 Cooper cooperates with the cooperatives, they're a  
6 great team to work together and I think they need to  
7 continue doing that.

8 **Q. And a nice segue as well. What's your long-term for**  
9 **Santee Cooper and it's relationship with the**  
10 **electrical cooperatives?**

11 A. I think first of all, we need to have a very good  
12 relationship. We need to have a relationship where  
13 we're working together and I think there's a lot that  
14 can be done to keep rates down. I think there can be  
15 more done in reliability, which I think the leadership  
16 of Santee Cooper's focused on. But I think the key  
17 word would be a partnership. That we partner together  
18 for what's best for South Carolina. The co-op  
19 members, the Santee Cooper customers, and all of South  
20 Carolina.

21 **Q. How can Santee Cooper be an asset to all South**  
22 **Carolinians? Both now and in the future.**

23 A. I'll go back to what I just said. I think first, to  
24 be a partner to the co-ops because we serve, I've seen  
25 different numbers, 1.7/1.8 million South Carolinians.

1           They can continue to do -- be a huge player in  
2           economic development. And they can do things, you  
3           know, to keep a good, solid power supply for all of  
4           South Carolina.

5   **Q.   Have you had any questions with the governor or**  
6   **members of the general assembly regarding your role on**  
7   **the Santee Cooper board?**

8   A.   Not that I recall, sir.

9   **Q.   Do you understand the obligations and responsibilities**  
10  **of this position?**

11  A.   I do. I understand this -- the role is different than  
12       a regular board member but I believe I understand,  
13       yes, sir.

14  **Q.   Are you committed to serving a full term?**

15  A.   Yes, sir.

16  **Q.   Is there any other comment you would like to make to**  
17  **the committee?**

18  A.   Two things. One I thank you for the opportunity and I  
19       would say as I've had the opportunity to sit in the  
20       room with the folks who y'all are screening, they are  
21       some very good folks I think really care about Santee  
22       Cooper. So just would share that.

23       MR. JOHN: Very good. Thank you, Mr. Chairman, that's  
24       all I have.

25       SEN. ALEXANDER: Thank you, Mr. John. Are there

1 questions from members of the committee?

2 REP. SANDIFER: One question.

3 SEN. ALEXANDER: Senator -- Representative Chairman.

4 REP. SANDIFER: Don't curse me.

5 SEN. ALEXANDER: Yeah. Chairman Sandifer.

6 REP. SANDIFER: Thank you very much, Mr. Chairman.

7 EXAMINATION

8 BY REP. SANDIFER:

9 Q. One question. You just mentioned 74 percent of the  
10 power is coming from Santee for the co-ops.

11 A. It's 72, 74 --

12 Q. Okay. Where is the rest of it going?

13 A. Some of it's coming -- as a power coming to Central,  
14 it comes from a -- I think 22 percent comes from Duke  
15 and the rest comes from Sepa, which is a government  
16 agency.

17 Q. But -- but does -- does Santee Cooper provide power to  
18 any other entities other than?

19 A. Yes, sir.

20 Q. Okay.

21 A. They do. I have a list if you'd like me to read them.

22 Q. No.

23 A. Okay.

24 Q. I'm just -- and my -- my town is one of those  
25 participants.



1 A. Yes, sir.

2 Q. Seneca is a customer of Santee and I wanted to make  
3 sure that we all understood that this is not just  
4 dealing with Santee and the co-ops but it's a much  
5 broader spectrum.

6 A. Oh, yes, sir. It definitely is. As I was at Clemson,  
7 I'd spend a lot of time in Seneca. And some of the  
8 folks up there --

9 Q. I understand. I wore my tie for you today.

10 A. I saw that. Thank you. But, yes, it's broader now  
11 just of Waynesville, North Carolina, Seneca,  
12 Georgetown, other places, so yes, sir.

13 Q. Okay. Good point. Thank you for clearing that up.

14 A. Thank you.

15 REPRESENTATIVE SANDERS: Thank you, Mr. Chairman.

16 SEN. ALEXANDER: Thank you.

17 EXAMINATION

18 BY SEN. ALEXANDER:

19 Q. The -- and I think maybe you mentioned it but the  
20 relationship between the co-ops and Santee Cooper,  
21 could you just briefly elaborate on where you think  
22 that -- that is and how that should go forward?

23 A. Oh, yes, sir. Good question. I think that it's like  
24 most relationship. It's been up and down. I think  
25 right now it's going in a very good direction. Peter

1 McCoy is -- I think is doing a very good job as  
2 chairman. I think Jimmy Staton is doing a very good  
3 job in his role. I think the relationship has gotten  
4 much better and we're moving toward trying to work as  
5 partners in a lot of different areas. And, you know,  
6 there's still going to be differences but I feel like  
7 we're definitely moving in a good direction. And as I  
8 just mentioned about the board members that are --  
9 that y'all are screening, I think that continues to  
10 take it in a good direction. So I'm -- the future, I  
11 think is very bright for the relationship between  
12 Santee Cooper and the co-operatives.

13 **Q. I want to -- okay, so would that be a -- a priority**  
14 **making sure that continues going forward for you or --**  
15 **or not?**

16 **A.** Definitely. If I may, just a quick history. Even  
17 before I became chairman of Central, I tried to come  
18 to some of the Santee Cooper board -- board meetings  
19 to -- to get to know the board members. And then when  
20 I became chairman, I immediately reached out to them  
21 chairman Dan Ray. Went down to Pawley's Island and  
22 met with him. When Peter McCoy became chairman, went  
23 to Charleston and met with him. Just to foster more  
24 and more of that close relationship between Central  
25 and Santee Cooper's board.

1 SEN. ALEXANDER: Thank you. Representative West.

2 REP. WEST: Yes, sir.

3 SEN. ALEXANDER: I understand you have a question.

4 EXAMINATION

5 BY REP. WEST:

6 Q. Good morning.

7 A. Good morning.

8 Q. I just want to refer to one of your responses in the  
9 survey that you filled out for us. It's section C,  
10 best practices of the board of -- board of directors.  
11 In the first paragraph there, you write it is  
12 imperative that disagreements or differences of  
13 opinion be fully transparent and discussed openly at  
14 board meetings. Is that a commitment of yours?  
15 Something that you're going to make sure is done?

16 A. Yes, sir. I think that -- those who know me, I think  
17 that's not just commitment in the board room,  
18 commitment of how I try to do everything. That to be  
19 transparent and -- I tell my kids all the time that  
20 it's better to deal with a disagreement when it's the  
21 size of your pinky than let it become the size of an  
22 oak tree. So if you've got an issue, let's go and  
23 talk about it and get it resolved it now. And I think  
24 that's good practice for board members, including  
25 Santee Cooper.

1 Q. Is that something you would expect from any party that  
2 you deal with?

3 A. I would expect --

4 Q. Whether it's Santee, or a co-op, or Central, or  
5 whoever?

6 A. Yes, sir, I would expect it from all parties. And it  
7 doesn't always happen but I think it's something we  
8 should expect.

9 REP. WEST: Thank you very much.

10 MR. BASHA: Thank you, sir.

11 SEN. ALEXANDER: Chairman Rankin.

12 SEN. RANKIN: Thank you, Mr. Chairman.

13 EXAMINATION

14 BY SEN. RANKIN:

15 Q. Mr. Basha.

16 A. Yes, sir.

17 Q. Bah not Ba.

18 A. You can call me either one. Just don't call me late  
19 for --

20 Q. Baa Baa Sheep -- Bah Bah Basha. Which one?

21 A. Basha.

22 Q. Basha. Okay, thank you. I have given you three  
23 things, which I've also handed out to the full  
24 committee members. And one of which we have spoken of  
25 in your initial screening. And you singularly had a

1 unique perspective on these topics because you are  
2 Central's chair, is that correct?

3 A. That's correct, sir.

4 Q. And then you also are the CEO of York?

5 A. That's correct, sir.

6 Q. So the focus briefly is, as we said at the outset, you  
7 weren't here to hear it but, again, Santee Cooper and  
8 Central have historically had a good relationship.  
9 And there have been some issues, of course, with VC  
10 Summer. I asked you in your initial screening you  
11 weren't a part of the group at that point but your  
12 answer to the question that everyone agreed that the  
13 decision to go to the nuclear at VC Summer was the  
14 right decision, correct?

15 A. That's correct.

16 Q. Okay.

17 A. We later had some questions about the percentage and -  
18 -

19 Q. Mix?

20 A. -- not having as much. Yes, sir.

21 Q. And in an effort to try to sell down that percentage.

22 A. Yes, sir.

23 Q. But again so the idea I said and asked then was that  
24 anyone saying today we should not have done that from  
25 the co-op community would not be honest with, and I'm

1 not assailing a person, but the narrative that we  
2 should never have gone that direction would not be  
3 accurate based on the endorsement of everyone going in  
4 that direction. Is that a fair statement?

5 A. I think I would say, at the time, it was the right  
6 decision.

7 Q. Okay.

8 A. That had to be made.

9 Q. And so, again, not looking back but looking forward,  
10 you, as the kind of multiple hat wearing co-op member  
11 with extremely qualified CV here, though not a voting  
12 member, you have a unique role as you sit under what  
13 we changed with Act 90 an additional seat in the co-op  
14 community at the Santee Cooper table, right?

15 A. Yes, sir.

16 Q. And so my very brief questions and the -- and the goal  
17 that you have sat before our sub-committee -- the  
18 judiciary sub-committed, you have attended multiple  
19 joint bond review sub-committee hearings, correct?

20 A. Correct.

21 Q. And, again, you're the wearing the hat as the chair of  
22 this -- the Central or the -- again, chair of what?

23 A. The Central Board.

24 Q. Okay, the Central Board. And so you, with a unique  
25 perspective, background, and now with the answers that

1           you've given to this commission and committee, my  
2           request of you is to help us and the folks of Horry,  
3           the folks of York, and all the other co-ops across the  
4           state have a sense of as much transparency as we, by  
5           law, have instilled and required of Santee Cooper into  
6           what goes on with Central and what goes on to my  
7           member in Horry County. Will you pledge to do that in  
8           your role as the non-voting member of Santee Cooper?

9           A.    As much as we are possible, yes, sir. I believe in  
10           the transparency and the sharing information is  
11           important.

12          Q.    Y'all have been in asked in not -- I'm not on it --  
13           Senator Alexander -- Chairman Alexander is. But,  
14           again, you've had multiple hearings -- multiple House-  
15           Senate-JDRC efforts, I think, to the theme and help  
16           me, correct me if I'm wrong, more transparency. Would  
17           you agree with that characterization?

18          A.    Yes, and from some of those conversations, we've been  
19           sharing a lot of information with committees who have  
20           asked of us that information.

21          Q.    And I appreciate you're doing that. One of the three  
22           things I handed to you is the formal request and kind  
23           of back and forth. And I don't mean to burden the  
24           committee members with this but this is the timeline  
25           for responses that y'all provided -- Mr. Frick

1 provided to Rick Harmon and JDRC. Again, you're aware  
2 of this request -- these requests from JDRC, correct?

3 A. I was aware there was a request. I wasn't aware of  
4 what the content of the request was.

5 Q. Okay. And, again, this is not that forum but I just  
6 want for the record, again, you to acknowledge this  
7 and I trust, as chair, we can get you that request.  
8 I'm sure Statewide will share that with you. My  
9 question for you, and I don't expect you to be able to  
10 answer it. We talked about this at the sub level and  
11 that's the rate that Central is being charged by  
12 Santee Cooper over the last nine years, right?

13 A. Yes, sir.

14 Q. And the last two years, of course, are subject to that  
15 rate freeze --

16 A. That's correct.

17 Q. -- of five years that everyone agreed to, correct?

18 A. That's correct.

19 Q. I have another document and if you can read it, God  
20 Bless You, but I want you to help us, not today, but  
21 help us as the General Assembly continues to request  
22 and demand either with legislative oversight, with  
23 ORS, with Public Service Commission, help us get to  
24 what -- is it an apple to apple rate that Central is  
25 charging you versus what you are charging my member,



1 and you're not an Horry. But as the chair of the co-  
2 ops, are they getting the same deal? And so the last  
3 document, again, very fine print, --

4 A. Yes, sir.

5 Q. -- is what I think has been by Mr. Harmon the margin  
6 that is being charged over about the same period of  
7 time. I didn't do well in math. Certainly didn't do  
8 well in Algebra. This may be akin to trigonometry. I  
9 want you to help us, as the General Assembly asks for  
10 and demands transparency to help us be able to show  
11 and tell to God and country that the benefits that  
12 you're getting from a static rate over ten years is  
13 similarly being given to our members, okay. And you  
14 help us with that.

15 A. I'll do everything in my power to do it, sir.

16 Q. Not today.

17 A. Yes, sir.

18 Q. To the efforts that have been ongoing with various  
19 committees.

20 A. I would say this from a co-op side of the equation is  
21 that all the co-ops in South Carolina try very hard to  
22 keep the markup of power to be as minimal as possible  
23 to keep the rates down. All the co-ops are very  
24 focused on rates. Every co-op's different. There are  
25 some co-ops that serve in a hurricane prone area, as

1           you know. Some in the mountains. But -- but, yes,  
2           that's a focus we all have is to keep the lights on  
3           and the rates as low as possible. So anything we can  
4           do to help do that, that's part of our job and why we  
5           exist.

6   **Q. And you mentioned reliability, I'm -- I'm -- and I**  
7           **don't know whether that was kind of a goal to have**  
8           **better reliability but has historically there been a**  
9           **reliability problem with Santee Cooper to you and/or**  
10          **Central?**

11   **A. No. Overall, I think Santee Cooper's reliability has**  
12          **been very good. Duke reliability's is good. They're**  
13          **two different companies but, you know, they -- they**  
14          **both do well.**

15   **Q. Okay. You will be a non-voting member. By law, you**  
16          **will not be included in certain executive session**  
17          **discussions which would involve, I guess, legal, et**  
18          **cetera, correct?**

19   **A. That's correct.**

20   **Q. All right. And that, I'll call it collar -- that**  
21          **China Wall that does not offend you as you embark to**  
22          **serve on this committee?**

23   **A. No, it absolutely does not. I think it's the right**  
24          **thing to do.**

25   **Q. Because, is it not so, that the conflict is -- can be**

1 an ebbing flowing deal. Presently, there's some sense  
2 of conflict that y'all are going your own direction  
3 with an announcement to go to Sandersville, somewhere  
4 in Georgia. Subsequent decision that you announced to  
5 us at our -- at our judiciary subcommittee. Another  
6 decision and then somebody in Florida. That's  
7 effectively, would you agree, in conflict with Santee  
8 Cooper's charge to provide reliable, affordable, and  
9 dependable power?

10 A. No, sir, I probably wouldn't.

11 Q. To mix.

12 A. I would not -- I would not wholeheartedly agree with  
13 that. I think that we exercise the -- our contractual  
14 right and -- to not go with the proposed shared  
15 resource. And even now, Santee Cooper's come back and  
16 said that was not a good source. So I think -- our  
17 whole goal here is -- every day I wake up is t take of  
18 the member at the end of the line and take care of  
19 their -- their rates and their reliability. And I  
20 think Central's choice to not proceed with that  
21 proposed shared resource was the right now. But I  
22 don't think it was a conflict. I think it was a  
23 business decision that may end helping Santee Cooper  
24 in the long run.

25 Q. Right. And, again, everybody's on the same page. You

1 had an obligation under -- a contractual obligation to  
2 not go with if -- and that shared resource was Winyah.

3 A. That's correct.

4 Q. And to my knowledge, again, we've had some back and  
5 forth on this. That -- if you're comparing that today  
6 to your members that ship has sailed as of March or  
7 April of 2022 with Jimmy Staton that that's not  
8 Central where we're going.

9 A. Right.

10 Q. Would you agree that y'all knew that, approximately,  
11 about then?

12 A. I don't know the dates but I do know our study came  
13 back saying that it was not a wise choice. We shared  
14 that with Santee Cooper and then when Mr. Staton he  
15 later after studying, agreed with -- the Central's  
16 position.

17 SEN. RANKIN: Okay. All right, Mr. Basha, thank you,  
18 sir.

19 MR. BASHA: Thank you.

20 SEN. ALEXANDER: Let go back to Chairman Sandifer.  
21 Then I'll come Senator Hutto.

22 EXAMINATION

23 BY REP. SANDIFER:

24 Q. Mr. Basha, thank you for being here and answering our  
25 questions. In earlier testimony, you talked about

1           **honest and open communications.**

2       A.    To the best of our ability, yes, sir.

3       **Q.    Okay. Did Central -- I'm asking you to put on your**  
4           **Central hat now.**

5       A.    Yes, sir.

6       **Q.    Did Central have those transparent and open**  
7           **conversations with the legislature prior to our**  
8           **digging into Central's activities?**

9       A.    I think we probably did not do as much as the  
10           legislature had wished. And I think we had some  
11           conversations about that and then there was a request  
12           that we share ahead of time any future contract  
13           considerations. And I believe that since that day,  
14           every time we had a contract consideration, we've --  
15           we sent information to the committees who were  
16           requesting what was coming up and why. It was an  
17           effort to try to improve the communication.

18      **Q.    Was there a rational reason for not doing it prior to**  
19           **that time?**

20      A.    I don't think there was any ill intent. I think that  
21           if you look at other utilities, they don't bring those  
22           contracts forward but, again, I go back to once it was  
23           made aware that it was something that committees  
24           wanted, we immediately pivoted and started getting  
25           that information. So, you know, could we have done

1 something differently earlier? Yes, sir, we could  
2 have. I don't have -- there was no like, you know,  
3 ill intent of trying to hide anything. It was just we  
4 were working through our process to keep power flowing  
5 to the state and did not. And -- but, you know,  
6 again, once we were asked, we wanted to respond. I  
7 feel like we have given a lot of information and we're  
8 -- obviously, we're giving more as you mentioned here.  
9 And so sorry we had not get it to you sooner but, like  
10 I said, it wasn't ill intent. It was just we were  
11 just doing our process.

12 **Q. And one final question. Just something that you - you**  
13 **said a moment ago. You said you could have. Should**  
14 **that have been you should have?**

15 A. Could have -- should have -- go back to --

16 **Q. Sent this information to the legislature earlier.**

17 A. We could have, in hindsight.

18 **Q. Should you?**

19 A. I think we probably should have done more in hindsight  
20 but, you know, I guess I go back to the fact that we -  
21 - as soon as the need was there, we changed. We  
22 didn't say oh, no, we're not sharing. We immediately  
23 started sharing. So we could have and should have,  
24 yes, sir.

25 REPRESENTATIVE SANDIFER: Okay. Thank you.

## EXAMINATION

1  
2 BY SEN. ALEXANDER:

3 Q. One follow-up and then I'll go to Senator Hutto. Do  
4 you personally believe that in sharing that  
5 information -- I've heard that there was concern that  
6 it was contractual and should not be shared with us  
7 from a confidentiality standpoint. Do you have  
8 confidence that anything that is shared with y'all is  
9 handled in an appropriate way? I mean, you're not  
10 going to hide behind or are you going to hide behind  
11 the excuse you're concerned about information that  
12 y'all provide to the general assembly?

13 A. As to your question, sir, to the best of my knowledge,  
14 we're -- we did not hide behind anything. I do know  
15 that there was contracts that we could not share  
16 detail. I did not see what was shared but I know some  
17 of the information was redacted for confidentiality.  
18 But I felt like --

19 Q. Let me be clear.

20 A. Sure.

21 Q. Going forward, what would your position be from that  
22 standpoint?

23 A. I would think we would share anything we could legally  
24 share but if there's a non-disclosure agreement which  
25 would limit, then we couldn't violate that. But, you

1 know, in --

2 **Q. You don't -- you don't think the General Assembly**  
3 **deals with noncompetete --**

4 A. They do.

5 **Q. -- issues --**

6 A. They do.

7 **Q. -- on a regular basis?**

8 A. They do, I'm sure on a daily basis.

9 **Q. I don't know about daily but regular.**

10 A. Yes, sir. The problem that we ran into and I was not  
11 into every detail so I apologize I'm giving you from  
12 30,000 feet.

13 **Q. I understand.**

14 A. -- was that if a power supplier gives you a contract  
15 and says you can't share it, if we share it then we're  
16 in violation of that. So it makes for a tough  
17 situation to try to be as transparent as we can but  
18 not violate a contract.

19 **Q. Well, let me ask you. Do y'all request that be a part**  
20 **of at the contract?**

21 A. I wasn't in negotiations but I'm going to give you my  
22 best guess. That is initiated by the power supplier  
23 not by us. That is my understanding. I can get you  
24 an answer and report back to you but that was my  
25 understanding. But I'd have to talk to general



1 counsel to find out. But we're open to, you know,  
2 whatever the general assembly asks us to do to do our  
3 best efforts to try to adhere to those requests.

4 **Q. Okay. You understand the concern that we have?**

5 A. I do. I do. I fully understand that, sir.

6 SEN. ALEXANDER: Okay. Senator from Orangeburg,  
7 Senator - and thank you for your patience.

8 SENATOR HUTTO: Thank you, Mr. Chairman.

9

10

EXAMINATION

11

BY SEN. HUTTO:

12

**Q. Does the Santee Cooper need more generating capacity?**

13

A. Yes, sir.

14

**Q. Okay. Are they based on the fact that we continue, as  
15 a state, to grow?**

16

A. That's a lot of it. Santee Cooper also had to  
17 increase their reserve margin, which is going to  
18 require them to have more, just even without growth.

19

**Q. And would you agree they're probably never going to  
20 site another coal fire plant in South Carolina?**

21

A. I would -- that's my impression, yes, sir.

22

**Q. And would you also agree that we're probably not going  
23 to embark on another nuclear fire plant in the near  
24 future?**

25

A. Not of the scale that VC Summer was. I think the

1 modular nuclear has a lot of potential for down the  
2 road.

3 **Q. Okay. So you do -- I'm glad to hear you say that. I**  
4 **mean, you do think that there is a possibility that**  
5 **going forward on a much lesser scale, there could be**  
6 **continued nuclear generation in South Carolina's**  
7 **future beyond the plants that currently exist?**

8 A. I look to the -- the Navy. I mean the Navy's used  
9 those for decades and done them very well. Why not  
10 use those in South Carolina too?

11 **Q. Okay. What do you think -- or do you have an opinion**  
12 **what the -- what solar can do and what Santee Cooper's**  
13 **role ought to be in expanding solar generation?**

14 A. I think they ought to expand solar. I think it's the  
15 right thing. If we can get battery technology, as I  
16 mentioned earlier and pair those together, that would  
17 be helpful. I know we were all watching on Christmas  
18 Eve the load situation and as the sun began to come  
19 above the trees, you could see the solar impact start  
20 helping to bring capacity to that need we had on  
21 Christmas Eve.

22 **Q. Does Santee Cooper, to your knowledge, have any**  
23 **current plans to expand their generating capacity?**

24 A. I think they've got a resource they're proposing.  
25 They're also working on some battery and some solar.

1 SEN. HUTTO: Thank you. Thank you, Mr. Chairman.

2 SEN. ALEXANDER: Any final questions? We're good?

3 SEN. RANKIN: Chairman, I do --

4 SEN. ALEXANDER: Chairman Rankin.

5 EXAMINATION

6 BY SEN. RANKIN:

7 Q. On a response that you offered, perhaps to Senator  
8 Alexander. In terms of the duty to share, not just  
9 with the legislature, you, and again we can play the  
10 tape. No today. We're not under oath. Those that  
11 didn't testify are not under oath and don't need to be  
12 for my -- The question was asked about the duty to --  
13 with either the coordinating agreement or the law for  
14 Central to have an affirmative active role to share  
15 with and to compare notes with the resource plan,  
16 correct?

17 A. With Santee Cooper?

18 Q. With Santee Cooper.

19 A. Yes. I will tell you that Central staff has been  
20 very, very diligent to try to sit down with Santee  
21 Cooper staff to work on resource planning. Not just  
22 in generation but transmission also. And I'm thankful  
23 to say that more and more of those meetings are taking  
24 place. Because we're so intertwined -- go back to  
25 that partner word. We need to partner together more

1           because that's the best thing for our members and for  
2           the State of South Carolina.

3    Q.   Well, and again, I appreciate that.  Again, going  
4           forward vision, I would suggest to you that there is  
5           concern that in the regard that you've been asked by  
6           the contract and there's not, no aspersions, but  
7           hiding behind a legal contract not to produce  
8           information to this General Assembly or to Santee  
9           Cooper or the sense of whether you should have or  
10          could been more forthright and transparent with the  
11          General Assembly about your plans to, my term, go it  
12          alone.  There's a narrative -- there's a sense that  
13          within the Santee Cooper who has to under Act 90  
14          produce and file an integrated resource plan.  And so  
15          the ability for them to plan on what's coming based on  
16          what your response to Senator Hutto, we all know is a  
17          growing state.  We've got to generate more.  Y'all  
18          have known Winyah was off, state comes in March/April  
19          of '22.  Everybody know that what y'all compared this  
20          rate that you're going to pay if you went with Santee  
21          Cooper on it's resource plan was not apples to apples  
22          because you weren't going to be able to go to Winyah.  
23          My question to you in terms of their filing an  
24          integrated resource plan, which they have to do, would  
25          you say that they had full knowledge -- full

1 transparency of what you're plans were to go to  
2 Georgia or what your plans were to go to Florida?  
3 Would you say from your vantage point, they knew  
4 everything? We told them. Here's a record to suggest  
5 everybody's eyes were wide open?

6 A. I would say that -- this is my limited knowledge but  
7 I'm going to tell you the best I know is that what  
8 could be shared was shared with Santee Cooper and once  
9 some of the contracts were signed that a lot more  
10 information was shared with Santee Cooper at that  
11 point. If I could, would highlight one thing that  
12 kind of speaks to that. And that is, I think you saw  
13 the announcement recently where Santee Cooper proposed  
14 purchasing a gas unit in the upstate in -- in Cherokee  
15 County. So immediately, you know, Central reviewed  
16 that and is going to -- we're recommending to our  
17 board to support that. To do that as a shared  
18 resource. To partner on Santee Cooper on those  
19 things. So we're trying to go forward and, as you  
20 said, not hide behind anything but to immediately when  
21 something looks good, let's partner together and let's  
22 work together and let's join forces.

23 Q. You pledge this and it's my final, you know, request.  
24 As we, as a general assembly, try to instill more  
25 transparency into all things power. As we, as a

1 state, eyes wide open, you said investor on utilities,  
2 they have to file an IRP. Now, Santee Cooper with  
3 everyone agreeing has to file an IRP. It seems  
4 incumbent upon us that, I hope you will embrace this,  
5 that what Central is doing should likewise see the  
6 light of day in advance so that we, as a state, know  
7 what our energy mix is, our dependability. We don't  
8 want a Duke who is relying on a PGM who thought they  
9 had a hard contract to generate under the best and  
10 worst of circumstances. The sense that Florida, a  
11 publically owned, Georgia, publically owned publically  
12 traded company, will be in the mix of us and our  
13 generation, I would hope and pray and urge you to  
14 please help us be on the same plane that we all know  
15 what we're getting and that we make wise decisions in  
16 advance not to go with a company that may have a  
17 problem in reliability.

18 A. Yes, sir, and I agree with that. I will say that the  
19 ones that Central has talked to about these contracts,  
20 all those plants were running on Christmas Eve so they  
21 were -- from a reliability standpoint. Also, I  
22 believe I'm correct in saying that Central also files  
23 an IRP and so I believe that's something that goes on.  
24 So we're trying to, you know, share that information  
25 with the public.

1 SEN. RANKIN: As just part of the record, I want to  
2 move into the record at this time.

3 (EXHIBIT NO. 2 MARKED FOR  
4 IDENTIFICATION PURPOSES (7 pages)  
5 Rates/letter)

6 SEN. ALEXANDER: Into the record. It's so ordered.  
7 So -- so without objection, before I go to  
8 Representative West I believe has a question, one  
9 follow-up.

10 EXAMINATION

11 BY SEN. ALEXANDER:

12 Q. Do you have some short-term -- you, Central Co-ops,  
13 have some short-term need for electricity, for  
14 capacity, that -- that regardless of what Santee  
15 Cooper's doing that would need to be addressed in  
16 terms of economic development and other demands from  
17 that standpoint. And I don't know if I'm clear -- in  
18 other words, from now until anything that you can do  
19 with Santee Cooper, is there a short fall or  
20 something that needs to be addressed from that  
21 standpoint?

22 A. I think I understand your question, Senator. So all  
23 our requirements right now are either met under  
24 contract from Santee Cooper or from Duke for the  
25 short-term. The contracts that have been questioned

1 start in 2029, January of 2029. There are needs -- I  
2 mean just in the co-op family alone, there's 3,000  
3 megawatts of economic development projects looking at  
4 the state so there's needs for more capacity in the  
5 short-term and the long-term.

6 **Q. As you continue to partner with Santee Cooper was**  
7 **well, is that correct?**

8 A. That's correct.

9 **Q. Okay. Thank you.**

10 A. They're a good partner.

11 SEN. ALEXANDER: Great. Representative West, you have  
12 a question?

13 EXAMINATION

14 BY REP. WEST:

15 **Q. Mr. Basha, Basha, Basha.**

16 A. I'll take anything, sir.

17 **Q. I just want to follow-up Senator Rankin's question for**  
18 **a minute. You agreed that Santee has a responsibility**  
19 **to provide a integrated resource plan in a -- on a**  
20 **regular basis now that we have a new act in place.**  
21 **And I want to go back to your response to question C1**  
22 **when asked about what happens when the board and**  
23 **management disagree and how do you believe in -- how**  
24 **do you believe the disagreement should be resolved?**  
25 **And you acknowledged fully that disagreements happen.**



1           There are differences of opinion. But you also state  
2           that it should be fully transparent. So knowing that  
3           there has to be an IRP filed, knowing that Santee has  
4           to have an idea of where their base load is coming  
5           from and how much they're going to be able to  
6           generate, you think they are owed that same right from  
7           Central to have adequate numbers to put into the IRP?

8           A. They are --

9           **Q. Fully -- fully transparent.**

10          A. As much as possible with the -- from the power supply  
11          standpoint. And as I mentioned before, we shared --  
12          the staff shared with Santee Cooper a lot of the  
13          information and then as more was able to be shared,  
14          they shared -- you know, there's things like Santee  
15          Cooper wanted to know like dispatch rates, how often  
16          it could be called on to run, and some of that stuff  
17          could not be shared until a little later because it  
18          wasn't available but I'm told by staff that as soon as  
19          it was available, it was shared with Santee Cooper  
20          because they need that for the IRP.

21          **Q. That's exactly my point and I think they need accurate**  
22          **information --**

23          A. They do.

24          **Q. -- to be able to do that. If they -- if they don't**  
25          **have that, I'm afraid that the numbers in the**

1 financial accounting is going to skewed or off and it  
2 will be poor planning. So that was my concern with --  
3 is the communication between Central and Santee Cooper  
4 to make sure there is a -- a defined communication  
5 line there that's accurate for that IRP?

6 A. Yes, sir.

7 Q. So thank you for your response.

8 A. Yeah, if I may, Representative, so I think that is  
9 very important but if you go back to the proposed  
10 shared resource, you know, it would have been a better  
11 resource, we may have not have been in this situation.  
12 As evidenced by what's going on in Cherokee County  
13 where they did come up with something good and we  
14 immediately signed on. So hopefully, as things go  
15 forward, we can do be doing more of that in the  
16 future.

17 SEN. ALEXANDER: I believe that -- I see no further  
18 questions.

19 SEN. RANKIN: What times does the board meeting start?

20 SEN. ALEXANDER: Unless -- unless you want to stay here  
21 with us longer. He asked what time does -- does  
22 your --

23 MR. BASHA: Our annual meeting --

24 SEN. ALEXANDER: -- your annual meeting start?

25 MR. BASHA: It started at 9:30.

1 SEN. ALEXANDER: Oh my goodness. Okay.

2 MR. BASHA: Thank y'all for the opportunity to be with  
3 you.

4 SEN. ALEXANDER: So thank you for being here.  
5 Appreciate what you do in the community.

6 MR. BASHA: Appreciate it. Look forward to working  
7 with you.

8 SEN. ALEXANDER: Thank you. And we'll hold any action  
9 until after. So that moves us on to our next  
10 nominee -- candidate, Mr. Charles Samuel "Sam"  
11 Bennett the second for the first Congressional  
12 district seat. Good morning.

13 MR. BENNETT: Good morning, sir.

14 SEN. ALEXANDER: Good morning. We have before us  
15 Charles Samuel "Sam" Bennett the second, is that  
16 correct.

17 MR. BENNETT: Yes, sir. That's me.

18 SEN. ALEXANDER: For the first Congressional district  
19 seat.

20 WHEREUPON:

21 CHARLES SAMUEL BENNETT, being duly sworn and  
22 cautioned to speak the truth, the whole truth and  
23 nothing but the truth, testifies as follows:

24 SEN. ALEXANDER: Okay. And I want to ask that Mr.  
25 John provide some background and then ask some

1 questions.

2 MR. JOHN: Thank you, Mr. Chairman. Good morning, Mr.  
3 Bennett.

4 MR. BENNETT: Good morning, sir.

5 EXAMINATION

6 BY MR. JOHN:

7 Q. We received your complete screen confirmation package  
8 and your responses to a set of preliminary screening  
9 questions. Are there any changes or additional  
10 information you would like to provide at this time?

11 A. No, sir. Still accurate.

12 Q. If we asked you these preliminary questions today,  
13 would your answers still be the same?

14 A. They would be.

15 Q. Did you discuss those questions with any third parties  
16 in formulating your responses?

17 A. I did not.

18 MR. JOHN: Thank you. At this time, Mr. Chairman, I  
19 would ask that Mr. Bennett's personal data  
20 questionnaire and preliminary screening questions  
21 be entered into the record as exhibits.

22 (EXHIBIT NO. 3 MARKED FOR  
23 IDENTIFICATION PURPOSES (7 pages)  
24 PDQ)

25 (EXHIBIT NO. 4 MARKED FOR

1 IDENTIFICATION PURPOSES (10 pages)  
2 preliminary questions)

3 SEN. ALEXANDER: So ordered without objection.

4 Q. Thank you. All right, Mr. Bennett is here today as  
5 mentioned for the first Congressional district seat,  
6 the term of which is January 1, 2023, through January  
7 1, 2027. A quick background. Mr. Bennett attended  
8 Winthrop University from 1988 to '92. He received --  
9 obtained a Bachelor of Arts degree. '93 to '95, he  
10 obtained a Master of Public Administration from the  
11 University of South Carolina. Mr. Bennett is  
12 president and chief operating officer of Sea Pines  
13 Community Services Associates. He was employed by  
14 Santee Cooper as a manager of economic development  
15 from 2011 to 2015 and then vice president of  
16 administration from 2015 to 2020. Mr. Bennett has  
17 also worked as the assistant city administrator for  
18 the city of Goose Creek '95 to 2001, city manager for  
19 Clinton '01 to '07, city administrator of North  
20 Augusta 2007 to 2011. Mr. Bennett has served as a  
21 board member of the P.S. and Quida Bailey Foundation,  
22 an Audubon South Carolina board member, and on the  
23 executive committee of the Berkeley Chamber of  
24 Commerce. A background check indicated no criminal  
25 record. There were no issues with his credit report.

1           And there was no concerning information from his  
2           driving record. Mr. Bennett, I have a series of  
3           questions for you here. How long have you lived in  
4           South Carolina?

5           A. 53 years. All my life.

6           Q. Are you registered to vote?

7           A. Yes. I am.

8           Q. Are you an official with a political party?

9           A. I am not.

10          Q. Are you currently a lobbyist or do you engage in any  
11          lobbying activity?

12          A. I am not and do not.

13          Q. Are you or a member of your immediate family have any  
14          holdings or other financial interest in any electrical  
15          utility or other entities that may be impacted by a  
16          decision of the Santee Cooper board?

17          A. The only interest would be is we are -- all of us are  
18          customers of either co-operative or one of the other  
19          entities.

20          Q. Okay, very good. On that note, do you have any direct  
21          or indirect business relationships with Santee Cooper  
22          or any of it's wholesale power customers?

23          A. No, sir, I don't. I do not.

24          Q. Thank you. Do you have any financial conflicts of  
25          interest that could result from your appointment?

1 A. No, sir. I do not.

2 **Q. Does your affiliation with any professional, civic,**  
3 **charitable or other organization present a conflict**  
4 **with your appointment?**

5 A. No, sir it does not.

6 **Q. What would you do if a conflict arose?**

7 A. If a conflict arose, I would absolutely disclose it  
8 and not participate in any decisions associated with  
9 the conflict. Step away from it.

10 **Q. What skills do you possess that would be beneficial to**  
11 **an energy utility board?**

12 A. I am experienced in the energy business, starting in  
13 2001 with the City of Clinton where I served as a  
14 Board member for the Piedmont Municipal Power Agency.  
15 I have extensive experience with Santee Cooper from  
16 2011 to 2020. And then I also have experience with  
17 water and waste water utilities, really beginning that  
18 experience in 1995 with the city of Goose Creek and  
19 the Lake Moultrie Regional Water System.

20 **Q. Describe your view of the role of a Director on the**  
21 **Santee Cooper Board, and how is that role different**  
22 **from the role of Santee Cooper's executive staff?**

23 A. The role of the Director is to create a strategic  
24 vision, strategy, look at the broader picture and make  
25 sure the organization is being run carefully,

1 appropriately, financially sound. It is not to manage  
2 the day-to-day operations of the organization or the  
3 staff. They certainly have to understand how the  
4 organization is running and being managed by the  
5 senior staff, but it is a much broader -- it's a  
6 30,000 foot view of the organization but it's not a  
7 micro-view of it.

8 **Q. What duty of loyalty or duty of care would you owe to**  
9 **Santee Cooper as a Board member?**

10 A. The duty of loyalty and duty of care is always to make  
11 sure that the best interests of the organization,  
12 Santee Cooper or the agency is first and foremost.  
13 You can't and should not breach that duty of care for  
14 any decisions you make. They must be of the best  
15 interests of the agency.

16 **Q. What are some considerations for the best interests of**  
17 **Santee Cooper?**

18 A. The first would be the fiduciary interest, to make  
19 sure that the agency is financially sound, that it  
20 certainly can pay its bills, that it's making the best  
21 financial decisions for the customers at the end of  
22 the line, the challenges associated with running the  
23 agency. All those things have to be taken into place.  
24 But the fiduciary piece is the most important. Make  
25 sure the agency is solid and can pay its bills and



1 move ahead.

2 **Q. How is Santee Cooper's business model different from**  
3 **other utilities in the State?**

4 A. Santee Cooper is a not-for-profit, a public agency, a  
5 feature of the State of South Carolina and it's not  
6 there for return on investment. It is there, revenues  
7 in, expenditures out, should equal. There is not a  
8 margin or a return on any investment, back to share  
9 holders or customers.

10 **Q. So, Santee Cooper's generation mix, can you share with**  
11 **the Committee your understanding of types of plants,**  
12 **relative age, and then generally what challenges that**  
13 **fleet presents for long-term planning?**

14 A. Yes, sir. The generation mix currently is primarily  
15 coal, and those coal facilities are older facilities.  
16 Winyah being some of the oldest, and cross-generating  
17 station in the 80's supplemented by secondary, I would  
18 say it's natural gas with the Rainey facility. And  
19 then there are a number of hydro facilities around the  
20 State that Santee Cooper runs, some larger, some  
21 smaller. And then the partnership with Dominion  
22 Energy and the VC Summer One. I think it's 33 percent  
23 joint ownership. Those are the, that's generally the  
24 makeup of a fleet that Santee Cooper runs for base  
25 load generation, with a mix of renewables and others

1 scattered in.

2 **Q. So what challenges does that fleet present for long-**  
3 **term planning?**

4 A. Really there are two challenges associated with it.  
5 One is the cost of the commodity to run the fossil  
6 facilities. The cost of coal and the cost of natural  
7 gas and the volatility that has been experienced over  
8 the past few years as commodity markets have  
9 struggled, particularly in the last four years, three  
10 years. Those costs have gone up. But the age  
11 associated with those facilities. The Winyah plant is  
12 due to be retired. The cost of maintaining facilities  
13 that are older, the maintenance costs associated with  
14 those creates challenges. But if those facilities are  
15 maintained and maintained well, they can certainly run  
16 and operate as they continue to do so today.

17 **Q. Thank you. What is your opinion regarding the role of**  
18 **renewable energy and Santee Cooper's portfolio?**

19 A. I think renewable energy should have a role in Santee  
20 Cooper's portfolio. It's absolutely essential that we  
21 look for ways to add additional renewable resources.  
22 You know, our challenge in our State is we are limited  
23 as it relates to wind energy, as it relates to  
24 providing any additional hydro, so that really puts a  
25 reliance on solar, and there's only so much solar

1 opportunities around the State as well as the sun only  
2 shines at certain times of the day so you've got to  
3 always have generation to go along with that.

4 **Q. And kind of continuing on that same theme here, how**  
5 **would you balance a diverse generation portfolio**  
6 **versus potential cost impacts on customers?**

7 A. Well the cost impacts on the customers go along with  
8 the fiduciary responsibility of Santee Cooper. At the  
9 end of the day the folks paying the bill are the  
10 citizens at the end of line who are buying the  
11 electricity. And so that needs to be my mind  
12 forefront in the decisions that you make. You can't  
13 set aside the impacts on the rate-payers when you're  
14 looking at generation mix and how that's going to  
15 affect them. Certainly you need to include the  
16 renewables and others but you've got to keep in mind  
17 who is actually paying the bill.

18 **Q. How can Santee Cooper balance its mission of providing**  
19 **competitively priced electricity with environmental**  
20 **stewardship?**

21 A. I think by adding renewables it can certainly do that.  
22 Santee Cooper can also continue to manage the natural  
23 resources that it owns and operates around the State  
24 with the lake systems and the force that it has.  
25 Continue the clean-up and the re-use of the coal ash

1 and the ponds around the coal generating stations, as  
2 well as look to new technologies as they become  
3 available. Certainly there are some things coming  
4 down the road that can add additional value in terms  
5 of being environmental stewards. And so Santee Cooper  
6 needs to be open to those innovations.

7 **Q. Let's see. What constitutes the bulk of Santee**  
8 **Cooper's debt?**

9 A. The bulk of the debt is capital associated with the  
10 cost of generation and the stranded nuclear costs.

11 **Q. What's the current debt to equity ratio for Santee**  
12 **Cooper?**

13 A. I believe it's in the 77 percent range.

14 **Q. What role should Santee Cooper play in economic**  
15 **development?**

16 A. I believe Santee Cooper should play a very active role  
17 with the State of South Carolina and with the commerce  
18 department, with the electrical cooperatives of South  
19 Carolina, the South Carolina power team to promote  
20 economic development around the State. It has a long  
21 history of doing that and a very successful track  
22 record in doing that.

23 **Q. What is your long-term vision for Santee Cooper?**

24 A. Long-term vision for Santee Cooper is to make sure  
25 that the rates are as absolutely as competitive as

1 possible for the folks at the end users of those rates  
2 and that we have an asset that is of absolute value to  
3 the State of South Carolina, that continues to provide  
4 a level of service that our folks are proud of. But  
5 also that Santee Cooper fixes some of the woes it's  
6 had in the past few years, that we move into a better  
7 position and being more focused on being seen as an  
8 integral part of the energy future of South Carolina,  
9 not just an agency that's had a great history. There  
10 are certain things in history that we can't change,  
11 but we can certainly create new history moving ahead  
12 and making the agency the premier public power agency  
13 in the Country.

14 **Q. So, looking ahead, moving ahead, how can Santee Cooper**  
15 **be an asset to all South Carolinians, from an energy**  
16 **perspective and as an asset of the State?**

17 A. From an energy perspective, we can make sure that  
18 we've got the most affordable, reliable energy  
19 available to our direct sale customers as well as our  
20 wholesale customers. Santee Cooper's largest  
21 wholesale customers, Central Electric, you know,  
22 totaling two million plus folks receive their power  
23 through Santee Cooper and or Central Electric, and  
24 making sure those folks are receiving reliable, safe,  
25 affordable power in the future is absolute primary

1 number one role for Santee Cooper. And outside of  
2 that, continuing with the economic development  
3 efforts, continuing to participate when opportunities  
4 present itself to make a significant difference in  
5 economic development matters. And then also  
6 maintaining a strong environmental stewardship around  
7 the properties and areas that Santee Cooper controls -  
8 - the lakes. Looking for ways to benefit the citizens  
9 of South Carolina in ways that are different and maybe  
10 unique that others can't necessarily do or shouldn't  
11 do. Again, one that's not talked about a whole lot,  
12 but the Lake Marion and Moultrie Regional water  
13 systems are just amazing things that Santee Cooper did  
14 30 years ago that pay tremendous benefit around the  
15 State. You've got to have power and you got to have  
16 water in your life.

17 **Q. You touched on this on a couple of your previous**  
18 **answers, but can you share with the Committee your**  
19 **view of Santee Cooper's relationship with Central**  
20 **Electric and the co-ops in the State and how you would**  
21 **like to see that relationship grow or develop?**

22 A. Yes, sir.

23 **Q. In a different direction as a member of the Board.**

24 A. Yes, sir. So, Santee Cooper and Central Electric are  
25 joined together in a long-term contract. And they've

1           been together for many, many years. There has been a  
2           bit of animosity over the past few years in that  
3           relationship. I believe that Central Electric is the  
4           largest stake holder partner in the Santee Cooper  
5           system, and that relationship needs to be a strong and  
6           positive one. A very open relationship in the sense  
7           of having clear and transparent conversations and  
8           having shared goals of making the best decisions for  
9           the citizens of South Carolina. And to do that you  
10          need to be focused on the customer at the end of  
11          distribution system while also recognizing that Santee  
12          Cooper does have a fiduciary responsibility as a State  
13          agency to make sure that we make the best decisions  
14          for the agency. So, I think the way to do that is to  
15          work hard to build a relationship with the members of  
16          Central and to make the best decisions possible in an  
17          open, transparent way that everyone is satisfied with  
18          and clear that you've done that.

19       **Q. Thank you. And just a couple more questions here,**  
20       **quick ones. Have you had any conversations with the**  
21       **Governor or members of General Assembly regarding how**  
22       **Santee Cooper should be run or what direction it**  
23       **should take?**

24       **A. No, sir I have not.**

25       **Q. Do you understand the obligations and responsibilities**

1           **of this position?**

2       A.    Yes, sir I think I do.

3       **Q.    Are you committed to serving a full term?**

4       A.    Yes, sir I am.

5       **Q.    Any other comment you would like to make, or general**  
6           **statement?**

7       A.    I just appreciate the opportunity to be before the  
8           PURC Committee and I do recognize the gravity of being  
9           a Board member on the Santee Cooper Board and what the  
10          agency is meant to the State and the challenges it has  
11          created over the last number of years.  Also what the  
12          challenges are ahead, and I commit to you if I am  
13          deemed worthy of moving ahead I would give it my very  
14          best effort to run it in a way that will bring a sense  
15          of pride back to it in a way it hasn't had in a bit,  
16          and the legislature would be pleased with.  It is an  
17          asset of the State.  Legislature has created Santee  
18          Cooper and it's a State agency and we'll run it that  
19          in a very open and transparent manner.  And I've lived  
20          here 53 years.  I love our State and this is one of  
21          those things that matters to me.  I've worked all over  
22          the State, had that pleasure, being part of a State-  
23          wide agency that can make the lives of the people in  
24          South Carolina better is a great opportunity.

25       MR. JOHN:  Thank you, Mr. Bennett.  Mr. Chairman



1                   that's all I have at this time.

2   EXAMINATION

3 BY REP. SANDIFER:

4 **Q. Thank you, Mr. John. Mr. Bennett, let me ask you**  
5 **couple of questions if I may. One of the things that**  
6 **you mentioned a moment ago is pride in the agency.**  
7 **How would you suggest, as a Board member, that you**  
8 **could assist in creating that sense of pride?**

9 A. I think the agency has been working hard to do that  
10 again over the last few years with some of their major  
11 economic development projects. Camp Hall project has  
12 done a good bit of that. I think the other piece is  
13 being innovative in finding ways to meet the power  
14 needs of the State of South Carolina in a manner that  
15 folks recognize is a good, smart business decision and  
16 is something that Santee Cooper has really thought out  
17 and has made a strategic decision that is going to  
18 benefit the State and its customers. So, you know,  
19 there are a lot of needs looking ahead in 2025 and  
20 potential future power generation projects out there  
21 and Santee Cooper needs to have some winds on those  
22 needs in a way that folks say this has been done and  
23 it's been done well as we look to the future.

24 REP. SANDIFER: Okay. Thank you, sir. Mr.  
25 Jefferson.

1 EXAMINATION

2 BY REP. JEFFERSON:

3 Q. Good morning Mr. Bennett.

4 A. Good morning, sir.

5 Q. I noticed you had spent some time in Berkeley County?

6 A. Yes, sir.

7 Q. I am interested in teamsmanship serving on these  
8 Boards. It's very important that the cohesiveness  
9 stays very much alive. Do you consider yourself to be  
10 a team player in that you are an independent thinker  
11 or do you go along to get along?

12 A. No, sir. I think if you were to talk to folks outside  
13 of the room, or talk to my wife, and she would to you  
14 I'm a very independent thinker. But at the end of the  
15 day, you know, you've got to find a way to collaborate  
16 and move things ahead. But I am definitely not a  
17 rubber stamp. I am a very independent thinker, and I  
18 think board members should be. You're not looking for  
19 a collective think as it relates to how an  
20 organization works. You're bringing individuals of  
21 varying skills and perspectives so that they can bring  
22 those assets to the table as they discuss and make  
23 decisions. But at the end of the day you're going to  
24 hopefully make a decision that everybody agrees with,  
25 but you've got to bring that to the table separately

1 and independently. And I will certainly do that.

2 REP. JEFFERSON: Very good answer, thank you, sir.

3 MR. BENNETT: Yes, sir.

4 REP. SANDIFER: Senator.

5 EXAMINATION

6 BY SEN. HUTTO:

7 **Q. What is the Sea Pines Community Services Associates?**

8 A. That's a long story, sir, but I'm happy to give it to  
9 you as short as I can?

10 **Q. You can give me a short answer. I mean is it a**  
11 **homeowner's association or?**

12 A. No, sir. It is, but it's not. So in 1987 the Sea  
13 Pines Resort was owned by a gentleman named Charles  
14 Frasier. Mr. Frasier went through a bankruptcy. The  
15 Federal Bankruptcy Court took basically everything  
16 that wasn't fun and created a group called the  
17 Community Service Associates. So I run security,  
18 roads, bridges, storm water, beach access, beach  
19 maintenance, dredging, all of those things. In  
20 essence we are a municipality/utility with inside the  
21 town of Hilton Head and I serve 6,000 property owners,  
22 the largest is the Sea Pines Resort. And there are  
23 another group of commercial property owners, and then  
24 we have 5,650 home owners. But we are not a  
25 homeowners association, we're technically we're a

1 South Carolina not-for-profit and operate under the  
2 South Carolina Not-For-Profit Act.

3 **Q. But it doesn't have any interface with obtaining**  
4 **electricity for that area?**

5 A. It does not. No, sir.

6 SEN. HUTTO: Okay. All right, thank you.

7 REP. SANDIFER: Are there any other questions? Senator  
8 Nicholson.

9 EXAMINATION

10 BY SEN. NICHOLSON

11 **Q. Mr. Bennett, good to see you.**

12 A. Good to see you again, sir.

13 **Q. Back in Clinton, big city.**

14 A. Yes, sir. I don't know whether to call you Mayor or  
15 Senator.

16 **Q. Neither, now. Quick question.**

17 A. Yes, sir.

18 **Q. What do you see as the major challenge Santee Cooper**  
19 **is facing at this time?**

20 A. Well in some ways the organization, I mean obviously  
21 the debt and the financial piece is a tremendous  
22 challenge and that's got to be dealt with and you  
23 can't lose perspective on that. But also the fact  
24 that the State of South Carolina, with the co-ops and  
25 Santee Cooper and the other utilities and the Commerce

1 Department has been so successful in bringing new  
2 jobs, industry and load growth into the State, that we  
3 potentially are going to be short on power. And that  
4 really is, again the financial piece I'm not  
5 minimizing that, it is right there, but that other  
6 piece has got to be dealt with as well. Because if  
7 you don't have power and water, things shut down. And  
8 we've got too much going on in this State, and that's  
9 too important for us not to have the ability to serve  
10 the loads of growth that are coming to our State. So,  
11 that would be sort of 1a and 1b for me right there,  
12 sir.

13 SEN. NICHOLSON: Okay. Thank you.

14 MR. BENNETT: Yes, sir.

15 REP. SANDIFER: Senator from Horry.

16 EXAMINATION

17 BY SEN. RANKIN:

18 Q. Thank you, Mr. Bennett. Welcome back. And I'm going  
19 to hand to you what I think we may have talked about  
20 briefly, and this is the rate that Santee Cooper has  
21 charged Central over the last 10, approximately,  
22 years.

23 A. Yes, sir.

24 Q. You have been out of the Santee Cooper employment  
25 since when?

1 A. February of 2020.

2 Q. Okay. So in the transcript, folks, when you all are  
3 reading, you'll say okay, Rankin, you did spare us  
4 that exchange. But you know a lot about Santee  
5 Cooper. You've been there. Your pride and your most  
6 enthusiastic joyful response was your pointing to the  
7 success of Volvo, correct?

8 A. Yes, sir.

9 Q. And so, my acute point here to you as you know the  
10 history, you know the customer class, you know the  
11 oftentimes friction, perhaps, between that. My hope,  
12 and help me address it, if you were pinched between  
13 satisfying one group versus the expense of the other,  
14 if you've given a better rate to one group, and it's  
15 costing the other, how do you see yourself weighing  
16 those as you go forward as a member of this Board with  
17 an actual vote, to assign fairly to all classes, the  
18 cost of power?

19 A. That's a very tough question, Senator. I don't want  
20 to say the answer is easy because it's not, but I  
21 think you absolutely have to make sure that your  
22 decision, first of all, represents the fiduciary  
23 responsibility of Santee Cooper. We're going to take  
24 that as a given that you've met that test. But to  
25 supplement or to allow one customer to benefit off the

1 rising rates of another customer is not something I  
2 would be able to support. I would have to look for  
3 ways to make sure that the other customers remained at  
4 least whole in a process like that. I think you  
5 create significant challenges when you start pitting  
6 customer classes against each other when they're all  
7 under the umbrella of the agency. And without having  
8 the details and full understanding of the dynamic  
9 that's probably the best answer I can give you.

10 You're in a role where you have to sometimes split the  
11 baby, but at the end of the day you don't really split  
12 the baby because the baby is still taken care of. You  
13 can't, I don't believe you can supplement one customer  
14 on the backs of another. I just don't think that's  
15 the right thing for us to do.

16 **Q. And again, this is not hypothetical because you've**  
17 **seen this, been there, not voting on these decisions.**  
18 **And not saying that one class is better or less**  
19 **entitled than the other. Obviously Central is your**  
20 **largest customer, at least for the term of this**  
21 **coordinating agreement which you understand times out**  
22 **when? Approximately.**

23 **A. 2045 I believe it is. I don't remember the exact date**  
24 **off the top of my head.**

25 **Q. Me either, and that wasn't a gotcha test, but it's a**

1 long time from now or three blinks of the eye.

2 A. Yes, sir.

3 Q. And so my only charge and request lovingly, tenderly,  
4 respectfully given, is that no doubt you have the  
5 support of the co-ops, otherwise the Governor's Office  
6 would not have named you good or bad. Right. And so  
7 you understand that you're a well-known quantity.  
8 Right.

9 A. Yes, sir.

10 Q. By everybody. My request would be, just because you  
11 might have the favor one customer class will you, per  
12 your fiduciary duty, abide what's in the best interest  
13 of Santee Cooper and not a direct, not an industrial,  
14 not Central, as your altar to worship at.

15 A. Absolutely, sir. I take the charge of fiduciary  
16 responsibility absolute, that is the number charge as  
17 a Board member. And if, not that I will, but if I  
18 find that I can't do that I walk away and I say this  
19 is not for me. But that's not who I am. So, yes. I  
20 appreciate the fact that I have the cooperatives, the  
21 CEO of Berkeley Palmetto Electric Cooperative wrote a  
22 very nice letter of recommendation for me, which I'm  
23 very grateful for. And I think the reason he wrote it  
24 is because he knows I'm an honest broker. I'm going  
25 to do what is honest and open and transparent for



1 everybody. And that doesn't mean we're always going  
2 to agree, but I'm not going to play one side against  
3 the other or give due difference to one side just  
4 because they wrote a nice letter for me or that they  
5 appreciate me.

6 Q. Because for a fact, the only class of customer who  
7 does not have a lobbyist or a team of lobbyist would  
8 be the direct-serve customer?

9 A. Correct. Santee Cooper customers, direct-serves.

10 Q. And so, again, I married a lobbyist, an ex-lobbyist, a  
11 recovering lobbyist. I know no ill will towards  
12 particularly recovering lobbyist, but as you in this  
13 world of interaction with folks and, again, please be  
14 mindful of the person who does not have a voice in  
15 your face, writing a letter on your behalf, friend or  
16 foe, that you owe an equal duty to each class. Do you  
17 agree with that?

18 A. Absolutely.

19 REP. SANDIFER: Are there further questions?

20 EXAMINATION

21 BY MR. CHAIRMAN

22 Q. Let me refer you, Mr. Bennett, to one thing that you  
23 said in your earlier testimony. I want to follow up  
24 on it a little bit. And that is you said there's  
25 animosity between Santee Cooper and Central. Will you

1           **expound on that a little bit and tell us what you**  
2           **believe is a partial solution?**

3    A.    Well, I know that there have been some challenges in  
4           the past with communication between Santee Cooper and  
5           Central, and finding a like-mindedness as it relates  
6           to certain issues. I think that some of the solutions  
7           have occurred now, recently, with the new CEO and the  
8           turnover at that level. I think that they're working  
9           hard to rebuild those relationships. The solution for  
10          me, in any relationship, is to have open and honest  
11          and clear communication. And as a State agency that's  
12          something we should be doing on a regular basis with  
13          all our customers, but particularly with our largest  
14          customer. And I think it's incumbent upon the Board  
15          of Directors to insist that that is the approach that  
16          is taken with the organization. So, I hope I'm  
17          answering your question Mr. Senator. If I'm not,  
18          give me something else with it and I'll do my best.

19    **Q.    I think you've done a good job on answering the**  
20          **question. And I want to go to one part of your**  
21          **answer, and that's dealing with the CEO of Santee**  
22          **Cooper. How do you feel the relationship should be**  
23          **between the Board members and that CEO.**

24    A.    It should be a very direct and open relationship. I  
25          think in my earlier testimony in front of the sub-

1 committee I explained that the CEO runs the  
2 organization but at the end of the day the  
3 organization's performance is the responsibility of  
4 the Board of Directors. And particularly through the  
5 Board Chair and the CEO, the CEO needs to understand  
6 what the Board's expectations for the organization,  
7 how it's going to be run, how the organization's going  
8 to deal with its customers largest and smallest. But  
9 the buck stops with the Board and the CEO needs to  
10 understand the Board's expectations that the CEO and  
11 the senior management team are going to perform in a  
12 way that moves the agency ahead.

13 REP. SANDIFER: Thanks you. Are there any further  
14 questions? Hearing none, Mr. Bennett thank you  
15 very, very much for your testimony today. We  
16 appreciate your willingness to serve and look  
17 forward to seeing you later.

18 MR. BENNETT: Thank you very much. I appreciate you.

19 (Off the record)

20 REP. SANDIFER: Good morning. Mr. Taylor, welcome.  
21 We're glad you're here.

22 MR. TAYLOR: Thank you.

23 REP. SANDIFER: And I hope that this will not be too  
24 overbearing on you as you sit and talk with us  
25 for a few minutes.

1 MR. TAYLOR: Okay.

2 REP. SANDIFER: First of all I need to swear you in.

3 WHEREUPON:

4 STACEY KIRK TAYLOR, being duly sworn and  
5 cautioned to speak the truth, the whole truth and  
6 nothing but the truth, testifies as follows:

7 REP. SANDIFER: Thank you. At this time I'd ask you to  
8 ask Mr. John to provide some background  
9 questions. Mr. John if you will, just go ahead  
10 and proceed.

11 EXAMINATION

12 BY MR. JOHN

13 Q. Yes, sir. Thank you Mr. Chairman. Mr. Taylor, good  
14 morning.

15 A. Good morning.

16 Q. We have received your complete confirmation packet and  
17 your responses to a set of preliminary screening  
18 questions. Any changes to your personal data  
19 questionnaire or statement of economic interests?

20 A. No, not at this time.

21 Q. If we asked you these same preliminary questions today  
22 would your answers be the same?

23 A. Yes.

24 Q. Did you discuss those questions with any third party  
25 in formulating your responses?

1 A. No. I did not.

2 Q. Very good.

3 MR. JOHN: At this time Mr. Chairman I would ask that  
4 Mr. Taylor's personal data questionnaire and  
5 preliminary screening question responses be  
6 entered into the record as exhibits.

7 REP. SANDIFER: So ordered.

8 (EXHIBIT NO. 5 MARKED FOR  
9 IDENTIFICATION PURPOSES (9 pages)  
10 PDQ)

11 (EXHIBIT NO. 6 MARKED FOR  
12 IDENTIFICATION PURPOSES (15 pages)  
13 preliminary questions)

14 Q. All right, Mr. Taylor is here with us today to be  
15 screened for the second congressional seat on the  
16 Santee Cooper Board of Directors. The term for that  
17 seat began May 19th of last year, 2022 and it runs  
18 through May 19th of 2026. Brief summary of Mr.  
19 Taylor's background. He attended Clemson from 1991 to  
20 1995. Bachelor of Science degree. Then went on to  
21 Georgia, University of Georgia '95 to '97 Masters of  
22 Forest Resources degree. Mr. Taylor went on to  
23 attend University of North Carolina Chapel Hill School  
24 of Law from '97 to 2000 where he obtained his Juris  
25 Doctor. Mr. Taylor is currently retired. He

1 previously was an attorney for Burr & Forman,  
2 previously known as the McNair Firm. He was a  
3 shareholder there from 2015 to 2019. And then prior  
4 to that he worked at Nelson Mullins from 2000 to 2015.  
5 He has served on the South Carolina Board of  
6 Environmental Certifications since 2016. He's been a  
7 member of the South Carolina Energy Advisory Counsel  
8 since 2018. He is a member of the South Carolina Bar.  
9 He is active in youth programs at Chapin Baptist  
10 Church he is a member. A background check indicated  
11 no criminal record. There were no issues with his  
12 credit report and no concerning information from his  
13 driving record. At the Sub-Committee meeting last  
14 week, Mr. Taylor disclosed that he does own some  
15 shares of Nexterra stock and Mr. Taylor volunteered  
16 that he would be willing to sell those shares. I  
17 spoke with him couple times in the past week and  
18 indicated that was looking to sell those shares but  
19 with market fluctuation waiting on the right time and  
20 I advised Mr. Taylor that that was acceptable and  
21 he's going to update the record when he has parted  
22 ways with those shares. Is that correct?

23 A. Correct.

24 Q. Thank you. All right, Mr. Taylor a few questions for  
25 you. How long have you lived in South Carolina?

1 A. Since 2000.

2 **Q. Are you registered to vote?**

3 A. Yes.

4 **Q. Are you an official with a political party?**

5 A. No.

6 **Q. Are you currently a lobbyist or do you engage in**  
7 **lobbying activities?**

8 A. I do not.

9 **Q. Do you or a member of your immediate family who**  
10 **resides with you have any holdings or other financial**  
11 **interests in any electrical utility or any other**  
12 **entities that may be impacted by decisions of the**  
13 **Board?**

14 A. Outside of the one you mentioned as part of my IRA I  
15 have two utility index funds. I'm not sure what they  
16 hold. They're broad index funds. And then I have a  
17 private stock account that also has one of those  
18 utility index funds.

19 **Q. Any direct or indirect business relationships with**  
20 **Santee Cooper itself or any of its wholesale power**  
21 **customers?**

22 A. Do not.

23 **Q. Do you have any other potential financial conflicts of**  
24 **interest?**

25 A. I do not.

1 **Q. What would you do if a conflict arose?**

2 A. One, would be discuss with counsel. I think outside  
3 of that, transparency and full disclosure and then  
4 determining how that needs to move forward based on my  
5 obligations as a Board member, State law and ethics  
6 laws and then the requirements under the law that  
7 apply to Santee and its Board members on transactions.

8 **Q. What skills do you possess that would be beneficial to**  
9 **an energy and utility board?**

10 A. One is my background, and that's understanding the  
11 regulatory structure. The other one is that ability  
12 to interact and relate with people. That's kind of a  
13 broad characteristic, but in that I like to see people  
14 succeed and achieve their best, and that usually draws  
15 in by in, in the communication side of that. So  
16 communicating clearly on needs and desires and agenda  
17 and then being able to listen, and that listen side,  
18 the environmental arena versus other areas, I was  
19 typically charged with facility personnel,  
20 contractors, experts, their contractors, so I'm  
21 interacting with a lot of people that have a level of  
22 expertise and knowledge that is outside of mine. So  
23 being able to analyze that, synthesize it, critically  
24 review it, and communicate in those areas, which is a  
25 lot of what I think the Board does in terms of



1 information coming in.

2 **Q. And in terms of information coming into the Board, how**  
3 **is the role of a Board member different from that of**  
4 **executive staff?**

5 A. So there's the State law requirements on rate setting  
6 and property acquisitions that don't necessary apply  
7 to boards in general. But here the structure and  
8 hierarchy, the setting agenda, setting goals, kind of  
9 those higher level policy stuff, and so then that  
10 being executed down through management and then  
11 information from management and executives back up in  
12 terms of application, what it looks like, how things  
13 operate, how the business operates. Because those are  
14 the ones with the day-to-day boots on the ground  
15 expertise.

16 **Q. Can you describe the duty of loyalty, duty of care you**  
17 **would owe to Santee Cooper as a Director?**

18 A. I think there is, in my opinion, two levels of it.  
19 One is my personal duty of care and loyalty that is by  
20 even accepting the nomination is the utmost in duty of  
21 care and wanting to see Santee Cooper succeed, wanting  
22 to see the benefits to the State. But then outside of  
23 that you've got the actual requirements that are set  
24 forth in the statute, which are good faith, prudent  
25 person and balancing interests of the company on

1           longevity, its facilities, its customers and economic  
2           development.

3   **Q.   What are some considerations for the best interest of**  
4   **Santee Cooper?**

5   A.   There is a set of actual, if I may.  One that's  
6        overarching me is the success of Santee Cooper.  
7        Within that those best interests are laid out in the  
8        law governing Santee Cooper, and that's got the  
9        various customer basis and providing cost effective  
10       reliable power to those customer bases without  
11       allowing one to kind of dominate that decision making.  
12       The economic development component, the longevity of  
13       the company and then the facilities that the company  
14       manages.

15  **Q.   Let's talk business model.  How is Santee Cooper's**  
16  **different from other utilities in the State?**

17  A.   Having that State component there, with your typical  
18       private utility component it is answerable to  
19       shareholders and what that dollars and cents success  
20       looks like.  You've got an added level of role with  
21       Santee Cooper to the State in the economic development  
22       component, in the reliability of utility  
23       infrastructure as a whole and the oversight that the  
24       General Assembly then has over.  So it's answerable at  
25       almost kind of a two-level rather than just to the

1 shareholders. It's answerable to the State as a State  
2 resource.

3 **Q. Can you tell us a little bit about your understanding**  
4 **of Santee Cooper's current generation mix, including**  
5 **relative age and any challenges that you think their**  
6 **fleet of generation resources might pose for long-term**  
7 **planning?**

8 A. It's predominantly refined coal, with a decent amount  
9 of natural gas and then you have some hydro and  
10 nuclear, oil, solar, the methane facility at Horry  
11 County. And then I think there was a wind project  
12 too. And then some that is being purchased from other  
13 suppliers. I think that in terms of the transition or  
14 transition issues and then the needs that Santee  
15 Cooper is facing, you got an increase in demand. You  
16 have the power that was going to be the VC Summer  
17 power that was, how do you address that? Then you got  
18 the growing demand with economic development, how to  
19 meet that as a challenge. Because when you look at  
20 the push toward more renewables or something other  
21 than refined coal, how to do that and maintain cost  
22 effective, kind of reliable power is the challenge. I  
23 think right now probably the direction I would suspect  
24 Santee Cooper is going and what I would expect from  
25 outside is probably a decent reliance on natural gas

1 because that gives a little bit more flexibility.  
2 Because with natural gas those more intermittent  
3 supplies that are the more renewables, you can  
4 incorporate those better. The battery storage to be  
5 able to disperse those more intermittent supplies more  
6 evenly over a day. That's going to always I think be  
7 one of the challenges with South Carolina is you move  
8 to new technologies, new regulatory restrictions.  
9 When you look at say, Chicago, there's a lot of wind  
10 blowing across the plain, so there's wind mills  
11 everywhere. You put windmills in South Carolina, you  
12 face other issues and you don't have the same  
13 consistency. When you look at like the Southwest and  
14 their reliance on solar, you've got 365 days of  
15 sunshine and big open spaces to do it. That's not  
16 going to look the same in South Carolina, so how do  
17 you integrate South Carolina's unique environment, the  
18 development that we see with those type of renewables?  
19 That's one challenge. Technologies are always  
20 shifting, so how do you stay flexible as you plan  
21 because you might rely on a certain technology and  
22 that technology changes or there's new advances. And  
23 then that regulatory structure that tends to come from  
24 DC that might be pushing you in one direction with one  
25 administration and push you in another direction with

1 another administration, how to do that I think is the  
2 challenge.

3 **Q. And so in balancing a diversified portfolio that, you**  
4 **know, may see a heavier presence of renewables then in**  
5 **the future, how would you balance that portfolio**  
6 **versus potential cost impacts on customers?**

7 A. I think one of the ultimate obligations is to the  
8 customer. Is it reliable and is it cost effective -  
9 that needs to guide as an overarching guidance that  
10 needs to guide those decisions and where you explore  
11 renewables and how you look at that technology. I  
12 think you're also, there's going to be regulatory  
13 restrictions that push you in certain directions or  
14 requirements that, here is how it's mandated, we do  
15 have to meet these. And then paying attention to  
16 what's happening in the industry as a whole. Because  
17 that's also, your decisions are kind of relative to  
18 what's going on across the nation in the industry as a  
19 whole.

20 **Q. How important is it for Santee Cooper to delivery**  
21 **electricity at prices which are as reasonable as**  
22 **possible?**

23 A. I think it's critical, especially in the State. It is  
24 a resource of the State. So there is an obligation to  
25 have as a service to the people of the State. And

1           there is an answerability to the people too. So it's  
2           not a corporate decision, I'm getting impacted by that  
3           corporate decision. It's a my governments ultimately  
4           having a say on that, how is it impacting me. So  
5           transparency and messaging and all of that rate  
6           setting and structure, I think, is important. But  
7           then it ultimately has to guide where that goes. You  
8           can't let other factors start predominating that one  
9           because that's the one that you're going to end up  
10          answering to through the General Assembly.

11   **Q. So you touched on affordability and reliability as it**  
12   **relates to rates. What about environmental**  
13   **responsibility?**

14   **A.** So the environmental responsibility is critical both  
15          from a public perception, again part of that State  
16          entity. So you're balancing natural resources for the  
17          State as a State entity. I worked with, so when I was  
18          in grad school I worked Georgia Pacific on endangered  
19          species issues, and a lot of those that we tend to put  
20          those at two extremes that say they cannot intertwine,  
21          but a lot of our environmental and natural resource  
22          management decisions, we were able to integrate at no  
23          cost, low cost, maybe even benefits to the economy.  
24          So I think a lot of those environmental issues can get  
25          tackled that way. When you get into the ones that

1 start having cost impacts, then you've got to make  
2 that balance between kind of short-term and long-term  
3 bang for the buck I guess is the easiest way to put  
4 it. What are we actually benefitting? What is the  
5 environmental advantages that we have out of this? And  
6 then there's that overarching regulatory structure  
7 that's also going to be driving you in certain  
8 decisions.

9 **Q. Economic development, what role should Santee Cooper**  
10 **play?**

11 A. It has a critical role in attracting and retaining on  
12 the not just power supply but in confidence in power  
13 supply, confidence in the State and confidence in the  
14 infrastructure that will support those economic  
15 development efforts. And then you get the actual  
16 providing power, those contracts and the fact that  
17 that also then benefits the company because the rates  
18 that you have come back.

19 **Q. What is your long-term vision for Santee Cooper?**

20 A. Long-term vision for Santee Cooper. It is in a  
21 massively growing area of the State that is going to  
22 shape the economics of that part of the State, the  
23 State as a whole. But it has an even more dominant  
24 impact on the Eastern part of the State. So I see  
25 that area continuing to grow, with people and

1 economically. I see Santee Cooper's importance then  
2 continuing to grow because of what it's serving. I  
3 see the restoration of trust and confidence that  
4 through some of the messaging and news and that type  
5 of stuff that they have faced in the past with the VC  
6 Summer, getting past that. Getting that trust and  
7 confidence back. I see the improvements in the  
8 management structure that are already happening, so  
9 you get a stronger, better managed company in today's  
10 environment. I see it continuing to be important in  
11 that economic development, continuing to meet the  
12 needs of the State and State and power production.  
13 And then I see that level of shift, whatever it looks  
14 like, that's going to be to some renewables mixed or  
15 whatever that technology ends up looking like. And  
16 that one, like I said, public perception, regulatory,  
17 is going to be a necessity.

18 **Q. In what ways would you, well, how can Santee Cooper be**  
19 **an asset to all South Carolinians?**

20 A. What's that now?

21 **Q. Sorry, I was trying to play off what you were saying.**  
22 **But I'll just ask the straight question. How can**  
23 **Santee Cooper be an asset to all South Carolinians,**  
24 **now and in the future?**

25 A. There's a gazillion ways. I'll try to hit some of the



1 highlights. Again, that asset and economic  
2 development, bringing jobs, retaining jobs. I think  
3 cost effective, reliable power. The reliability of  
4 the grid as a whole for the State. It's impact on  
5 those local communities, and the help of those local  
6 communities, which then shapes the State. The direct  
7 and indirect jobs. Being a good corporate citizen in  
8 those communities. The resources that it manages,  
9 Lake Marion, Lake Moultrie, the flood control  
10 parameters it has on Cooper, Santee and Congaree. And  
11 then I think being a leader in the State in those  
12 various arenas as well. Being a leader in the State  
13 of economic development. Being a leader in the State  
14 in the reliability of the grid, which it kind of  
15 already is doing with some of the grants and taking  
16 ownership of not only am I a power company, I'm  
17 answerable to the State. So how do I ensure  
18 reliability across a grid, taking advantage of grant  
19 money, infrastructure money, those type of things, as  
20 kind of an extra level of responsibility.

21 **Q. Very good. And just a few more here. Have you had**  
22 **any conversations with the Governor or members of the**  
23 **General Assembly regarding your appointment or how**  
24 **Santee Cooper should be run?**

25 **A. I have not, other than telling me meeting times.**

1 Q. You understand the obligations and responsibilities of  
2 this position?

3 A. I do.

4 Q. Are you committed to serving a full term?

5 A. I am.

6 Q. And do you have any closing statement you would like  
7 to make?

8 A. I don't, other than thank you for the consideration  
9 and your commitment to Santee Cooper and the utilities  
10 across the State.

11 Q. Thank you Mr. Taylor. That's all I have.

12 SEN. ALEXANDER: Questions for Mr. Taylor? Chairman  
13 Sandifer.

14 EXAMINATION

15 BY REP. SANDIFER:

16 Q. Thank you Mr. Chairman. What do you know about the  
17 relationship with Central, and how do you intend to  
18 work around that situation?

19 A. I know some of it. I don't know all of the nuance and  
20 details. I think, and I don't what efforts have been  
21 undertaken. I think moving forward jointly is  
22 probably in the best vent. From me looking as an  
23 outsider, moving forward jointly is probably in  
24 everybody's best interest, and the easiest way to  
25 ensure that reliability while also ensuring that kind

1 of cost effective power. I know there is some  
2 disagreement or questions on future projects and how  
3 that moves forward, but I think given the importance  
4 of it, it's where discussions are needed. I mean hard  
5 discussions, maybe re-tackling some of those questions  
6 and why. I would suspect a lot of this has been done,  
7 but looking as an outsider, okay let's get back to  
8 why, what are the issues, are there other ways to look  
9 at this. Here's what you're getting now in terms of a  
10 company, the reliability of that company, the  
11 commitment to you as the co-ops as a major customer.  
12 And trying to mend some of those relationships or, I  
13 don't know if it's mend, get those relationships to  
14 where everybody is kind of moving forward on the same  
15 page I think is in probably everybody's best interest.  
16 But to the extent that's not possible, there is still  
17 Santee Cooper's obligation to its customers and what  
18 it provides, so it has to figure out the best way to  
19 move forward without it, but I think it's better to  
20 have them moving forward together. Again, that's my  
21 thoughts from the outsider.

22 **Q. Okay. And one last question. What do you see as your**  
23 **relationship with the CEO?**

24 **A.** I am one that, through my entire legal profession, I  
25 was always extremely dependant on experts and people

1 that knew the inner workings of the day-to-day  
2 operations. It's not handing it over, it is critical  
3 review, it's being able to analyze, it's being able to  
4 talk. But good management is critical, and then  
5 relying on good management with that critical review.

6 REP. SANDIFER: That's all I have.

7 EXAMINATION

8 BY SEN. ALEXANDER:

9 Q. Kind of as a follow-up if I could.

10 A. Uh-huh.

11 Q. Your legal career, as you mentioned, going into this,  
12 and you mentioned the electric co-op central is your  
13 largest customer, I mean, do you think it's wise to  
14 have good working relationship and doing your best to  
15 foster the success of your largest, or not success but  
16 a partnership with your largest customer? How do you  
17 make sure, I mean, from being in business myself, I've  
18 had all kind of customers I'm grateful for all of  
19 them. But, your largest customer, you would hope --  
20 let me just stop there. How do you foresee that  
21 relationship? But I know you've kind of, I want a more  
22 direct of what you see as the need for that  
23 relationship?

24 A. So, the diversity component and diversity of customer  
25 base, which I'm going to guess was part of that

1 question, that you're more stable with a more diverse  
2 customer, or often more stable with a more diverse  
3 customer base rather than kind of hitching everything  
4 to one wagon.

5 **Q. Well no, not really. You hitched with that wagon**  
6 **already.**

7 A. Okay.

8 **Q. So my concern is, making sure, what is your perception**  
9 **and what's your philosophy on making sure that things**  
10 **are going as best to your ability of being, that**  
11 **you're taking care of your customer to also realizing**  
12 **your fiduciary responsibility to Santee Cooper.**

13 A. I think there is a lot of win/win in that  
14 relationship. So the conversations of what are the  
15 hang-ups and hold-ups, so I think those conversations,  
16 those kind of meetings of where is the rift coming or  
17 where is the split coming from? And then realizing, so  
18 economies of scale on projects, the win/win benefits  
19 to power rate numbers being able to be maintained a  
20 lower level, which also benefits the customer because  
21 economies of scales with projects. And then, okay, if  
22 it's in our best interest to move forward rate-wise on  
23 project size and facilitating larger demands rather  
24 than smaller demand projects, then where is the hang-  
25 up when we move past that? Where are those concerns?

1 And I think that's one of conversation having to be  
2 more involved than I am. Because I'm looking it from  
3 an outsider from news stories. But okay, that all  
4 makes sense. So if we're not where it makes sense,  
5 then where is the hang-up, where is the concern there.  
6 And I think that starts getting into relational. That  
7 starts getting into kind of in an Xs and Os or a  
8 numbers, where are our direction and agendas falling  
9 apart. Where is there not the trust in what we're  
10 providing? Where is there disagreement in what we're  
11 providing? Because over here, in terms of the best way  
12 to do power production in economies of scale, we  
13 should all be on the same page over here.  
14 Reliability, we should all be on the same page over  
15 here. So where are we hitting hang-ups?

16 SEN. ALEXANDER: Thank you. Other questions?

17 Representative Jefferson.

18 EXAMINATION

19 BY REP. JEFFERSON:

20 Q. Just an observation Mr. Taylor. It appears that  
21 you're very much involved in the church.

22 A. Yes, sir.

23 Q. You've worked with a lot of the young, various clubs  
24 within these organizations and I notice you also  
25 served with several law firms. Upon leaving, did you

1           **leave with a degree of satisfaction from each of these**  
2           **organizations or were there any problems or anything?**

3       A.    There were absolutely no problems.  I never thought I  
4            would leave Nelson Mullins.  I was there both summers  
5            of summer associate.  I started my career there.  
6            McNair had some of their environmental practice leave,  
7            and so a friend of mine was coming back there, wanted  
8            me to help her rebuild that practice.  And that's one  
9            of those, you don't get that opportunity very often.  
10           Our son, Reed, was basically getting raised by college  
11           students, and he was hitting that age that somebody --  
12           he's an amazing kid, but you just reach an age as a  
13           boy somebody's got to put some more parameters.  
14           Because he was an only kid, only grandkid, only  
15           grandkid.  And so that directed some of that decision.  
16           And when I did step out of it, it was the strangest  
17           conversation.  Because my wife and I had a  
18           conversation at home.  Having that conversation with  
19           the managing shareholder, as soon as it came out I was  
20           like this is different coming out of my mouth here in  
21           front of than it was at the house on the couch.  But  
22           then when I stepped into that role it was Lord don't  
23           let me waste the time.  I now have a time resource  
24           that other people don't have.  And so the amazing  
25           satisfaction I have was just plugging that time that I

1 used to plug into the law profession plugging it into  
2 the community, plugging it into individuals' lives.  
3 I'm on speed dial when kids miss the bus. I'm at  
4 home, I get a text, Mr. Stacey I missed the bus will  
5 you come take me to school. Because parents don't  
6 necessarily have that time, both of them are working.  
7 And I do. So it's been, don't waste it. But every  
8 place I have left has been on good terms. In fact,  
9 I'm still on good terms with any of them and I would  
10 suspect if I wanted to go back into practicing law  
11 that I probably could go back to either one of them.

12 **Q. So where are you now?**

13 A. We're in Chapin. I am home, when I'm at home. But  
14 we're in Chapin. So I am between the neighbors'  
15 houses, other people needing projects, church trips,  
16 chaperoning. So I have a bed and a base but I'm  
17 usually active through the whole day.

18 **Q. Living the good life.**

19 A. Living the good life. I figured out how to get the  
20 handcuffs off.

21 REP. JEFFERSON: Thank you, sir.

22 SEN. ALEXANDER: All right, thank you. Anything else?  
23 Chairman Rankin?

24 EXAMINATION

25 BY SEN. RANKIN:



1 Q. I will try to be brief.

2 A. Okay.

3 Q. Mr. Taylor.

4 A. Yes, sir.

5 Q. It's good to see you again. I appreciate your brevity  
6 today.

7 A. Everybody that went after me thanked me last time.

8 Q. Real quick. In your role as a lawyer you worked with  
9 these various firms. You've got great letters of  
10 recommendation from both law firms you worked with.  
11 Folks that are well-known in the community, the legal  
12 community. Conflict resolution. Whether as an  
13 attorney or in the community with all these folks that  
14 you're helping serve. That is an acute and necessary  
15 skill in anything in life, correct?

16 A. Yes.

17 Q. Okay. That's all. Okay, you are as I said to benefit  
18 of you, but there others that who have heard this  
19 before, you're coming in to this assignment in the  
20 best of times, arguably, with the sale of Santee  
21 Cooper and the Governor's interest and the others'  
22 interest in selling it to NextEra or anybody else,  
23 that's behind us. You now have the challenge of  
24 helping drive this ship to maintain it, keep its  
25 credit rating high, cost the various customer classes

1 as less as possible. Do you agree with that?

2 A. Yes.

3 Q. So in particularly the conflict resolution hat which  
4 you will be bringing, because you were a mediator too,  
5 were you not?

6 A. I was not a mediator.

7 Q. But you had sat through many mediations and know how  
8 to or not to do it?

9 A. Yes.

10 Q. I predict that you will be required to be a mediator  
11 of sorts between the customer classes. And that being  
12 as you've already answered, based on what you know in  
13 the news versus what you're about to learn in terms of  
14 the relationship, the pushing-pulling by the  
15 industrial class, by Central and to the degree that  
16 they have any ability to get in your face or make the  
17 news, the direct-serve customer class. Do you agree  
18 with that?

19 A. Yes.

20 Q. Okay. And so how will you weigh the best interests of  
21 Santee Cooper using your best business judgment mantra  
22 or North star to resolve conflicts to the degree that  
23 they will exist and do exist now?

24 A. The guiding principle, being your loyalty and duty to  
25 Santee Cooper, its long term success, and then its

1 roles within the State. And that being those guiding  
2 principles to guide those decisions. And I think if  
3 you get ahead of yourself on any one of those dynamics  
4 to the detriment of the other, that is that reality of  
5 stepping back. And although you're wanting to build  
6 kind of consensus and decisions, and I think  
7 transparency, I think trust and confidence and  
8 maintaining all that is critical in that. I also  
9 think you're going to make decisions that have more  
10 positive on somebody and more negative on somebody.  
11 So in the whole, can they be confident in your  
12 decisions and the messaging part of that. So a lot of  
13 environmental issues that we had, those weren't  
14 particularly welcomed or they were serious issues in  
15 the community that did balance different factions. So  
16 in that I was always one to try to be up-front and to  
17 have that disclosure that built kind of trust and  
18 confidence in those decisions and be sure on the  
19 messaging side of it of here is the why. Be ahead of  
20 the decision with messaging rather than behind the  
21 decision with trying to answer questions.

22 **Q. And to the degree that you are answering those and**  
23 **weighing these, you agree, and I childishly remember**  
24 **the term garbage in garbage out, are you familiar with**  
25 **that term?**

1 A. Yes, yes.

2 Q. Effectively, I think, I'm intending this to mean and  
3 do you agree that you can only rely on credible  
4 information provided you to then generate a credible  
5 resolution. Correct?

6 A. Correct. And the challenge is the critical analysis  
7 of credibility. But having to tackle that.

8 Q. So it's credibility on your side, coming from your  
9 staff, now.

10 A. Correct.

11 Q. Or the management of Santee Cooper. You will insist  
12 on that, I trust.

13 A. Correct.

14 Q. And the customer classes that come to you or that will  
15 appear or one of whom sit on -- well in fact two  
16 classes actually sit on the Board.

17 A. Correct.

18 Q. The direct-serve has a direct appointment, and then  
19 Central has appointments as well, or an appointment  
20 Ex-officio. The industrial class does not. But you  
21 will require from them, and it says on credibility,  
22 honesty and transparency on what they produce to you  
23 as a Board member and to Santee Cooper corporately,  
24 correct?

25 A. Correct.

1 Q. And to the point that if you don't have credibility  
2 with one of those you can't make credible decisions in  
3 the best interest of Santee Cooper, correct?

4 A. Correct. And that breaks down the relationship that  
5 all of that decision making needs to be based upon.  
6 The needs to be, that's what it needs to be.

7 Q. Trust and verify and grow together on a trustworthy,  
8 credible basis, right?

9 A. Correct.

10 SEN. RANKIN: Okay. That's all.

11 SEN. ALEXANDER: Nothing else. And thank you for  
12 being with us, appearing today.

13 MR. TAYLOR: Thank you.

14 SEN. ALEXANDER: Thank you. You're excused.

15 (OFF THE RECORD)

16 SEN. ALEXANDER: I just will again reaffirm and bring  
17 to the committee's attention that obviously the  
18 Great. work of this subcommittee the Santee  
19 appointee subcommittee that has been done on  
20 April 26th I believe it was a week ago in depth  
21 review of these And that's what brings these  
22 members before us today Is that a fair  
23 assessment Chairman?

24 SEN. RANKIN: Absolutely Absolutely.

25 SEN. ALEXANDER: So next we go to Mr. Charles E Dalton

1 for the Fourth Congressional District seat Good.  
2 morning.

3 MR. DALTON: Good. morning. sir,

4 WHEREUPON:

5 CHARLES EDWARD DALTON being duly sworn and  
6 cautioned to speak the truth the whole truth and  
7 nothing, but the truth testifies as follows:

8 SEN. ALEXANDER: I would now, ask Mr. John to provide  
9 some background. And before I do that, is the  
10 prerogative of the chair I will have to leave  
11 momentarily, and certainly appreciate the work of  
12 the Committee. And Mr. Dalton, I appreciate you  
13 being here with us today, your distinguished  
14 service that you've had in your great career,  
15 professional and private life of giving back to  
16 the community and being engaged. And appreciate  
17 your willingness to serve in this capacity, just  
18 for the record.

19 MR. DALTON: Thank you, Mr. Chairman.

20 SEN. ALEXANDER: Mr. John.

21 MR. JOHN: Thank you, Mr. Chairman, and members of the  
22 committee. Mr. Dalton's packet can be found  
23 behind the Tab Five in your notebook there.  
24 Apologies for that.

25 Q. All right. Mr. Dalton, good morning.

1 A. Morning.

2 Q. So we received your complete packet and preliminary  
3 responses. Anything to update with regard to your  
4 personal data questionnaire or statement of economic  
5 interests?

6 A. Not that I'm aware of.

7 Q. If we asked you the same screening questions today,  
8 would your answers remain the same?

9 A. Yes.

10 Q. Did you have any assistance from third parties in  
11 formulating your responses to those questions?

12 A. I did not.

13 Q. Thank you.

14 MR. JOHN: At this time, Mr. Chairman, I would ask  
15 that Mr. Dalton's personal data questionnaire and  
16 responses be entered into the record as exhibits.

17 SEN. ALEXANDER: So ordered, without objection.

18 (EXHIBIT NO. 7 MARKED FOR  
19 IDENTIFICATION PURPOSES (6 pages)  
20 PDQ)

21 (EXHIBIT NO. 8 MARKED FOR  
22 IDENTIFICATION PURPOSES (13 pages)  
23 Preliminary questions)

24 Q. All right. I'm going to give a very brief overview  
25 Mr. Dalton's background. He attended Clemson from

1 1960 to 64, and spent the bulk of his professional  
2 career at Blue Ridge Electric Cooperative where he  
3 served as president and CEO from 1982 to 2018. He  
4 currently, serves on the Commission on Higher  
5 Education and was, also a commissioner for DOT '87 And  
6 '91, '79 to '83. Also previously served on Pickens  
7 City Council. A background check indicated no  
8 criminal record. There were no issues with his credit  
9 report and there was no concerning information from  
10 his driving record. Mr. Dalton, how long have you  
11 lived in South Carolina?

12 A. All my life, except for two years, '64 to '66, I lived  
13 in Lexington, North Carolina.

14 Q. Are you registered to vote?

15 A. Yes.

16 Q. Are you an official with a political party?

17 A. No.

18 Q. Are you currently a lobbyist or, do you do any  
19 lobbying activities?

20 A. No, sir.

21 Q. Do you or any member of your immediate family have any  
22 financial holdings, business relationships, or other  
23 potential financial conflicts of interest related to  
24 your appointment?

25 A. The only one I know is my son works the Blue Ridge



1 Electric Co- Op, but it's not in management, it's not  
2 on staff.

3 **Q. Yes, sir. And if a conflict were to arise, what would**  
4 **you do?**

5 A. First thing, I would divulge it to staff, to the  
6 board, and then certainly try to resolve it. If, in  
7 fact, there was a conflict, I would remove myself.

8 **Q. And your previous role with Blue Ridge Electric**  
9 **Cooperative, do you foresee there being any conflicts**  
10 **from a decision-making standpoint for you in that**  
11 **regard?**

12 A. No. I don't. Obviously, I enjoyed the 36 years  
13 there. I'm now, CEO President, CEO emeritus and that's  
14 precisely honorary. I get no compensation, no car,  
15 office. I did keep my telephone and did keep my  
16 laptop. It is strictly an honorary title, which I  
17 appreciate.

18 **Q. So you have a vast leadership experience with Blue**  
19 **Ridge, and so I can ask you -- pare down some of the**  
20 **questions from what we discussed at the subcommittee**  
21 **meeting. What skills do you possess that would be**  
22 **beneficial to an energy utility board?**

23 A. Well, I have a kind of a unique experience having  
24 served on the Blue Ridge board for 10 years prior to  
25 becoming the CEO. I do have an opportunity to view

1 things from both sides of the table from the board  
2 perspective and the management. I do understand the  
3 separation of responsibilities. I do feel I  
4 understand the role of a board member. You are acting  
5 as a member of a board and not acting individually.  
6 So having had the experience there for 36 years and  
7 then serving on other volunteer boards, I do  
8 understand what a board member should and should not  
9 do.

10 **Q. And to test that knowledge, can you describe the role**  
11 **of a board member as a fiduciary for the organization?**

12 A. Well, you absolutely have a responsibility for caring  
13 for the organization, looking out for its best  
14 interest. The loyalty, you have that responsibility  
15 to being loyal to it. And you should take no action  
16 that's not in the best interest of the organization  
17 that the board you're serving on. If you're not able  
18 to do that, you should not be on the board. But any  
19 action that you would take, any view that you would  
20 have should be the protect the interest of the  
21 organization that you're serving.

22 **Q. Thank you. Let's talk about Santee Cooper's**  
23 **operations. Can you describe their current generation**  
24 **mix?**

25 A. Yeah. The largest of the generation is coal. Then, I

1 think next would be probably nuclear, some hydro and  
2 very, very little oil. But primarily, the larger of  
3 the fuel would be coal, coal fire.

4 **Q. What's your opinion on the role of renewable energy in**  
5 **Santee Cooper's future?**

6 A. It has a role. My concern right now is most renewable  
7 energy does not help us that much, because you have to  
8 have baseload to back it up. So renewables certainly  
9 have a future, and it's something that all the energy  
10 folks are going to have to look at. We need to  
11 develop more and better renewables. The battery  
12 situation is extremely important, because again right  
13 now, we're not helping ourselves a lot because we have  
14 to have baseload to backup renewables. If we can get  
15 good battery technology to where we can store that  
16 energy and not have so much baseload backup, then we  
17 will be gaining on the problem. But right now, it's  
18 really in its infancy. It's a good thing, but it's  
19 not the answer. It's one of the answers. But it's  
20 not the answer.

21 **Q. So you know, adding some level of those resources to**  
22 **the current generation mix, how would you balance the**  
23 **need for affordable price electricity with a diverse**  
24 **portfolio?**

25 A. I think I left out natural gas. Natural gas is one of

1 the larger fuel components for Santee Cooper as it  
2 should be. The price of electricity is really a  
3 complicated thing. The more competitively priced  
4 generation obviously is a good thing for everybody.  
5 It's good for Santee Cooper's bottom line. It's Good  
6 for their customers. And so there is the opportunity  
7 to look at possibly, right now, more gas, fire  
8 generation that I think would help offset some of the  
9 associated problems with coal. Coal is still  
10 competitively priced, but has environmental issues  
11 that create a problem. So the fuel mix and pricing  
12 and the cost factors going into generation is quite a  
13 challenge and is something that has got to be  
14 addressed going forward.

15 **Q. Can you describe the challenge between environmental**  
16 **responsibility and affordability?**

17 A. Well, yeah I mean, that's the big conflict. It  
18 appears that the more environmental friendly  
19 generation source is, it's almost directly  
20 proportional to being more expensive, so that creates  
21 a real problem when you're trying to generate power at  
22 a competitive price. You may be generating with coal  
23 or something that's not as environmentally friendly as  
24 some other means, but the cost associated. And  
25 obviously that brings us to the nuclear question.

1 Nuclear is environmental, very friendly, but is an  
2 expensive situation that Santee Cooper has just  
3 experienced. So that's the challenge going forward.  
4 How do you get the fuel mix, how do you get the  
5 generation mix to where it's more environmentally  
6 friendly, but at a competitive price. That's the big  
7 question.

8 **Q. Similar question. Can you share your thoughts on the**  
9 **role of economic development and the role Santee**  
10 **Cooper should play there?**

11 A. That's probably on the positive side of the ledger.  
12 Economic development is certainly something that  
13 Santee Cooper has done and done well, and will need to  
14 continue to do. It seems to me that the present  
15 situation that Santee Cooper, the best solution is to  
16 grow their way out of some of the investment they  
17 have, and some of the debt that they have. Economic  
18 development, really good for everybody. It's good for  
19 Santee Cooper's bottom line. The economic development  
20 they do in cities, towns, through the co-ops, through  
21 the Piedmont Municipal Power Agency, all of those  
22 things are beneficial to the residents of South  
23 Carolina, the taxpayers of South Carolina. So a good,  
24 strong economic development benefits everybody. Not  
25 just Santee Cooper, but all their customers and even

1 people in the State that are not customers of Santee  
2 Cooper would benefit from economic developments that  
3 creates more jobs, brings about more infrastructure  
4 and capital investment. It's a win/win.

5 **Q. Your long-term vision for Santee Cooper and their**  
6 **relationship with the electric cooperative, Central,**  
7 **how do you view those two -- What's your long term**  
8 **vision and how those -- Santee Cooper's relationship**  
9 **with Central play into that?**

10 A. Well, it's vital to both organizations. I don't see a  
11 great future for Central and the co-ops without a  
12 viable Santee Cooper. I don't see a viable Santee  
13 Cooper without those folks. They're really sort of  
14 joined and made to be partners. There's so much  
15 opportunity there for both to work together. I don't  
16 -- again, to repeat, I don't see a viability for  
17 either party without both of them being successful and  
18 working together to attain that end. Santee Cooper is  
19 a great source of power, a great asset for the State.  
20 The co-ops cover pretty much all the state of South  
21 Carolina, represent a lot of people. And have done so  
22 much to help develop the rural part of South Carolina,  
23 and Santee Cooper was one of the earlier players in  
24 the 30s of developing that part of South Carolina. So  
25 they're in intertwined and must have a future

1 together.

2 **Q. How can Santee Cooper be an asset for all South**  
3 **Carolínians?**

4 A. Well, the economic development arm is probably the one  
5 that touches the most, but with their water systems  
6 and with the power that they generate and sell through  
7 counties, through cities, through Piedmont Municipal  
8 Power Agency, through the electric Co-ops, they're  
9 just automatically a benefit to everybody in South  
10 Carolina. Whether you're direct customer or not, the  
11 impact that they have on the state's economy, the  
12 ability that gives the Department of Commerce and  
13 others to recruit new investment into the State,  
14 create new jobs. They're a big part of any effort we  
15 would have to grow the State and grow the state's  
16 economy.

17 **Q. Have you had any conversations with the governor or**  
18 **member of the General Assembly regarding your role on**  
19 **the board?**

20 A. No, I have not.

21 **Q. Do you understand the obligations and responsibilities**  
22 **of the position?**

23 A. I do.

24 **Q. Are you committed to serving the full term?**

25 A. I am.

1 MR. JOHN: All right. Mr. Chairman I believe that is  
2 all I have for Mr. Dalton at this time.

## EXAMINATION

3  
4 BY REP. SANDIFER:

5 Q. Mr. Dalton, welcome. Good to see you again. It's  
6 been a while since we've met in this room.

7 A. It has.

8 Q. One quick question. You talked about the mix of  
9 generation. Do you think small nukes have a place in  
10 that?

11 A. I do. I had had that conversation recently with a  
12 retired friend of mine from Duke Power and I was  
13 pleased to hear him be in favor of small nuclear. I  
14 think it's something that definitely needs to be  
15 looked into. I am not an expert on it, but what I do  
16 know about it, it's encouraging to me.

17 Q. It certainly looks that way. Maybe we need to get the  
18 Navy to bring a submarine and put it in one of the  
19 lakes and let it generate for us?

20 A. It has worked well for the Navy.

21 REP. SANDIFER: Are there other questions for Mr.  
22 Dalton? Senator Rankin?

## EXAMINATION

23  
24 BY SEN. RANKIN:

25 Q. Mr. Dalton, I appreciate your rolling with the



1 question punches from our mutual friend,  
2 Representative Sandifer. And sincerely in that vein,  
3 as well, as your willingness to offer to this  
4 position, you are more than qualified. You have been  
5 down this road. You worked with Blue Ridge since --  
6 when was it? Thirty-four years?

7 A. Thirty-six.

8 Q. Thirty-six. And then you got an old laptop maybe, but  
9 you separated from them for how many years?

10 A. It's been five years, a little over five years. And  
11 Chairman Sandifer will understand, I still have a  
12 great relationship with those folks, but it's rarely  
13 that I've talked to anybody. I mean, when you talked  
14 about retiring, I retired from electric co-op, I mean,  
15 I love the past and still love those folks, but I just  
16 have very little interaction. And I remember when I  
17 became the CEO in '82, and the manager at that time  
18 retired, I did not call him and he did not call me.  
19 So I'm thinking well, you know, you didn't ask any  
20 advice from the guy that you replaced, so they're not  
21 going to call and ask you any. So I've had very  
22 little interaction, but it's it's all great memories  
23 and great relationship, but it is all honorary at  
24 this point.

25 Q. And that ended again, formally, what year?

1 A. 2018. It was January of 2018.

2 Q. Again, forgive me, were you ever the Central Board  
3 Chairman?

4 A. No.

5 Q. Did you ever serve in that role?

6 A. I was on the board, but I was never the central chair.  
7 Blue Ridge was always required to have two board  
8 members, and I was one of the two.

9 Q. You know, again from whence we as a state and longer  
10 than any of us have been serving in the General  
11 Assembly, the history of the relationship how the co-  
12 ops got started, how Santee Cooper got started, how as  
13 you call it "one can't succeed without the other, and  
14 the other can't succeed," and vice versa. You've seen  
15 that work over your tenure at Blue Ridge, correct?

16 A. Ye.

17 Q. And there have been challenges, correct?

18 A. Absolutely.

19 Q. And so your ascension to this board will require you  
20 to do nothing different, I trust, at all in how you  
21 worked and seen and grown, but you will not be allowed  
22 legally to tend to perhaps your heart or your bias, as  
23 a big Carolina fan, you cannot tend to support Clemson  
24 just because someone says it. Oh, I'm sorry. Did I  
25 get that backwards?

1 A. I was just admiring the chairman's tie.

2 Q. That garnet tie. I swear he's a Carolina fan.

3 Anyway, but in all sincerity, you will not be able to

4 tend to favor one against the other, three classes.

5 Again Central, correct? industrial? largely categories

6 and silos. So in terms of how you see yourself

7 conducting your job with the fealty of duty owed to

8 Santee Cooper working through conflicts as exists

9 today or maybe ebbing and flowing, again, as they ebb

10 or they flow. How will you try to bring the Mr. Dalton

11 approach to life to help smooth and fix or heal those

12 conflicts?

13 A. Well, I guess, I learned a long time ago the obvious

14 solutions generally are not the best solutions. So

15 what appears to be things that we ought to do right

16 now, may not necessarily be in the best interest of

17 everybody in the long term. And I think my view on

18 the Santee Cooper board would be more long term. And

19 there may be some short term pain for long term gains,

20 because I don't see Santee Cooper having a good future

21 without the co-ops and strong customers. I don't see

22 the long term outlook for co-ops very good if they're

23 not customers of Santee Cooper, or purchasers from

24 Santee Cooper. So that conflict would have to --

25 Santee Cooper would have to become front and center

1 and my thinking and in my conduct and any actions I  
2 would take, because I do firmly believe that what  
3 would be in the best interest of Santee Cooper would,  
4 ultimately, be in the best interest of Central and the  
5 co-ops. And on the surface sometime that might not  
6 look like the case, but I just I would not see any  
7 other way to address it than believing that my looking  
8 out for the best interest of Santee Cooper would,  
9 ultimately, be in the best interest of the State and  
10 of eventually, other co-ops. I just -- I can't see it  
11 any other way.

12 **Q. You obviously are a man who has in your family --**  
13 **we've met your wife the other day, as well -- Libby,**  
14 **correct?**

15 **A. Yes.**

16 **Q. Good looking blonde was your wife, for the record?**

17 **A. Libby will appreciate it.**

18 **Q. But you obviously are the master of relationships.**  
19 **You are here because of relationships. You obviously**  
20 **know two of these gentlemen very well. I've met you**  
21 **last week. Again you come with credibility pouring**  
22 **out of your being in terms of your service. These**  
23 **letters of endorsement on your behalf, all to the same**  
24 **point. The relationship that exists between these**  
25 **customer classes again, do you agree that one owes the**

1 same duty to the other, within contractual or legal  
2 bounds, to be as transparent, forthright, and arguably  
3 pre-emptive in maintaining that relationship?

4 A. Yeah. I do. That's certainly the way that I would  
5 approach it and that's what I would expect.

6 Q. And in terms of our General Assembly's view to the  
7 degree we have the authority to govern or request or  
8 change the law, it requires credibility,  
9 forthrightness, transparency on everyone's part,  
10 agreed?

11 A. Absolutely.

12 Q. Public Service Commission, they have hearings. We've  
13 seen, you know, various hearings. These are public.  
14 We've got a transcript here. We're not live streaming  
15 it. But to the degree that sunshine now, required  
16 under what Santee Cooper is required to do just like  
17 every other investor on utility, file an integrated  
18 resource plan, go before the public, do you agree that  
19 that should be required or would be a good thing to be  
20 required of all stakeholders, all customers of Santee  
21 Cooper?

22 A. Yeah. I mean, I would not have any problem with that.  
23 The co-ops are governed a little differently. They  
24 have their own boards. And I would just make one  
25 comment about that. I used to have conversations with

1 my friends at Duke Power and I asked them, I said you  
2 have an obligation. When you want to change your  
3 rates, you go to Columbia and you go through that  
4 process, which would be easier for you, to do that or  
5 go down the hall and ask your nine member board for a  
6 rate increase when they're the group that's going to  
7 hire and fire you. So co-ops do have a local control  
8 that's interesting and it's very good because  
9 generally a co-op CEO is not going to ask for a rate  
10 increase or ask to do something knowing that those  
11 nine folks, three of them are up for election every  
12 year. So co-ops do have an independent sort of  
13 governance that is unique, and whether or not that  
14 structure needs to be changed, my mind is open to  
15 that. But that is a unique governance format that  
16 works pretty well, because those folks are very  
17 sensitive to the people that they serve. Those three  
18 directors that are up for election every year, they're  
19 pretty sensitive to their customer base. The CEO is  
20 very sensitive to those folks. So that structure has  
21 worked pretty well the fact that co-ops are governed  
22 by local board, but whether or not that needs to be  
23 changed or rectified or modified, I mean, I'm  
24 certainly open minded about that and I understand  
25 some of the new regulations that are being discussed

1 and again I have an open mind about it, but I did want  
2 to make that point that co-ops do have a unique  
3 governance that's worked pretty well.

4 Q. And I realize and I acknowledge that that is not in  
5 your purview as a Santee Cooper board member, if you  
6 are successful, but in the vein of independence and  
7 information, there seems to be perhaps faults -- and  
8 again this is my comment. You don't have to confirm  
9 or deny it, but that what is necessarily being  
10 conducted and recommended by Central may not actually,  
11 get explained or told directly to the local board such  
12 that their members have any idea that what's being  
13 asked of them is something that is even in play. And  
14 so that's not for your comment, but, do you see how  
15 important it is for the left hand to know what the  
16 right hand is doing such that there shouldn't be any  
17 hidden or kind of blocked information on Central's  
18 activities, Statewide's activities, or Horry Electric  
19 Cooperative or any of the others as to what everybody  
20 can see just like is required of the conditional  
21 utilities in Santee Cooper?

22 A. I totally agree with that. Everybody's got to be  
23 transparent in what they're doing and why they're  
24 doing it. Because sometimes why we're doing something  
25 is just as important as doing it. Explaining why

1           you're taking certain actions is certainly something  
2           that needs to be open.

3   **Q.   And again, this is your history, not your future, but**  
4           **again to the degree that everybody is operating on the**  
5           **same surface, board, plane, whatever you call it, we**  
6           **can we can succeed.  If we don't know what we don't**  
7           **know, there can be no trust or no credibility?**

8   **A.   Probably not going to have the best outcome**

9           SEN. RANKIN:  Thank you.

10          REP. SANDIFER:  Are there further question?  All  
11                  right.  I would entertain a motion that we recede  
12                  until one o'clock to meet back in this room.

13          REP. WEST:  So moved.

14          REP. SANDIFER:  All in favor indicate by saying aye.

15                                  (OFF THE RECORD)

16          SEN. ALEXANDER:  Good afternoon.  Come around.

17          MS. RICHARDSON:  Thank you, thank you.

18          SEN. ALEXANDER:  Good to see you this afternoon.

19          MS. RICHARDSON:  Good to see you again.

20          SEN. ALEXANDER:  We have before us Ms. Alyssa  
21                  Richardson.  Sixth Congressional District Seat.  
22                  Delighted to have you with us today.

23          MS. RICHARDSON:  Thank you.  Great to be here.

24          MR. CHAIRMAN:  If you'll raise your right hand and be  
25                  sworn in.



1 WHEREUPON:

2 ALYSSA LEE RICHARDSON, being duly sworn and  
3 cautioned to speak the truth, the whole truth and  
4 nothing but the truth, testifies as follows:

5 SEN. ALEXANDER: Delighted to have you here. Mr. John  
6 has some background information and then we'll  
7 ask you a few questions.

8 MS. RICHARDSON: Okay. Sounds good, thank you.

9 SEN. ALEXANDER: All right, thank you.

10 EXAMINATION

11 BY MR. JOHN:

12 Q. Thank you, Mr. Chairman. Ms. Richardson, nice to see  
13 you again. Some of these will sound familiar, but  
14 we'll go through them again for the benefit of the  
15 full committee here. We received your complete  
16 confirmation packet and your responses to the  
17 preliminary screening questions. Do you have any  
18 changes or updates that need to be made to those  
19 responses?

20 A. I do not.

21 Q. If we asked you those same questions again today would  
22 your answers be the same?

23 A. Yes.

24 Q. Did you receive any assistance in formulating your  
25 responses from third parties to those questions.

1 A. No.

2 Q. Very good.

3 MR. JOHN: Mr. Chairman at this time I would ask that  
4 Ms. Richardson's personal data questionnaire and  
5 responses be entered into the record as exhibits.

6 SEN. ALEXANDER: So ordered without objection.

7 (EXHIBIT NO. 9 MARKED FOR  
8 IDENTIFICATION PURPOSES (7 pages)  
9 PDQ)

10 (EXHIBIT NO. 10 MARKED FOR  
11 IDENTIFICATION PURPOSES (13 pages)  
12 preliminary questions)

13 Q. Thank you. Ms. Richardson, as mentioned, you are  
14 here to be screened for appointment to the Sixth  
15 Congressional District Seat. Her term, if found  
16 qualified, would run from January 1, 2024 through  
17 January 1, 2028. I'll provide a quick background  
18 summary on Ms. Richardson. She attended Furman  
19 University from 2008 to 2012. She obtained a  
20 Bachelors of Art degree. In 2012 to 2015 she attended  
21 Harvard Law School where she got her Juris Doctor  
22 degree. She is the owner of Palmetto Community  
23 Developers and she has also served as Deputy Chief of  
24 Staff for Senator Tim Scott from 2020 to 2023. Prior  
25 to the that she served as an assistant US Attorney in

1 the South Carolina office from 2016 to '20. And also  
2 clerked for Judge Seymour from 2015 to '16. She is  
3 active with the YWCA of Greater Charleston, Furman  
4 University of Raleigh Institute and Radius Church in  
5 Charleston. A background check of Ms. Richardson  
6 indicated no criminal record, no issues with her  
7 credit report and no concerning information from her  
8 driving record. Ms. Richardson, how long have you  
9 lived in South Carolina?

10 A. My entire life.

11 Q. Are you registered to vote?

12 A. I am.

13 Q. Are you an official with a political party?

14 A. I am not.

15 Q. Are you currently a lobbyist or do you engage in  
16 lobbying activity?

17 A. I do not, and I am not.

18 Q. Do you or a member of your immediate family who  
19 resides with you have any financial holdings, business  
20 relationships or other potential financial conflicts  
21 of interest related to your appointment?

22 A. No, not to my knowledge.

23 Q. What would you do if a conflict arose?

24 A. I would raise the conflict to flag it, disclosure  
25 first and that might be a situation where recusal

1 would be necessary.

2 **Q. Thank you. What skills do you possess that would be**  
3 **beneficial to an energy utility board?**

4 A. I possess a number of skills. I'm a lawyer by  
5 training and so analysis is something I bring to the  
6 table. And also a curious a person and don't mind  
7 asking questions and looking for follow-up. I would  
8 also say that being ethical and having high integrity  
9 is key to this particular Board.

10 **Q. Would you please describe your view of the role of a**  
11 **Director and Santee Cooper's Board, and how that role**  
12 **is different from executive staff.**

13 A. Yeah. I would describe the Director of a Board to be  
14 more of strategic oversight of the general mission and  
15 objective and policy for Santee Cooper, in comparison  
16 to an executive committee member who would be more  
17 involved in the day-to-day operations, the execution  
18 of that strategy.

19 **Q. And what's your understanding of the role of a Board**  
20 **member as a fiduciary perspective?**

21 A. I believe the role of a board member as a fiduciary,  
22 there is great guidance in the General Assembly  
23 legislation about the duty of care and the duty of  
24 loyalty. Not just to the financial integrity of  
25 Santee Cooper but also to the rate payers, the

1 customers, and the people of South Carolina. And so  
2 that fiduciary duty, that loyalty, is part of the  
3 discharge of duties there.

4 **Q. In weighing a decision of the Board, what type of**  
5 **considerations would you factor into determining that**  
6 **decision is in the best interest of Santee Cooper?**

7 A. Again, according to the guiding legislation here, it's  
8 a balancing test. It's a weight of the finances, the  
9 financial integrity of Santee Cooper. It's a weight  
10 of what is in the best interest of the rate payers or  
11 the customers. There's also a balancing of the  
12 preservation and maintenance of the property, and of  
13 course there's also a consideration of one of Santee  
14 Cooper's goals of economic development. That piece of  
15 it is outlined in that balancing test, operating for  
16 the best interests of all of those interest.

17 **Q. How is Santee Cooper's business model different from**  
18 **other utilities in the State?**

19 A. Santee Cooper, among other things, provides one  
20 percent of its projected revenue to the State, so  
21 that's a piece that would differ from say, a property  
22 tax model for a different utility. And of course I  
23 think, from my perspective, its commitment to economic  
24 development and in some senses going where other  
25 utilities maybe would not want to go is something that

1 sets Santee Cooper apart. I think that economic  
2 development priority is something that a fully  
3 privately held utility might not necessarily need to  
4 or want to consider.

5 **Q. Santee Cooper's generation resources, can you share**  
6 **with us your understanding of their current generation**  
7 **mix and the relative age of that fleet?**

8 A. Yeah, it's an aging fleet. You think about Winyah  
9 eventually coming down. One of the pieces that relies  
10 on coal. But the mixes both coal, natural gases, I  
11 think we've seen kind of the balance in trying to  
12 shift some of that coal reliance to more of natural  
13 gas, eventually more renewables. And so I think there  
14 is a diversity there that will increase as the  
15 challenges with getting coal continue.

16 **Q. What's your opinion regarding the role of renewables**  
17 **in Santee Cooper's long term generation mix?**

18 A. My opinion is that it will become increasingly  
19 important, not just from a Santee Cooper perspective,  
20 but from a national perspective. Just when you think  
21 of this administration's objectives, it's a piece that  
22 keeps coming up. I think I said this last time, we  
23 don't want to move away from coal too quickly, but we  
24 do know that that will be a piece of it. That's a  
25 push across the board in this industry.

1 Q. And how would you balance goals of a diverse  
2 generation portfolio as it relates to cost impacts on  
3 customers?

4 A. You know, still talking about that balancing test, the  
5 goal is to produce reliable and competitive rates for  
6 the rate payer. And so I think continuing to look at  
7 that mix of sources, but also balancing the financials  
8 is important. You think about even just the past  
9 year, the attempt to pull in more natural gases where  
10 those prices are kind of up and down, a bit of a  
11 roller coaster. So those are two pieces that have to  
12 be balanced to get the reliable and competitive rates  
13 for rate payers.

14 Q. How would you say environmental responsibility factors  
15 into that equation?

16 A. There is an environmental piece to it as well. I  
17 think, you know, there have been strategies around  
18 that. You think of even some of the newer products,  
19 say the smart meter that Santee Cooper has  
20 incorporated. Environmental concerns are at the  
21 forefront of a lot of folks' minds.

22 Q. And economic development, what role should Santee  
23 Cooper play?

24 A. I think they should continue to play a significant  
25 role in it. I actually like that it is one of the

1 enumerate piece of that balancing test I was  
2 referencing. Again, that sets Santee Cooper apart  
3 from say, a typical business model that may say hmm it  
4 would be great to help out the State of South  
5 Carolina, but that's not our priority. For Santee  
6 Cooper it is. It's an enumerate priority. And so I  
7 think you saw Santee Cooper leaning in on rural  
8 broadband. You see Santee Cooper doing a number of  
9 things by way of even supplier diversity, some of  
10 those fairs and those trainings. It's key component.

11 **Q. In terms of your long term vision for Santee Cooper,**  
12 **how does it impact with some of its customers, such as**  
13 **Central Electric Co-Op? How does that relationship**  
14 **factor into your long term vision?**

15 A. You know, I think with the co-ops, particularly  
16 Central being one of the, or the largest customer  
17 there, I think that will have to continue to factor  
18 in. I know that there is a long term agreement  
19 contract that goes until 2058, and so I think that's  
20 just as reality that continues to factor in with the  
21 goals still being competitive rates and reliable  
22 energy and water supply.

23 **Q. And what's your understanding of the current**  
24 **relationship between Central and Santee Cooper?**

25 A. The current relationship is, you know, as it's been



1 before. I know with the newer legislation that has  
2 sort of brought me to the table, the Board seats. You  
3 know, there are two ex-officio members coming from  
4 Central, and so I think that relationship continues to  
5 be a very close one.

6 **Q. How can Santee Cooper be an asset to all South**  
7 **Carolínians?**

8 A. I think continuing to do what the model has been for  
9 coming up on 90 years now. You know, Santee Cooper  
10 serves probably more South Carolínians than South  
11 Carolina even knows about, right. You know, close to  
12 two million South Carolínians, and so I think  
13 continuing to provide what the utility provides, but  
14 also a piece of that I think being the transparency  
15 and accountability that the General Assembly has been  
16 leaning into as of late. And I think telling that  
17 message and that story of what it is Santee Cooper is  
18 providing to the State.

19 **Q. Have you had any conversations with the Governor or**  
20 **members of the General Assembly regarding your role on**  
21 **the Board or the future of Santee Cooper?**

22 A. I have not.

23 **Q. Do you understand the obligations and responsibilities**  
24 **of this position?**

25 A. Yes.

1 Q. And are you committed to serving a full term?

2 A. Yes.

3 MR. JOHN: Great. Thank you, Mr. Chairman. That's  
4 all I have.

5 SEN. ALEXANDER: Okay. Thank you. Questions? You got  
6 Representative West.

7 DIRECT EXAMINATION

8 BY REP. WEST:

9 Q. Thank you, Mr. Chairman. Ms. Richardson, just a  
10 statement first before the question, but your vitae is  
11 highly impressive to me. And your answer to the  
12 questions are so well thought through and  
13 grammatically aligned. I mean it just, it says a lot  
14 about you as a person.

15 A. Thank you.

16 Q. And I hope you're really proud of that because you've  
17 done a great job, so I can just imagine what you've  
18 done on your own. When we get to board structure, and  
19 we talk about duties within, scope of management, how  
20 do you see that interconnection working at Santee.  
21 And especially the relationship between the  
22 administration of Santee and the Board itself. Do you  
23 see the Board as mainly policy oriented, or do you see  
24 the administration as more of the day-to-day  
25 operations?

1 A. Yeah, I think at a high level there is generally a  
2 line of demarcation between what a board is going to  
3 be doing from a strategic and policy perspective and  
4 what the administration is going to do from a day-to-  
5 day. But I do think, particularly given some of the  
6 recent changes in the legislation, both at a State  
7 level, at a General Assembly level and now potentially  
8 at a Board level, there is a desire to see more of  
9 what's happening, see more of what's going on. And  
10 so, my impression is that you all do not want this  
11 Board to be asleep at the wheel, defer, defer, defer.  
12 And so to lean in where appropriate. We're not trying  
13 to make management decisions, but we do need to know  
14 enough to know what's going on at a management level.

15 **Q. And I know your Juris Doctor came from Harvard Law,**  
16 **but you also have a degree in economics?**

17 A. Yes, sir.

18 **Q. Is that from Furman?**

19 A. Yes, sir.

20 **Q. Congratulations.**

21 A. Oh, thank you.

22 REP. WEST: Impressive, thank you.

23 SEN. ALEXANDER: Chairman Sandifer.

24 EXAMINATION

25 BY REP. SANDIFER:

1 Q. Thank you, Mr. Chairman. Ms. Richardson, I've  
2 waived my Clemson tie at most of the candidates today  
3 -- Congratulations on your degrees.

4 A. Thank you, sir.

5 Q. And I feel that both degrees, both your law degree as  
6 well as your degree in economics is very, very  
7 beneficial to Santee Cooper. And I want you to  
8 understand that we're going to be leaning on you a  
9 little bit --

10 A. Yes, sir.

11 Q. -- for those types of things. But I'd like for you to  
12 try, let me just feel out a little bit the  
13 relationship between the CEO and the Board. Do you  
14 feel like it is the responsibility of the CEO to make  
15 proposals for things to do and then for the Board to  
16 have the opportunity to determine whether those are  
17 really the best ways to do things?

18 A. I think that's the general direction. I think its  
19 possible for the CEO to have the proposal, but I think  
20 the more popular direction is the Board giving  
21 guidance and the CEO executing. And so I don't think  
22 either side is foreclosed from coming up with ideas,  
23 but I think generally you've tasked your CEO with this  
24 is the mission, this is what we want you to execute,  
25 and so I do think there is generally some distinction

1           there as to where the idea is originating.

2    **Q.   And I think you're right, but I think it's a two-way**  
3           **street, and I hope you do as well.  Because all of us**  
4           **can have ideas.**

5    **A.   Yes.**

6    **Q.   Some of them are good and some of them are really bad.**

7

8    **A.   Yeah.**

9    **Q.   Most of mine are bad, I'll you that right now.  All**  
10           **right, in the generation ability, have you considered**  
11           **small nuclear reactors?**

12   **A.   I think that would be something that can and should be**  
13           **considered.  I think going, kind of to John's general**  
14           **question that I'm sure you've asked everyone about the**  
15           **diversity of the supply.  We've got to be looking**  
16           **everywhere, so I don't think anything should be off**  
17           **the table.  So yeah, I think that's something that**  
18           **should be considered.**

19   **Q.   And I think that the attempt at building the big**  
20           **nuclear reactor has really plowed the whole thing.**  
21           **But from what I'm reading and understanding, the small**  
22           **might be one of the steps to solutions.  And I hope**  
23           **that you would look at that there as well.  You talked**  
24           **about the number of people in South Carolina that**  
25           **Santee serves, did you know that they also serve the**

1           **municipality in which I live?**

2     A.    Which municipality is that?

3     **Q.    Seneca.**

4     A.    Then I did, yes.  I did know that.

5     **Q.    I don't know whether they serve another municipality**  
 6           **or municipal system, but they have been excellent for**  
 7           **our community.  And are good partners in what we do.**

8     REP. SANDIFER:  Okay, that's it Mr.  Chairman.  Thank  
 9            you.

10    SEN. ALEXANDER:  Other questions?  Senator from  
 11            Orangeburg, Senator Hutto.

12                                    DIRECT EXAMINATION

13    BY SEN. HUTTO:

14    **Q.    Good afternoon.**

15    A.    Hello.

16    **Q.    What is Palmetto Community Developers?**

17    A.    So it's a company I founded at the start of this year.  
 18            The goal is consulting and also development around all  
 19            pieces of economic development, but with the focus on  
 20            affordable housing.  So the short answer is consulting  
 21            and development firm.

22    **Q.    That's your sole employment at this time?**

23    A.    Yes, sir.

24            SEN. HUTTO:  Okay.  All right, thank you.

25            SEN. ALEXANDER:  Senator in Horry, Chairman Rankin.

## EXAMINATION

1  
2 BY SEN. RANKIN:

3 Q. Thank you Mr. Chairman. Ms. Richardson we met last  
4 week.

5 A. Yes, sir.

6 Q. Hopefully you've forgotten most of your interactions  
7 with a handful of us, particularly me. They would  
8 wish that I were not here today to continue this. We  
9 have screened a number of folks, obviously, in your  
10 class we'll call it. Three at least of whom have a  
11 law degree. Two of whom do not use it. Mr. Taylor,  
12 I don't know if you've met him.

13 A. Yeah, I've known him for a while.

14 Q. He retired from the practice of law. And so you have  
15 a degree, have you ever practiced law since -- you  
16 graduated in 2015?

17 A. That's right. Yeah. I was a practicing attorney for  
18 five years, clerked for a judge and then was a federal  
19 prosecutor for the Department of Justice but based  
20 here in Columbia. So I practiced, I was on the  
21 criminal side, so I've done criminal prosecution to  
22 include white collar crime, civil rights stuff,  
23 violent crime, drug crime, all the crimes.

24 Q. And the Lord spoke to you, and you left the law  
25 practice in 2020?

1 A. I did. That's right, that's right. Thank you. You  
2 know my background better than me.

3 Q. I should have remembered, Judge Seymour, you certainly  
4 clerked with her, and your time at the US Attorney's  
5 office.

6 A. That's right.

7 Q. Curious, why did you decide to leave the practice of  
8 law in 2020?

9 A. Honestly, I've got some really great colleagues at the  
10 US Attorney's office. They are a fantastic team of  
11 people working on violent crime, public corruption. I  
12 feel very comfortable and confident in, weird to say,  
13 but I do feel very comfortable and confident in  
14 certainly the US Attorney's office here in South  
15 Carolina in terms of people making good policy.  
16 People trying to get things done in Washington, I feel  
17 less comfortable and confident about that and so I  
18 wanted to make a difference there. My focus is always  
19 on South Carolina and South Carolinians. Senator Tim  
20 Scott, I didn't know him prior to working for him, but  
21 I started listening and loved a lot about him and  
22 wanted to move to D. C. and work with him and learn  
23 from him and see just the way that he was thinking  
24 about issues. And for me one of the similarities that  
25 he and I share and one thing that I do combine sort of



1 law, economics and politics to make a difference here  
2 in South Carolina. And so for me I probably always  
3 will be working somewhere in an economic development  
4 space. And so that was the shift for me, from  
5 practicing law to working on creating better laws and  
6 filling in the gaps that we see here in South  
7 Carolina.

8 **Q. Outside of a court room or outside of a conflict**  
9 **inherent context, I guess right?**

10 A. That's right. And to be more specific and going back  
11 to Senator Hutto's question, one of the challenges I  
12 see here in South Carolina certainly for some smaller  
13 communities is they're trying to attract capitol, for  
14 let's say an affordable housing deal or they're trying  
15 to develop a new community center. And so part of  
16 what I do with Palmetto Community Developers is  
17 helping them figure out the financing behind that.  
18 Leveraging resources at the federal, State and private  
19 sector to get projects done.

20 **Q. And you are doing that, you named a partner and I**  
21 **don't recall his name. Who's your partner?**

22 A. His name is Joseph Dukes.

23 **Q. And he's in South Carolina as well?**

24 A. Yes, he's also based in Charleston.

25 **Q. Okay. To the law degree side and the practice side --**

1 A. Yes, sir.

2 Q. I've asked of the other two, what do they call that a  
3 recovering attorney? Mr. Taylor -- John West is a  
4 practicing attorney still. And so you and Mr. Taylor  
5 will be recovering attorneys.

6 A. Well I am still paying my dues, which are, you know,  
7 more than I would like to pay to the South Carolina  
8 Bar and to the Washington, D. C. Bar. So my license  
9 is active but to be clear I don't necessarily have to  
10 use it every day. But I'm paying my dues.

11 Q. Well no doubt taking that line and applying it here,  
12 you will be paying your dues to South Carolina too.  
13 My point is to the skills that you have, either as a  
14 prosecutor, watching action in the court with the  
15 clerk -- I mean the judge and of course prosecuting  
16 and/or negotiating pleas, rather, conflict, and your  
17 ability to address and deal with it.

18 A. Yes.

19 Q. You inherently have an advantage being thrown into the  
20 legal context of conflict. You would agree with that  
21 or hopefully agree with that?

22 A. Yes.

23 Q. So not that there is conflict amuck, but to the degree  
24 that you encounter, as a Board member, conflict  
25 between your various customer classes, Central, direct

1 and or the industrial customers, two of whom, the  
2 record will already reflect that I've already asked,  
3 two of whom generally both have a lobbyist. One  
4 class, which generally does not and that is the  
5 direct-serve customer. So you won't see anybody from  
6 that class. How, with your skills and your  
7 background, will you anticipate dealing with the  
8 conflict between those particular classes?

9 A. Yeah, so the answer to the question is balancing those  
10 interests. You know, everyone you just mentioned,  
11 they fall under the best interest test that the  
12 legislature describes. And so at that point you're  
13 weighing everything else, the financial integrity,  
14 economic development. But to another piece you  
15 brought up, some of the potential folks in conflict  
16 not having a representative, I think that goes well to  
17 the work I did for the Department of Justice. Many  
18 times I would be prosecuting a case, the victim might  
19 not be there, but they still need to be represented.  
20 And so I think many times we're put in positions,  
21 certainly as a prosecutor and likely also as a Board  
22 member, where if not necessarily the squeakiest wheel  
23 is the only that one that gets greased. It's our duty  
24 to represent the interests even if they aren't the  
25 loudest. It's up to us to still balance that.

1 Q. Great. Having heard all these questions again and  
2 again, do you still want to do this?

3 A. Yes.

4 SEN. RANKIN: Okay, that's all I have.

5 SEN. ALEXANDER: Thank you. And thank you for your  
6 willingness to serve. One question before I go  
7 to Chairman Sandifer.

8 EXAMINATION

9 BY SEN. ALEXANDER:

10 Q. Here you're doing a lot of your work I understand now  
11 in affordable housing, is that right?

12 A. Yes, sir.

13 Q. Have you looked at what Santee Cooper is doing as far  
14 as energy efficiency or if there is, I think you  
15 responded to one of Mr. John's question, if there  
16 becomes a conflict then how would you in dealing  
17 affordable housing versus some initiatives from that  
18 standpoint?

19 A. Yeah, I don't anticipate a conflict, but certainly if  
20 one were to come up I think that would be something I  
21 would need to raise as a potential issue. But I don't  
22 anticipate a conflict there. But would raise it if  
23 one came up.

24 Q. Okay, and as far as the energy efficiency, is that  
25 something in dealing with affordable housing have you

1           looked at the programs yet that Santee Cooper has for  
2           energy efficiency?

3       A.   Yes, I've looked at those programs. Generally with  
4           affordable housing so much of the piece that I'm  
5           working on is the financing piece, and so typically  
6           that's going to be in the form of some of the federal  
7           tax credit pieces for energy efficiency. So kind of  
8           more at a federal level than a particular program that  
9           Santee Cooper would be offering?

10       Q.   Thank you. Do you have any pending applications that  
11           are part of the four percent or nine percent program  
12           here in South Carolina?

13       A.   I do not.

14       Q.   Okay, thank you.

15           SEN. ALEXANDER: Chairman Sandifer.

16   EXAMINATION

17       BY REP. SANDIFER:

18       Q.   Richardson, I want to tell you --

19       A.   Yes.

20       Q.   As I was reading through the material that you have  
21           provided for us, one of the things that caught my  
22           attention first was the fact that you worked with  
23           Senator Tim Scott. Tim Scott was a member of my  
24           Committee in the House of Representatives. One of the  
25           best members I have had.

1 A. Yeah.

2 Q. So, thank you for that. That helps me feel  
3 comfortable.

4 A. Thank you.

5 SEN. ALEXANDER: Representative Jefferson.

6 EXAMINATION

7 BY REP. JEFFERSON:

8 Q. Mr. Chairman, just a comment. First of all, Attorney  
9 Richardson I want to applaud your efforts in offering  
10 your services to serve on the Santee Cooper Board.  
11 This is my 18th year here in General Assembly and I  
12 have had the pleasure of attending a few of Santee  
13 Cooper's meetings. Some of which can be rather  
14 lengthy. So I just want you to know that we will be  
15 looking forward to seeing and hearing a lot of good  
16 things that you will be doing if you are so appointed  
17 to the Board. We don't see any opportunities that  
18 would deny you that privilege. Anyway, I just want to  
19 thank you for being a part of this process.

20 A. Thank you.

21 SEN. ALEXANDER: No further questions. You're excused.

22 MS. RICHARDSON. Okay, thank you.

23 SEN. ALEXANDER: Good to have you with us today. Thank  
24 you for your willingness to serve and thank you  
25 for appearing.

1 MS. RICHARDSON: Yes, sir. Thank you.

2 (OFF THE RECORD)

3 SEN. ALEXANDER: Good afternoon.

4 MR. WEST: Afternoon, sir.

5 SEN. ALEXANDER: We're delighted to have you with us  
6 before appearing before us today. And Mr. John  
7 Samuel West as the Berkeley County Seat for the  
8 Santee Cooper. Please allow me to swear you in  
9 first.

10 WHEREUPON:

11 JOHN SAMUEL WEST, being duly sworn and  
12 cautioned to speak the truth, the whole truth and  
13 nothing but the truth, testifies as follows:

14 SEN. ALEXANDER: Thank you, sir. Again, thank you. We  
15 appreciate your willingness to serve and for  
16 being here with us today. We'll ask Mr. John to  
17 provide some background and then to ask you some  
18 questions before we get started with the  
19 Committee.

20 EXAMINATION

21 BY MR. JOHN:

22 **Q. Afternoon Mr. West. Nice to see you again.**

23 **A. Hello Mr. John.**

24 **Q. As mentioned, Mr. West is being screened for the**  
25 **Berkeley County seat. That term is January 1, 2023 to**

1           January of 2027 expiration. Mr. West, we have  
2           received your complete confirmation packet and your  
3           preliminary screening responses. Do you have any  
4           updates to make to that packet at this time?

5     A.   None other than the ones that I mentioned to you at  
6           the sub-committee.

7     Q.   Yes, sir. Thank you. And we have clarified those in  
8           the documents for this meeting.

9     A.   Thank you.

10    Q.   So we are good to go there. The screening questions,  
11          if we asked you those questions today would your  
12          answers be the same?

13    A.   Yes.

14    Q.   And did you discuss your responses to those questions  
15          with any third parties?

16    A.   No.

17    Q.   Thank you.

18          MR. JOHN: Mr. Chairman at this time I would ask that  
19                 Mr. West's Personal Data Questionnaire and  
20                 responses be entered into the record as an  
21                 exhibit.

22          SEN. ALEXANDER: So ordered.

23                                 (EXHIBIT NO. 11 MARKED FOR  
24                                 IDENTIFICATION PURPOSES (7 pages)  
25                                 PDQ)



1 (EXHIBIT NO. 12 MARKED FOR  
2 IDENTIFICATION PURPOSES (8 pages)  
3 Preliminary questions)

4 Q. Mr. West's background. He attended University of  
5 South Carolina from 1975 to 1978. Bachelor of Arts  
6 degree. Went on to USC Law 1979 to 1982 where he  
7 received his Juris Doctor. Mr. West is currently the  
8 managing partner of the West Law Firm, a role he's had  
9 since 2005. He initially worked for that same firm as  
10 an attorney from 1982 to 1990. In between those two  
11 stints, he worked for Santee Cooper from 1990 to 2004.  
12 He was in-house attorney from 1990 to '95; Vice  
13 President of property and legal services '95 to 2000;  
14 and then Executive Vice President and Chief Legal  
15 Officer from 2000 to 2004. He has also served  
16 previously as the Mayor of Moncks Corner from '93 to  
17 '96. And a member of the State Election Commission  
18 from 2002 to 2006, serving as Chairman for the final  
19 two years there. And also the Daniel Island  
20 Annexation Commission. Mr. West is a member of the  
21 South Carolina Bar Association and the Berkeley County  
22 Bar Association. A background check indicated no  
23 criminal record, no issues with his credit report and  
24 no concerning information from his driving record.  
25 Mr. West, how long have you lived in South Carolina?

1 A. All of my life.

2 **Q. Are you registered to vote?**

3 A. Yes.

4 **Q. Are you an official with a political party?**

5 A. No.

6 **Q. Are you a lobbyist currently or do you engage in**  
7 **lobbying activity?**

8 A. No.

9 **Q. Do you or a member of your immediate family who**  
10 **resides with have any financial holdings, business**  
11 **relationships or other potential conflicts of interest**  
12 **related to your appointment?**

13 A. No.

14 **Q. What would you do if a conflict arose?**

15 A. I would disclose to those officials that I would be  
16 required to disclose it to. And if it became  
17 appropriate I would recuse myself from any decision  
18 relative to the matter that the conflict exists on.

19 **Q. In addition to your extensive familiarity with Santee**  
20 **Cooper, what skills do you possess that would be**  
21 **beneficial to an energy and utility board.**

22 A. Well I think my skill set would be useful in just  
23 about any setting, and particularly in this setting.  
24 And that is a pretty good listener. I pay attention  
25 to the facts, you know everything is fact driven. And

1 so I pay attention to the facts, I learn the facts.  
2 I've developed that skill over 40 years in practicing  
3 law, you know, is to, you know, start with the facts.  
4 And then based upon the facts I think I've over the  
5 years learned to be one who could apply those facts to  
6 the rules, whatever the rules are. And then make good  
7 judgments. I think that's a big part of my skill set.  
8 I think beyond all that, you know, I don't know  
9 whether it's a skill or whether it is an acquired  
10 ability, but you know I try to tell the truth in all  
11 situations. And that has served me well over the  
12 years. Even if it is not something that the client  
13 wants to hear, a judge wants to hear or someone else  
14 in authority wants to hear that the truth is something  
15 that needs to be told, respectfully of course. But  
16 telling the truth is a pretty good skill that more  
17 people need to have.

18 **Q. And continuing along that line with your response, can**  
19 **you describe your view of the role of a director**  
20 **within Santee Cooper and how that would be different**  
21 **from the role of senior staff?**

22 **A.** Well the role of a director of course is a member of a  
23 larger group, but the group as a whole, the Board, is  
24 tasked with the responsibility of setting policy for  
25 the organization and keeping with the law. And I

1 think the most important role of the board and  
2 individual board member is to participate in the  
3 selection of the CEO to give the CEO a vision for how  
4 the Board sees the institution going forward. To hold  
5 that CEO accountable; to have measurable goals for the  
6 CEO; to have high expectations of the CEO in terms of  
7 the CEO's decision making as far as his staff or her  
8 staff is concerned; but as a Board member to avoid  
9 crossing over into operational issues. I think that  
10 is improper.

11 **Q. Thank you. Similar question, but specifically the**  
12 **role of a director as a fiduciary. Can you share your**  
13 **thoughts on that?**

14 **A.** Well the statute, Act 90, sets forth specifically in  
15 the statute what the expectations of the board members  
16 are in terms of his or her fiduciary duty. But, you  
17 know, in a general sense, the idea of loyalty and  
18 fidelity to the institution. You have to be loyal to  
19 the institution, loyal in the sense of not having  
20 divided interests - having singular interests as it  
21 relates to the institution and fidelity and it goes  
22 back to my earlier answer about being honest.

23 **Q. You mentioned having a singular interest, how would**  
24 **that relate to say working in the best interest of**  
25 **Santee Cooper?**

1 A. Well, I think if you're loyal and faithful, you are  
2 accomplishing the best interests of the institution.  
3 I mean, there's no greater call than to be loyal and  
4 faithful.

5 **Q. Very good. Thank you. How is Santee Cooper's**  
6 **business model different from other utilities in the**  
7 **State?**

8 A. Well Santee Cooper's business model is an institution  
9 that is, by statute, not for profit. You compare that  
10 to, for example, investor owned utility who's charge  
11 it is, and it's a legitimate charge, is to bring a  
12 return to the shareholders. So the model is different  
13 in that respect. The similarity, you didn't ask but  
14 I'll offer it. The similarities are that each has a  
15 constituency, or constituencies, and the Board of  
16 Directors in the case of Santee Cooper is charged  
17 overall with the care and protection of those  
18 constituents. The same would be true for an investor-  
19 owned, but the constituencies would include  
20 shareholders.

21 **Q. What is Santee Cooper's current generation mix?**

22 A. It's mostly coal. And you have nuclear. Then you  
23 have natural gas. Then you have some hydro. And then  
24 you have some of the renewables. And, you know, those  
25 numbers seem to me in looking at the literature to

1 move around little, but I would say the majority is  
2 coal, clearly. And then natural gas, then you have  
3 purchased power in the mix as well. So it's a typical  
4 mix, if you look across the country at what utilities  
5 have. Particularly some of the older utilities with  
6 coal fire generation.

7 **Q. What role do you see renewables playing in that mix in**  
8 **the future?**

9 A. Well I think it's an essential element in the mix. I  
10 think what is lost in the analysis sometimes, though,  
11 just to be fair, about renewables is that a utilities  
12 has to have the base load generation to back up the  
13 renewables. Because, you know, you take for example,  
14 the Winter peak when we had seven degrees last winter,  
15 and, you know, there was a real threat of rolling  
16 blackout. I mean it was close as I understand it. I  
17 mean it was very thin margin. So renewables are  
18 obviously good. Solar is, in South Carolina, the  
19 primary one of the renewables because we don't have  
20 any wind or geothermal or some of these others. Solar  
21 is really what we're talking about when we talk about  
22 renewables. But that's a long answer to say  
23 renewables are good, it should increase, but we also  
24 need to be mindful of the fact that with renewables  
25 you got to have the backup base load generation in

1 order to be able to meet those peaks.

2 **Q. How would you balance diversification of generation**  
3 **versus potential cost impacts of customers.**

4 A. Would you repeat the question, I don't think I heard  
5 you.

6 **Q. It was how would you balance diversification of**  
7 **generation as opposed to potential cost impacts. Said**  
8 **differently, the importance of having a balanced**  
9 **portfolio, at what point does it have to give way to**  
10 **affordable rates?**

11 A. Well, of course, Santee Cooper will not survive long  
12 if its rates get out of whack. I mean, low rate goes  
13 back to the very beginning of Santee Cooper. Having  
14 low electric rates. So that pressure is going to  
15 always be there. But it's a changing environment.  
16 The world is changing. You can't apply the 1975 model  
17 to the world that we have today. So it's just going  
18 to take smart people trying to balance out the rate  
19 impacts, which is very real, and the diversification  
20 issues that you discussed. It's been done in other  
21 States, it can be done here. And Santee Cooper is  
22 going to get better and better at it, as all of the  
23 utilities will be required to get better and better at  
24 it, or they won't last long if they don't.

25 **Q. And how about environmental stewardship balancing**

1           **against affordability?**

2       A.   Well, I don't see them, as I mentioned to you in the  
3           answer to that similar question in sub-committee, I  
4           don't see those two as mutually exclusive.  If you're  
5           good at environmental stewardship that means you'll be  
6           good at the other areas as well.  And they can  
7           compliment each other if you're smart enough to figure  
8           it out.

9       **Q.   All right.  Economic development, how important, what**  
10       **role?**

11      A.   It's tough to pick something that you would rank as  
12           number one among other very, very important  
13           considerations, but I believe that Santee Cooper has  
14           distinguished itself in economic development; can  
15           continue to do that.  And I believe that if the  
16           question where does Santee Cooper provide the most  
17           value to the entire State of South Carolina I would  
18           say it is in the area of economic development.  So it  
19           should continue in my view to be one of the highest  
20           priorities of Santee Cooper.

21      **Q.   In addition to economic development, what other ways**  
22       **can Santee Cooper be an asset to all South**  
23       **Carolinians?**

24      A.   This is a seldom discussed topic, at least in  
25           conversations that I am in, across the State, and that



1 is the water. Lake Moultrie and Lake Marion water  
2 agencies which were created for the purpose of  
3 providing drinking water in the areas that are served  
4 by those two agencies. To me that is an area that has  
5 so much potential for the good of the people of South  
6 Carolina. We're seeing across the country water wars.  
7 We're seeing water crises in other parts of the  
8 country. And that can come to South Carolina. I  
9 mean, in my recollection there was one point in time  
10 where we had severe drought in South Carolina and  
11 there were water systems that were impacted  
12 significantly. And that can happen again. So good  
13 planning, good growth on those two systems and  
14 potentially other municipalities and county  
15 governments could join in, particularly on the Lake  
16 Marion side. But water is an area that I believe  
17 there is tremendous potential for good.

18 **Q. Can you tell us a little bit about your long term**  
19 **vision for Santee Cooper and how it's relationship**  
20 **with Central Electric fits into that vision.**

21 A. Well this is going to sound a little bit corny, and  
22 maybe even a little political, so I apologize in  
23 advance for saying this. But I believe Santee  
24 Cooper's best days are ahead. Generally speaking. I  
25 think coming out of the nuclear failure has made the

1 institution better, better in the sense that the  
2 legislature saw the need to come in and provide some  
3 accountability; to provide some transparency; to  
4 provide for some oversight which never existed before,  
5 really. I mean it may have been on paper as having  
6 some oversight, but there was none. And I believe  
7 that Santee Cooper has come out of this very terrible  
8 experience. I mean there is no sugar coating what it  
9 was. I mean it was awful. But I think Santee Cooper,  
10 with the wisdom of the legislature and the legislated  
11 changes that it made will be better and will be  
12 stronger and will provide even more value to the  
13 State. But it cannot do that if it has a continuing  
14 conflict with Central. The conflict, I mean again,  
15 everybody in this room knows it's there so we might as  
16 well acknowledge that it is there. The relationship  
17 is strained right now. But I believe that, you know,  
18 cooler heads can prevail. I believe that there is too  
19 much in common, too much of an opportunity for a  
20 win/win between the two organizations for it not to be  
21 worked out. And I think it will. And just to put it  
22 briefly in historical context, this goes back to the  
23 beginning, okay. This relationship of being at times  
24 tense, that's not new. It's a new subject matter that  
25 has brought us to where we are, that is the opt-out of

1 generation and the contract. I won't go into that  
2 unless you ask me to. But it is something that has  
3 always been worked out, and it can be worked out.  
4 There are just too many good people involved that are  
5 smart enough to know that working together and solving  
6 these issues, not in the newspaper, but you know where  
7 they need to be solved, is going to be good for both  
8 organizations and for the people of South Carolina.

9 **Q. Have you had any conversations with the Governor or**  
10 **members of the General Assembly about your role on the**  
11 **Board or future direction of Santee Cooper?**

12 A. No.

13 **Q. Do you understand the obligations and responsibilities**  
14 **of this position?**

15 A. I do.

16 **Q. Are you committed to serving a full term?**

17 A. Lord willing.

18 MR. JOHN: Very good. Thank you, Mr. Chairman,  
19 that's all I have.

20 SEN. ALEXANDER: Representative West.

21 EXAMINATION

22 BY REP. WEST:

23 **Q. Thank you Mr. Chairman. Mr. West.**

24 A. Hello Mr. West.

25 **Q. Hello Mr. West. How are you. Since we're both**

1           legally John West, just for the sake of the record, I  
2           wanted to clarify that we are not related. Correct?

3   A.    I don't think so.

4   Q.    Oh boy. Well. Okay well let's stay within the last  
5           two centuries. But I just want to clarify that for  
6           the record. Thank you.

7           SEN. ALEXANDER: Are there further questions?

8           SEN. RANKIN: Mr. Chairman.

9           SEN. ALEXANDER: Yes, sir.

10          SEN. RANKIN: For the record your middle initial is  
11           "S", John Samuel. Your brother is separated by  
12           one letter in his middle name, John T. Do I have  
13           that right? Mr. West, you may want to talk  
14           afterwards. There may be some kinship.

15          MR. WEST: Can you indulge me with a 30-second story?  
16           When I was at Carolina as a freshman there were  
17           seven John Wests who were enrolled at the time.  
18           And we all had to cash checks because we didn't  
19           have ATM machines. We had to cash checks at the  
20           Cornell Arms Pharmacy right on the corner. And  
21           because one of us was a bad check writer, nobody  
22           could get a check cashed. And I was not the one,  
23           by the way, who was the bad check writer. Now, I  
24           don't know what time you would have been there,  
25           but if you were the bad check writer I do want to

1 talk wit you.

2 REP. WEST: I look older than you, granted, but I do  
3 advise people not to do DNA tests.

4 MR. WEST: Sorry for the story Mr. Chairman.

5 SEN. ALEXANDER: Do you have further questions?

6 SEN. RANKIN: I do, actually.

7 MR. HUTTO: Can I say something. Just while we are  
8 story telling. He and I were pages together and  
9 this was in my hippie days when my hair was too  
10 long. They wouldn't let me on the Senate floor.  
11 I had to sit in the meeting room, which is now  
12 the gift shop. And the Chairman came in and  
13 looked at John and said, Remind me again why we  
14 hired that buy."

15 MR. WEST: That was Senator Marshall Williams.  
16 There's more to that story I could tell you  
17 privately but I don't want to hold up committee  
18 time on that.

19 EXAMINATION

20 BY SEN. RANKIN:

21 Q. I will not re-plow the ground that we talked about a  
22 week ago, but again I appreciate your willingness to  
23 do this. Your family, your profession, you personal,  
24 your life, has been lived, worked and worshiped and  
25 all extremes, high and low of life at its fullest has

1           been purely in Moncks Corner, which is Santee Cooper  
2           country. And so the devotion to and the hope for the  
3           continued success is obvious in you CV, in your  
4           answers that you've given to us before they were  
5           already in this record. With that, again, the  
6           relationship that you had as not the general counsel,  
7           but you were assistant counsel at Santee Cooper,  
8           correct?

9           A. When I left I was the Chief Legal Officer and General  
10          Counsel, when I left.

11         Q. And who succeeded you?

12         A. Jim Brogden.

13         Q. Okay. And who did you, who proceeded you?

14         A. John Tinkin.

15         Q. Okay. And did you two work together, Mr. Tinkin?

16         A. Yes.

17         Q. All right, did you get the chief counsel role when Mr.  
18          Tinkin went to work with the co-ops?

19         A. No, I got the Chief Counsel role when Mr. Tinkin  
20          became the CEO of Santee Cooper.

21         Q. Okay. All right. And you obviously worked with him -

22         A. I have.

23         Q. - for that duration and he was there when you left? Or  
24          remind me.

25         A. No. He had left Santee Cooper before I left Santee

1 Cooper.

2 Q. Okay. And that's when he went where?

3 A. That's when he went back into private practice and  
4 then ultimately became General Counsel at Central.

5 Q. Okay, and he is apparently recently resigned from  
6 that?

7 A. I'm not sure.

8 Q. Some shatter of that.

9 A. I'm not sure.

10 Q. So, in terms of a question, your answer that I want to  
11 go back to. Culture OF being politically tone deaf,  
12 or legally tone deaf as a fiduciary Board member.  
13 Your big, blunt response that it wasn't just  
14 perception, that it was reality that again,  
15 effectively the theme of this was that you would have  
16 raised your hand, you would have hoped to have raised  
17 your hand had you been there that you would have done  
18 it, right?

19 A. I believe I would have, yes.

20 Q. And I'm not trying to be parse between the  
21 relationship of SCANA, what they told folks, what  
22 criminality was waged upon those folks and folks now  
23 serving time in jail for their misdeeds. Do you see  
24 something as controversial coming in you term if you  
25 are successful in this as I expect you to be that

1 would require you not only to raise your hand but to  
2 be stomping your feet and pounding the table?

3 A. Well I don't know if anything that's in that category.  
4 I mean this is a once in history experience with the  
5 nuclear failure, hopefully. But I'm not aware of  
6 anything that is brewing or out there that would even  
7 compare to that.

8 Q. Pray not. And I may not have used it with you, but  
9 forgive me members of the PURC, but the best of times  
10 and the worst of times, you are coming in arguably in  
11 the best political times in that the decision to sell  
12 Santee Cooper is off the table. And you would have  
13 had no opinion on that, probably not wanting it sold,  
14 I guess. Right?

15 A. Well actually it came up several times during my  
16 tenure, and I was part of the group that worked hard  
17 to keep it from being sold.

18 Q. Would that have been with Cohen, or Green? Were you  
19 there when they were on the Board?

20 A. For a little while.

21 Q. Okay. All right. So the conflict and the ability as  
22 a lawyer, you're one of three now and I'm sorry guys  
23 and again ladies that we do this again. But you've  
24 got a unique skill with conflict resolution, I think,  
25 as an attorney. You're trained; you have experience



1 doing this; you are a certified, highly sought-after  
 2 mediator, which is nothing but a conflict resolver,  
 3 correct?

4 A. Yes, sir.

5 Q. So the conflicts between the customer classes and co-  
 6 ops or direct or industrial, do you see challenges in  
 7 your brokering piece between those groups?  
 8 Particularly if Central goes it effectively, to some  
 9 degree, alone outside with Georgia or Florida? Do you  
 10 see conflict with, as you put in here last week,  
 11 trying to restore that relationship?

12 A. Well, there's two parts to your question. The first  
 13 is do I see conflict, the answer is yes, there's  
 14 conflict. I mean, to deny that there is conflict is  
 15 to deny the obvious. But do I believe that I and  
 16 other members of the Board and the executive staff at  
 17 Santee Cooper can focus on restoring relationships,  
 18 resolving conflicts? If we're doing our job that's  
 19 what we're going to be doing. So I think there is  
 20 hope.

21 SEN. RANKIN: Very good. That's all I have.

22 REP. SANDIFER: Thank you Senator Rankin. Let me ask  
 23 a couple of questions.

24 MR. WEST: Yes, sir.

25 EXAMINATION

1 BY REP. SANDIFER:

2 Q. I was reading through some of your answers to written  
3 questions, and I found certainly the relationship with  
4 Central is the number one challenge in your mind?

5 A. It is.

6 Q. And do you have some concept that you could pass on to  
7 other board members and to the CEO as to how to start  
8 that resolution process?

9 A. I would say that the context, that's a great question  
10 and a fair question. I think the context is now going  
11 to be so much improved by having at least six new  
12 board members. That's a breath of fresh air right  
13 there. So I believe the context in which the next  
14 steps will be taken will be considerably better. Now  
15 that is not malign any current member of the Board.  
16 Please don't interpret that as an attack on anybody.  
17 I wouldn't do that, and I'm not doing that. But a  
18 breath of fresh air is a good start, and having six  
19 new board members, at least, I don't know if there are  
20 others coming, with a different perspective, and  
21 together those perspectives are fresh. You know.  
22 Even though a couple of us have been involved in the  
23 institution, I'm almost 20 years removed from the  
24 institution. And I still think I could bring a fresh  
25 perspective. So I think that's the context. And then

1 the attitude. You know. There's a difference when  
2 you're coming in and you're not dragging a bunch of  
3 baggage with you as would be the case with an  
4 incumbent board member. And you come in there and say  
5 All right, let's start fresh. Let's see what we can  
6 figure out. As any good mediator would do, you figure  
7 out what the parties have in common, okay. And then  
8 you list those on a piece of paper, and then you  
9 figure out where the areas of conflict are. A lot of  
10 times the parties in conflict don't even appreciate  
11 how much they have in common until you write it down,  
12 say it out loud, talk about it, and then figure out  
13 where you have areas of disagreement. So I believe  
14 that sort of a new beginning is in the process of  
15 being accomplished here. And again, I have great hope  
16 of potential of a lot of these things getting worked  
17 out.

18 **Q. And I appreciate your attitude and your explanation.**  
19 **I think that's the way it should be. And I know that**  
20 **you probably know this, but do you know that the**  
21 **General Assembly is pretty upset about the lack of**  
22 **information coming from Central?**

23 **A.** No, sir. I mean, I've obviously been hearing little  
24 murmurings of that, you know all the way in Moncks  
25 Corner. I've got a really busy practice and so my

1 information about things like that is honestly fairly  
2 limited. But I mean I've heard murmurings about the  
3 legislature not being happy, but I don't know any of  
4 the specifics of that.

5 Q. Okay. And then the last one of the challenges that  
6 you listed, and I found it interesting, is restoring  
7 the good name and reputation following the nuclear  
8 disaster.

9 A. Yes, sir.

10 Q. And I just found it interesting that you got a through  
11 f, and I found interesting that "a" was the Central  
12 issue and "f" was restoring good name. And I like  
13 that. That's a super way. In another area, you  
14 answered that coal is the primary source of fuel, and  
15 several other things. You enumerated those earlier.  
16 Do you see small nuclear reactors as a potential way  
17 to eliminate some of this deficit?

18 A. Yes, I do. But I will confess to you that I don't  
19 know anything about that subject of small nuclear  
20 right now as we speak. So I wouldn't want to pretend  
21 that I know anything about that subject other than the  
22 idea of small nuclear is something that is happening  
23 in other areas of the country successfully,  
24 apparently. And so while I wouldn't give you an  
25 educated answer, I will tell you that with what little

1 I do know that's an area where there may be some  
2 promise.

3 REP. SANDIFER: Okay. Good. All right, are there  
4 further questions? Okay. Hear none, thank you  
5 very much for your willingness to come before us  
6 today and your willingness to serve. You're  
7 dismissed.

8 MR. WEST: My pleasure. Good to see all of you.

9 (End of nominee screening)

10 MR. JOHN: I think the motion you might want to  
11 entertain is -- and I'm not sure whether the  
12 committee wants to do them one by one or as a  
13 slate, but you're looking for a motion to find  
14 the candidates qualified and nominated for  
15 consideration by the Senate.

16 REP. SANDIFER: And I think the first question is do  
17 we want to do them individually or collectively.

18 SEN. RANKIN: Yes, I would say individually.

19 REP. SANDIFER: I think you're right, Senator Rankin.  
20 Let's do that. If we can, let's just use the  
21 document that we have with the names listed. Is  
22 that okay? Is this the same order that they are  
23 listed in everything?

24 MR. JOHN: It is, yes, sir. And Chairman Alexander  
25 did want me to note for the record that he has

1 given Chairman Rankin his proxy for any part of  
2 PURC meeting Wednesday, May 3.

3 SEN. RANKIN: And Senator Floyd Nicholson as well.

4 REP. SANDIFER: And I had gotten that, as well, okay.  
5 The first one that we need to decide on is Mr.  
6 Basha.

7 SEN. RANKIN: I make a motion for a favorable report.

8 REP. SANDIFER: Motion is for a favorable report.

9 REP. JEFFERSON: Second.

10 REP. SANDIFER: All in favor, indicate by saying aye or  
11 a show of hands. I don't care which one.

12 COMMITTEE: Aye.

13 REP. SANDIFER: The next one is Mr. Bennett.

14 SEN. HUTTO: Motion for favorable report.

15 REP. SANDIFER: Favorable report?

16 REP. WEST: Seconded

17 REP. SANDIFER: All in favor indicate by saying aye.

18 COMMITTEE: Aye.

19 REP. SANDIFER: All opposed. Okay. Unanimous. Mr.  
20 Taylor?

21 REP. JEFFERSON: Favorable report.

22 SEN. HUTTO: Second.

23 REP. SANDIFER: All in favor indicate by saying aye.

24 COMMITTEE: Aye.

25 REP. SANDIFER: Mr. Dalton?

1 SEN. RANKIN: Motion for favorable report.

2 REP. SANDIFER: Favorable. Is there a second?

3 REP. WEST: Second.

4 REP. SANDIFER: All in favor indicate by saying aye.

5 COMMITTEE: Aye.

6 REP. SANDIFER: Ms. Alyssa Richardson?

7 REP. JEFFERSON: Favorable report.

8 REP. SANDIFER: Favorable? Second?

9 SEN. HUTTO: Second.

10 REP. SANDIFER: All in favor indicate by saying aye.

11 COMMITTEE: Aye.

12 REP. SANDIFER: Mr. West?

13 SEN. HUTTO: Favorable report.

14 REP. SANDIFER: Favorable? Second?

15 SEN. RANKIN: Second.

16 REP. SANDIFER: All in favor indicate by saying aye.

17 COMMITTEE: Aye.

18 REP. SANDIFER: So that is all of them? So we will  
19 issue a favorable report on the nominees. There  
20 being no further business, we stand adjourned.  
21 Thank you.

22 We are now adjourned.

23 (There being no further questions, the deposition  
24 concluded at 2:15 p.m.)

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CERTIFICATE OF REPORTER

I, KATHRYN BOSTROM, COURT REPORTER AND NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY CERTIFY THAT I REPORTED THE HEARINGS ON WEDNESDAY, THE 3rd DAY OF MAY 2023, THAT THE WITNESS WAS FIRST DULY SWORN BY ME AND THAT THE FOREGOING 166 PAGES CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF MY STENOMASK REPORT OF SAID DEPOSITION.

I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY INTERESTED IN SAID CAUSE.

I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO BREEDEN JOHN, GRESSETTE BUILDING, 1101 PENDLETON STREET, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS SEALED ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR FILING SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING WHICH MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 8TH DAY OF MAY 2023.

  
\_\_\_\_\_

KATHRYN B. BOSTROM, COURT REPORTER  
MY COMMISSION EXPIRES AUGUST 23, 2032



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